

**CANBY CITY COUNCIL
WORK SESSION
September 15, 2021**

PRESIDING: Council President Hensley

COUNCIL PRESENT: Christopher Bangs, Traci Hensley, Sarah Spoon, Greg Parker, and Shawn Varwig.

ABSENT: Mayor Brain Hodson

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, City Recorder/HR Manager; and Jerry Nelzen, Public Works Director.

CALL TO ORDER: Council President Hensley called the Work Session to order at 6:34 pm.

**DISCUSSION REGARDING CITY OF CANBY AND CANBY UTILITY
INTERGOVERNMENTAL AGREEMENT RELATED TO UNDERGROUNDING OF
ELECTRIC UTILITIES ON THE FUTURE IVY STREET IMPROVEMENT
PROJECT:**

Scott Archer, City Administrator, and Joe Lindsay, City Attorney, reviewed the draft IGA between the City and Canby Utility for the undergrounding of utilities on Ivy Street. The City would pay the full amount and Canby Utility would reimburse for their portion. The project would be around \$1.3 million. Canby Utility would own the lines and would provide technical assistance throughout the project.

There was discussion regarding the funding sources for the project.

Mr. Archer explained they would need an access agreement with each property owner to underground the utilities and the cost was estimated at \$1.3 million.

Mr. Lindsay discussed the options if owners did not agree to the access agreement.

Dan Murphy, Canby Utility, did not think they needed to underground to every meter on private property. Instead small service poles at the edge of the right-of-way could be installed. It could be the homeowners' choice to underground at their expense.

Councilor Spoon asked if the Council could see what the poles would look like.

Councilor Parker thought staff should talk with the property owners to see if there would be a problem with getting the access agreements.

There was discussion regarding the location of the service poles and the cost. Additional information would be brought back to the Council at another Work Session.

Council President Hensley adjourned the meeting at 7:02 pm.

**CANBY CITY COUNCIL
REGULAR MEETING
September 15, 2021**

PRESIDING: Council President Hensley

COUNCIL PRESENT: Christopher Bangs, Traci Hensley, Sarah Spoon, Greg Parker, and Shawn Varwig.

ABSENT: Mayor Brain Hodson

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, City Recorder/HR Manager; and Jerry Nelzen, Public Works Director; Erik Forsell, Associate Planner; Ryan Potter, Senior Planner.

CALL TO ORDER: Council President Hensley called the Regular Meeting to order at 7:32 pm.

PROCLAMATION: POW/MIA Recognition Day – Council President Hensley read the proclamation declaring September 17, 2021 as POW/MIA Recognition Day.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:

David Bajorin, Canby resident, spoke about his service to this country and how he was disappointed that people were not working together on issues that needed to be addressed instead of focusing on politics. He suggested community-building events and encouraging personal responsibility.

Kathleen Jeskey, Canby resident, discussed adults shaming a child on social media for a mistake he made. She thought adults should protect children, not endanger them.

Linda Tate, Canby resident, discussed the importance of leading with solidarity. She questioned the Mayor and his behavior on social media and whether he was everyone's mayor. She thought the Council should take a vote whether they had confidence or no confidence in the Mayor.

David Tate, Canby resident, discussed how laws should bring equity and be enforced equally without moral judgement. He thought the Council should be more than representatives of their constituencies. He challenged them to be civic leaders who did not shape, define, or influence moral standards in a community. He thought they should promote good policies and pass fair laws that brought equity and were enforced equally throughout the community.

Council President Hensley read a letter from Christie Bernklau Halvor, Canby resident, who spoke against the bullying of a minor on social media.

Ty Spoon, Canby resident, spoke against the way some adults had treated his son. It was not how a child should be treated and was unacceptable. He hoped everyone would do better.

PUBLIC HEARING: Appeal No. APP 21-03 of a Planning Commission Approval of Design Review Application DR 21-04 – State Street Multi-family Project –

Council President Hensley read the public hearing statement.

Councilor Varwig recused himself from the hearing as he does business with the principle of the company that was representing the applicant.

CONFLICT OF INTEREST:

Councilor Parker – No conflict, plan to participate.

Councilor Spoon – No conflict, plan to participate.

Councilor Bangs – No conflict, plan to participate.

Councilor Hensley – No conflict, plan to participate.

EX PARTE CONTACT:

Councilor Parker – No contact.

Councilor Spoon – No contact. Walked by the site regularly.

Councilor Bangs – No contact.

Councilor Hensley – No contact.

STAFF REPORT: Erik Forsell, Associate Planner, said this was an appeal of the Planning Commission's approval of the State Street Homes application. The proposal was to develop six two bedroom/two bathroom units and six one bedroom/one bathroom units, totaling 12 units. Each individual multifamily structure would have a total of six units with an even split between two bedroom and one bedroom units. The development would be accessed off of SW 3rd Avenue by the means of an existing 26 foot wide easement area with a 20 foot wide travel surface and a five foot pedestrian sidewalk. Both buildings would be three stories in height, approximately 5,294.25 square feet in size. The site was approximately .44 acres, largely level with some existing trees, zoned R-2 high density residential, and surrounded predominately by other properties zoned R-2 with the exception of two properties to the south. He discussed the applicant's preliminary site plan, existing conditions on the property, preliminary landscape plan, and zoning and planning in the context of this development. This property had been zoned R-2 since 1980, over 30 years. The property rights associated with R-2 zone allowed for multifamily development as an outright permitted use. The R-2 zone required a minimum density of 14 units per acres and this project was proposing 12 units on .44 acres. There was no maximum density. Market forces were the principle driver for development. Staff did not propose development projects; they reviewed projects against the code. Staff recommendations were based on the evidence supplied by the applicant. Not all development was desirable for every person and inevitably there would be conflicts and differences in opinion. The project avoided demolition of existing structures, saving the existing single family home on the adjacent lot which might have historical value. Planning staff did not review projects for subjective issues such as neighborhood compatibility, historical value, or opinions based on appearance. The appellants suggested that this was contrary to existing development in the surrounding area and SW 3rd Avenue. The reality was that this neighborhood was already a mixture of single family, common-wall townhomes, and apartments. The Planning Commission reviewed the staff report, listened to

significant testimony from the neighbors, and reviewed the first traffic analysis letter provided by DKS. They voted 5-1 to approve the project with conditions. Staff recommended approval of the project and remained confident that the Planning Commission made the correct decision based on the evidence and the code. The appellants were the neighboring property owners, Patsy Fifield, Jennifer Driskill, and Jonathan Clayborne. Staff received many comments, materials, and information from multiple parties post typical comment periods. As a courtesy, staff had strived to include that information to the greatest extent possible.

Mr. Forsell reviewed the appeal criteria. The appellants made a variety of claims and alleged assignments of error and staff summarized those that were relevant to the approval and appeal criteria. Staff recognized that some of the appellants' claims had value outside of the approval criteria; however, planning staff and the Planning Commission reviewed projects based on the code criteria and not subjective comments about opinions on compatibility or neighborhood composition. The appellants believed this application was processed as a Type II application. Staff responded that this was an incorrect assignment of error as it was noticed as a Type III application and there was a public hearing by the Planning Commission. The appellants also claimed that the incorrect matrix for design review was used for this project. Staff responded that this was an incorrect assignment of error. The residential design standards matrix replaced the matrix on Chapter 16.49 design review for projects that contained 3 or more units on a single lot. The appellants claimed that not enough points were scored on the residential design standards matrix. Staff responded that this was an incorrect assignment of error. The project scored 39 out of a total possible 65 or exactly 60% of the required points which met the standard. This was the same points analysis done for a project down the street (DR 18-01 Tievoli Apartments). The appellants claimed that the trip generation was incorrectly calculated by using low-rise instead of mid-rise apartments for the Institute of Transportation Engineers (ITE) traffic generation figures. Staff responded that this was an incorrect assignment of error. The ITE standards for low-rise was more consistent with the travel patterns in the City and was appropriate for this projects. A conservative approach was used for the traffic analysis. The project was well below the threshold for a neighborhood trip impact analysis which was for 30 peak trips or 300 daily trips. Low-rise apartments generated more average daily trips than mid-rise apartments. The traffic count was gathered on September 8 and 9. Less than 2,000 vehicles per day and low speeds indicated a livable and walkable local street. The appellants claimed that the driveway spacing did not meet the standards of the code. Staff responded that this was an incorrect assignment of error. The driveway spacing was tight, but there was enough room to accommodate the 5 feet required by code from pavement approach to property line. Even if that was impractical and the spacing could not be met, a slight deviation could be provided administratively. The City could not prevent lawful access to a public street by means of an established easement. DKS had reviewed this twice, finding both times that the driveway could be accommodated for. The spacing standards had been consistently applied to development and traffic studies throughout Canby. He described the access options. The appellant also claimed that the easement did not meet setbacks. Staff responded that this was an incorrect assignment of error. Private access easements were not evaluated for setbacks. The easement was pre-existing to this development. Staff's understanding was that the current owner of 285 SW 3rd was aware of this easement when they purchased the property. The appellant claimed that there would be overflow parking onto SW 3rd Avenue. Staff responded this was not relevant to the code criteria. The proposed development met the parking standards of the code. At least 1 parking space would be provided for every unit on the property. The City did not regulate parking in the public right-of-way and there was no dedicated parking

enforcement. There was no way to know or claim that each unit would have a car or multiple cars.

Mr. Forsell explained the Council could overturn a Planning Commission decision only when one or more of the following findings were made: the Commission did not correctly interpret the requirements, did not observe the precepts of good planning as interpreted by the Council, or did not adequately consider all of the information which was pertinent to the case. Staff believed that the Commission thoroughly reviewed and vetted the application against the criteria of the code, Comprehensive Plan, and state law. There was significant deliberation involved in the decision for this project and its relation to the applicable code standards. Precepts of good planning were decisions made consistent with Oregon's Statewide Planning Goals, environmental impacts, and honest and dutiful analysis of code criteria when reviewing a development proposal. Staff believed the Commission embodied precepts of good planning when rendering the approval of this project. The Commission had a thorough record to review consisting of detailed information related to the project. The initial hearing was continued over to perform a traffic analysis that wasn't specifically required by code in order to bolster the record. The appellants and others in opposition were presented with ample time to provide their input during the public hearing and the Planning Commission heard that testimony and asked questions and performed further deliberation. Staff concluded that the subject property was zoned R-2 high density residential as was the surrounding property on SW 3rd Avenue, density requirements were 14 units per acre, multifamily development was allowed as an outright permitted use, the proposed buildings were under the 35 foot height requirement, and DKS evaluated this project twice for traffic impacts, safety and livability and found that the project could meet the code and did not identify major safety or traffic concerns. Also, the access easement could be constructed to adequately provide two lanes of ingress/egress and pedestrian interconnection, the proposed development provided parking in line with the code, the proposed development would provide ample landscaping and buffering, and staff provided conditions that would mitigate some impacts and ensure safety measures were implemented. The Planning Commission thoroughly vetted this project during a 3.5 hour public hearing process, hearing all of the public comments, reviewing both the staff report and applicant's responses and voted to approve the project 5-1. Neither staff nor the consulting traffic engineers made errors in their analysis and documentation of the project. The procedures in the code were followed to the letter. This project had been reviewed consistent with other multifamily projects in the immediate vicinity. Ancillary issues such as historical structures/districts, perceptions of neighborhood compatibility, or other comments that were not codified were not reasons to deny a project. He then discussed options for Council motions.

Questions for staff: Councilor Spoon asked if any variances were given in the application. Mr. Forsell said there were no variances.

Councilor Spoon asked about the traffic impact study. Mr. Forsell explained this project as proposed did not generate enough trips to require a more thorough analysis.

Councilor Bangs asked about fire vehicle access. Mr. Forsell said the applicant had consulted with Canby Fire and the applicant increased the easement width to accommodate fire vehicles. Staff also added a condition for a rollable curb that could accommodate a large fire engine.

Councilor Bangs asked if the property was originally attached to the property at 285 SW 3rd that was then subdivided and the easement created. Mr. Forsell did not know the lot history. He did

think a lot line adjustment was done to create the lot with an easement to allow for the ingress/egress.

Council President Hensley opened the public hearing.

Applicant: Mark Wilde, State Street Homes Inc., said they did smaller multifamily projects throughout the state in emerging markets where housing was needed. They worked hard to meet all of the existing zoning requirements. No variances had been requested. They had also put in extra effort on the traffic impact study. It was a small project and they had studied it significantly more than other projects this size. They wanted to make sure they would not negatively impact the community and help ease neighbors' concerns. Regarding compatibility, this street had single and multifamily units already. The architectural design was attractive and was a design for the future. There was need for affordable housing and this project would provide that for Canby. He agreed with the findings regarding driveway spacing. The application had been reviewed as a Type III. Regarding the easement, the previous owner of the property did the land division and established the easement. The adjacent property owner was aware of this project.

Appellant: Jennifer Driskill, Canby resident, said the appeal was being made on the behalf of the neighborhood, not just the three listed in the staff report. They wanted answers to the concerns that had been raised before the Planning Commission hearing, but had not received answers and only had three minutes to testify at the hearing. They were not able to make good use of that time. The meeting was very long due to concerns about the access and proximity to the intersection and running parallel with another driveway. They were told no exceptions were being made for the project, however she did not think that was the case. She did not think the project's size and design were complimentary or compatible with the existing neighborhood. A three story, modern building did not match the neighborhood. Also, community safety had been overlooked. There was an exception to use the the Type II table for Type III applications and it was confusing regarding what criteria was being used. They heard over and over that compatibility was not a criterion or the home's potential historic contribution could not be considered. They were also told the related density and height concerns had no place. The primary code chapters for the project did speak to compatibility and that the design and size were appropriate to other structures in the vicinity. The Comprehensive Plan stated the establishment and long range planning of residential areas having different density characteristics required careful coordination with other plan elements. It was critical that higher density areas be served by the transportation network adequately sized to handle the traffic generated and higher density areas should not be located where the existing road patterns lacked capacity to provide access or service. Without adequate coordination, high density developments could put a strain on local street networks as well as creating safety problems. This was a safe route to school for kids and the proximity to the intersection was a safety concern. She thought there were a number of safety considerations that weren't acknowledged by staff or considered by the Planning Commission. The neighborhood was not against development, but this project was two and a half times the minimum number of units required, it was three stories, and they were worried about adding so many more families in an area that already had safety issues. The other multifamily units in the area did not access SW 3rd. The lot line adjustment showed the change was supposed to be made from 20 to 26 feet and the entire distance from the edge of the lot line on the left and the house was 30 feet. That meant they would be putting in a driving surface four feet away from the master bedroom window of the house at 285 SW 3rd. The intersection was incredibly close and everyone leaving this project would end up taking a left right into the traffic. Fire vehicles would

not be able to get down the street due to the on-street parking. Priority should be to the people who lived at 285 SW 3rd and the neighborhood.

Proponents of the Appeal: Maria Navidad Valadez, Canby resident, was concerned that this was a three story building overlooking her backyard. She thought the number of apartments should be reduced to be compatible with the neighborhood. She thought the current project would reduce her property value and increase traffic. Parking on both sides of the street was a current issue, and this would make the situation worse. Children walked to school on SW 3rd and there were no safety measures on the street. The impact of this development would be significant livably and financially.

Rhonda Shechtman, Canby resident, discussed pictures she had sent of the house in question, driveway to the Tievoli Apartments, and the trees that would be removed. She had also submitted a list of area houses that were deemed as contributing resources to this neighborhood. She was concerned about traffic safety and this development would only increase the issues. It was important to maintain the small town feel of Canby. The other multifamily units in this area were only two stories and were designed in a similar style to the surrounding homes. The concrete drives needed to access these apartments would obtrusively stick out between the homes. The proposed modern three story buildings would be easily visible above the existing homes, especially after a row of old growth trees was removed to accommodate the driveway. Shorter buildings would allow for a narrower drive and a less visible complex behind the existing homes. The Historic Preservation Plan was adopted in July 2020 to identify, preserve, and protect places of historic value. They needed to make sure growth did not destroy what made Canby special. This area had homes that were contributing resources, and they needed to protect the history and small town charm of Canby.

Billie Jean Clayborne, Canby resident, said although they agreed to the 26 foot wide width, she did not realize how close it would be to her house. It would make one side of her house unusable and the roadway would be six inches from her air conditioning unit. She was concerned someone might drive right into her house. The easement was for roadway purposes and access. It said nothing about a sidewalk and she did not give her consent for the sidewalk.

Jonathan Clayborne, Canby resident, said they were aware of the easement, but had not realized it would be four feet from their bedroom window. It would not be safe with cars driving in and out that close to the house. He also did not consent to have a sidewalk. He intended to file a law suit if it was put in. He thought this should remain a single family home community.

Bob Cambra, Canby resident, thought this project's design had an inadequate number of on-site parking spaces which would have a negative impact on the neighborhood and roadway. Most households had at least two vehicles per unit plus there needed to be visitor spaces. People were parking on both sides of the street currently and it made the roadway narrow. There was also a lot of traffic on this road. It would be difficult to get fire vehicles down the road. The Traffic Safety Commission was considering options to reduce the on-street parking. He thought this project would add to the current on-street parking issue. He also questioned the size of the sidewalks and its closeness to Grant Street. There needed to be no parking next to the driveway for greater site distance. The project should not add to the neighborhood's existing problems.

Regina Taylor, Canby resident, said the access driveway size and location warranted the need to reduce the number of units to reduce the impact on the community at large in pedestrian safety, traffic safety, and increased street parking. The access to this site was problematic due its size, shape, and location parallel to an existing driveway and connection to a public street at the nexus of an intersection. There was no alternative location to remedy these problems. They should limit the number of units until better access was available. Higher density would increase the traffic and safety concerns. She quoted from the Comprehensive Plan about the utilization of the land for higher density which needed to be done without adverse impacts to existing neighborhoods. There was a proposal to put in mitigation at the end of SW 3rd on the Ivy Street side that would prevent any entrance from there onto SW 3rd. That meant every vehicle that left this development would have to turn left onto the nexus intersection and cross over onto Grant and go around in a circle to look for a parking spot. The rolled curb would go all along the driveway and Public Works standards discouraged the use of these types of curbs. She thought it would be a dangerous situation for pedestrians. She thought the minimum density for the site was five units. She suggested reducing the development to six units, which would eliminate one of the buildings as they were currently designed. She thought this would be temporary as additional R-2 land adjacent to this property would be redeveloped in the future. When that redevelopment occurred, it would allow for shared access on SW 4th. She thought the developer could wait to develop the second building until that happened to create a safe and equitable access. The residents in the first building could use all of the proposed parking until the second building was done, which would alleviate the parking concerns.

Opponents to the appeal: None

Applicant Rebuttal: Mr. Wilde said regarding the traffic concerns, DKS had looked at this development twice and had concluded that the impact was below standards. They were providing adequate parking on site per code. He understood the concerns about design compatibility, but this area was already a mix of single and multifamily housing. This project was not significantly different from other developments in this area. The .44 acres did not include the easement. The neighbors had been aware of this project, although it sounds like they had not considered the impact. They would be putting in a privacy fence around the development. They had included the sidewalk at the request of staff and the neighborhood for pedestrian safety. A rollable curb would provide access for fire vehicles. Canby Fire had approved what was proposed. The decision needed to be based on the facts and code criteria and this project met the standards outright with no variances. They had gone above and beyond to look at the traffic impact twice.

Council President Hensley closed the public hearing.

Questions for staff: Councilor Spoon asked about the possibility of a law suit. Mr. Lindsay said it would be between the property owners, not the City. The City would not be allowing something that was illegal.

Councilor Spoon asked if they could require a reduction of units or stories. Mr. Lindsay said in order for the Council to modify the application, they would have to override the Planning Commission's decision. In order to do that, they would have to find that the Commission did not correctly interpret the requirements, did not observe the precepts of good planning, or did not adequately consider all of the pertinent information.

Councilor Spoon asked if rolling curbs would be allowed if the sidewalk was adjacent to a driveway. Mr. Lindsay said they were discouraged, but were allowed. Mr. Forsell said this was a private access easement and Public Works design standards did not come into play for how it should be designed. The applicant was willing to do what was appropriate which could be fleshed out in the pre-construction meeting. There were a variety of rollable curbs that could be used.

Councilor Bangs asked about parking on the street at the access point on the road. Could the City put in no parking on either side of the driveway? He thought it would be especially important for fire vehicles to be able to turn onto the driveway. Mr. Lindsay said yes, that could be done.

Councilor Bangs asked about the plans to close access to SW 3rd from Ivy which would change traffic patterns. Mr. Forsell said there were a number of potential improvements in the Transportation System Plan to address this area, but currently there were no plans to make that change.

Council Deliberation: Councilor Spoon thought the neighborhoods' comments were compelling. The community should work with the Heritage and Landmark Commission to assess whether a historic overlay should be placed on this area. However, they could not use that as a way to prevent a project from moving forward since it was not in place yet. This was an area of concern for the Traffic Safety Commission, especially due to the on-street parking. She thought they should revisit the traffic impact requirements. However, the analysis for this application showed no traffic impact. She thought they should continue to monitor the ingress and egress of the driveway and visibility. She asked that staff and the Planning Commission correct the code that was ambiguous and outdated, especially to make it more user-friendly. She acknowledged that the project did meet the code. Because this was a private road, the Public Works design standards were not the appropriate standards to follow. She did not think the standards to approve the appeal had been met.

Councilor Bangs thought this development would detract from the neighboring house. However, there was a housing shortage. He could see both sides of this issue. He was concerned about the traffic on the street, but he did not think it was a legal reason for them to approve the appeal. He also agreed there were challenges in the code and it should be addressed.

Councilor Parker said the Council had to decide whether the appeal met the threshold to overturn the Planning Commission's decision. He agreed the code should be reviewed, especially for traffic and density. They could not change the rules in the middle of the process. They had to use the current rules and he would be voting to uphold the Planning Commission's decision.

Council President Hensley said private property rights were important, and she hoped the developer would do everything possible to mitigate the neighbors' concerns. She agreed the code needed to be reviewed. This decision needed to be based on whether or not the Planning Commission made the correct decision. She thought that they did. She was also concerned about the rolling curb being so close to the neighboring house. She hoped something could be done to address it.

****Councilor Bangs moved to deny APP 21-03 and uphold the Planning Commission's approval of Design Review Application DR 21-04 – State Street Multi-family Project. Motion was seconded by Councilor Spoon and passed 4-0-1 with Councilor Varwig recused.**

CONSENT AGENDA: **Councilor Varwig moved to approve the minutes of the July 28, 2021 Special Called Meeting and August 4, 2021 Work Session and Regular Meeting. Motion was seconded by Councilor Spoon and passed 5-0.

RESOLUTION: Resolution 1358 – Mr. Lindsay said Canby Disposal was requesting to assign the franchise agreement to Kahut Companies Holdings upon the selling of stock in the company. The services, trucks, and employees would remain the same, but the technical ownership and control at the company was changing.

****Councilor Spoon moved to adopt Resolution 1358, A RESOLUTION GIVING CONSENT FOR THE ASSIGNMENT OF ALL CONTRACTUAL RIGHTS, DUTIES, AND OBLIGATIONS IN THE EXCLUSIVE FRANCHISE TO PROVIDE WASTE DISPOSAL IN THE CITY OF CANBY FROM CANBY DISPOSAL COMPANY (CDC) TO KAHUT COMPANIES HOLDINGS INCORPORATED (KCH). Motion was seconded by Councilor Varwig and passed 5-0.**

Councilor Parker said if they needed to renegotiate the franchise so they could better project costs, he was open to that.

DISCUSSION REGARDING THE APPOINTMENT PROCESS FOR THE CITY COUNCILOR VACANCY:

Councilor Hensley reviewed the appointment process. The deadline for applications was September 30 at 5 pm., interviews would be held on October 6, and the new City Councilor would be sworn in on October 20. She asked if they could not get through all of the interviews on October 6 if they wanted to hold interviews on October 13 as well.

There was consensus to hold the interviews on October 6, and start the meeting earlier to accommodate the number of applications.

DISCUSSION REGARDING AMENDING THE CANBY CITY MUNICIPAL CODE TO INCLUDE THE LIBRARY ADVISORY BOARD AND HERITAGE AND LANDMARK COMMISSION STUDENT MEMBERS AS VOTING MEMBERS:

Councilor Bangs said currently the student members of the Library Board and Heritage and Landmark Commission were non-voting members and he thought they should be able to participate fully in the vote.

Councilor Spoon was concerned about tie votes. Mr. Lindsay would bring back options. Also, currently the Library Director was the secretary of the Board and he suggested changing that provision as well.

There was consensus to make these changes and bring it back to a future agenda.

DISCUSSION REGARDING CANCELING OR ATTENDING THE OCTOBER 20, 2021 VIRTUALLY:

The Council was going to attend the League of Oregon Cities Conference in Bend, however the conference had been cancelled and the October 20 meeting would still be held.

MAYOR'S BUSINESS: None

COUNCILOR COMMENTS & LIAISON REPORTS:

Councilor Varwig reported CTV-5 had completed the installation of a new playback server. They had seven new volunteers in training. They were preparing their annual report to Clackamas County and were looking for a new Board member.

Councilor Spoon said the route for the new circulator had been finalized. There were openings on the Transit Advisory Committee. She discussed stopping online bullying and coming together in healing and kindness.

Councilor Bangs reported on the School Board meeting where operating procedures were passed. School was back in session and everyone was fully masked.

The Council concurred that children should be left alone and not bullied.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None

CITIZEN INPUT: None

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Denied APP 21-03 and upheld the Planning Commission's decision to approve DR 21-04.
3. Approved Resolution No. 1358.

Council President Hensley adjourned the meeting at 11:00 p.m.

Melissa Bisset
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood