

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
January 3, 2024**

**PRESIDING:** Brian Hodson

**COUNCIL PRESENT:** James Davis, Jason Padden, Traci Hensley, Herman Maldonado (arrived at 7:12 p.m.), and Daniel Stearns.

**STAFF PRESENT:** Eileen Stein, City Administrator; David Doughman, City Attorney (attended virtually); CJ Lason, Deputy City Recorder; Maya Benham, Administrative Director/ City Recorder; Jerry Nelzen, Public Works Director; Todd Wood, Transit & Fleet Director; and Scott Schlag, Finance Director.

**CALL TO ORDER:** Mayor Hodson called the Council Meeting to order at 7:03 p.m.

**STAFF INTRODUCTIONS:** Eileen Stein, City Administrator, introduced the new Finance Director Scott Schlag, who started with the City on January 2.

Mr. Schlag explained his background and experience.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** None.

**CONSENT AGENDA:** **\*\*Council President Hensley moved to approve the Consent Agenda that includes appointing Scott Sasse to the Transit Advisory Committee with a term ending March 31, 2025, appointing Tiffany Mach to the Library Advisory Board with a term ending June 30, 2027, appointing Adrienne Carlson to the Heritage and Landmark Commission with a term ending June 30, 2026, appointing Aimee Noss to the Clackamas County Library District Advisory Committee effective January 3, 2024, approving the minutes of the November 15, 2023 Work Session and Regular City Council Meeting, and approving the minutes of the December 6, 2023 Work Session and Regular City Council Meeting. Motion was seconded by Councilor Padden and passed 4-0.**

**ORDINANCES:** Ordinance 1615 – Todd Wood, Transit & Fleet Director, said that the Transit office's current lease began in 2016. The lease technically ended in 2018, but the City continued to rent it month-to-month since then. The County said that if there was no active lease then the City was no longer tax exempt and the landlord would have to pay the taxes for having a non-tax-exempt tenant for the years of 2018 through the present. To maintain their tax-exempt status and save the landlord having to pay back taxes, a new lease was required. This lease would bridge the gap between 2018 to 2025 and would not change the payment amounts.

Mayor Hodson wanted to know how it was missed until now and what steps the City could take to ensure it didn't happen again.

Councilor Padden wanted to make sure this would take care of the problem and that the City would not have future issues down the line with the County saying that taxes were owed.

David Doughman, City Attorney, had seen this in the past with other entities and did not anticipate any problems in the future with the lease. It was on the landlord to officially handle this, but the City wanted to be good tenants. He could reach out to the County to make sure no back taxes were going to be charged.

Mr. Wood said that the landlord had been good to the City and in order to maintain that relationship, the lease was necessary.

Mayor Hodson asked for an update on the groundbreaking of the new facility. Mr. Wood said there was a meeting with the architect next week to begin the process.

Councilor Padden wanted to make sure this was taken care of and that the City would not be on the hook for taxes later.

Ms. Stein said staff would report back at the second reading of the ordinance.

**\*\*Councilor Padden moved to approve Ordinance 1615, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO MAKE, EXECUTE, AND DECLARE IN THE NAME OF THE CITY OF CANBY AND ON ITS BEHALF, AS APPROPRIATE LEASE AGREEMENT WITH ZIMMER VENTURES LLC, OF CANBY, OR TO PROVIDE LEASED OFFICE SPACE FOR CANBY AREA TRANSIT LOCATED AT 195 S HAZEL DELL WAY THROUGH DECEMBER 2025 to come up for second reading on January 17, 2024. Motion was seconded by Councilor Davis and passed 5-0 on first reading.**

**OLD BUSINESS:** City Attorney Recruitment – Ms. Stein had no update on the recruitment at this time.

**MAYOR'S BUSINESS:** Mayor Hodson said that the Clackamas County Coordinating Committee was meeting on January 4, 2024, mainly to discuss the upcoming legislative session. There was also an upcoming Region 1 Area Commission on Transportation meeting to discuss tolling and upcoming bridge projects. The Council goal-setting session was scheduled for February 16, 2024 and an upcoming goal-setting session with the City Administrator was coming up on January 10, 2024, after the City Councilor interviews.

Council President Hensley asked that since there were only four candidates to interview, could they interview, review, and appoint the new Councilor on the same evening and have the judge attend to swear-in the new Councilor so they could participate in the goal-setting session.

Mayor Hodson said they would discuss it, and that there were Council liaison positions that would be decided on January 17, 2024.

The Mayor said they needed to discuss the format and questions they would be using in the January 10 interviews. Typically, the Council discussed their top candidate(s) and decided after discussion.

Councilor Davis wanted to hear some feedback from the two current Councilors who had gone through the interview process on how they would change or improve it. He was disappointed in the last interview process that they did not get a chance to truly get to know the candidates since several had interviewed before and did not give full answers to their questions. He thought they should keep it simple and straightforward and streamline the number of questions asked.

Councilor Stearns said communication on the process was lacking and he showed up late because the expectations were never truly set. He stressed the need for effective organization.

Councilor Padden had been through the interview process eight times and agreed it could be a frustrating process. He was in favor of taking the necessary time to discuss their top candidates and come to a consensus before a motion to appoint was made. He wanted to have a maximum of half an hour to answer questions and give the Councilors time to ask a question of their own to the candidates. He requested the candidates not being interviewed to wait outside the room, so that they would not hear the answers the others were saying. Once interviewed, the candidates could stay in the Council Chambers and hear those after them if they wished. Administering of the oath and swearing-in were formalities and the newly appointed Councilor could start performing their duties immediately.

Mr. Doughman confirmed that was the case but would prefer it to take place on a subsequent night to keep the process more formalized.

Council President Hensley thought they should rank their top two candidates. She agreed the list of questions should be pared down to four questions. She would like the opportunity for Council to ask their own custom or follow-up questions. She agreed separating the candidates while one was being interviewed would be useful. She suggested keeping the swearing-in for a future meeting to allow family members of the new Councilor to attend.

Councilor Davis agreed with both ideas of keeping the candidates separate as well as asking follow-up questions.

Councilor Stearns would like more time to think things over before making a decision on a new Councilor.

Council President Hensley said they've always made the decision the same night to avoid holding an extra meeting to announce and then another one to swear them in. She suggested Councilor Stearns mull over his decision in a brief recess in between the last candidate interview and their discussion. She would prefer to select the Councilor on January 10.

The Mayor recapped that the interviews would be on January 10, 2024 starting at 6:00 p.m., and asked for feedback on which questions they wanted to eliminate and which they wanted to keep.

There was consensus to keep questions 1, 2, and 4 and allow each Councilor to ask a custom question and eliminate the others.

Ms. Stein set the expectation that the Councilors would send their custom questions to her by the end of day Friday, January 5, 2024, to make sure there were no duplicates and that the questions were legal to ask.

Councilor Stearns asked if it was public knowledge who had applied and if that information could be shared. The Mayor replied it was now public knowledge. He cautioned against expressing an opinion or soliciting an opinion from the public.

Councilor Maldonado recommended setting a cap on time to maintain fairness to all applicants.

There was consensus to give each candidate 20 minutes for their interview.

Councilor Padden wanted to formalize the process if it worked well so that Councils afterward would have a path to follow. Mayor Hodson asked him to bring it up in the Council goal setting later in the year.

### **COUNCILOR COMMENTS & LIAISON REPORTS:**

Councilor Padden mentioned his house was on the Christmas Tour of Homes and it went well, with 42 people attending. He had joined the Willamette Falls and Landings Heritage Area Coalition. He helped move furniture out of the old West Linn City Hall to assist in the renovation. Once completed, it would be the home of the Coalition and also used for historical purposes. The Canby Lions Club was closing due to lack of membership and would be absorbed by the Oregon City Lions Club chapter. He also asked for follow-up regarding the taxing district for the library.

Mayor Hodson said it was an ongoing issue and Canby, along with other cities, were underrepresented in this issue. It was on the back burner for the County, but they were aware of it.

Council President Hensley attended the Traffic Safety Commission meeting where they discussed crosswalk painting on 4<sup>th</sup> and Ivy, turning some streets into one-way streets, citizen input regarding Knight's Bridge Road and mitigation for the speeding in the area, a "Curb Ahead" sign and yellow reflective paint on the curb outside a house on Knights Bridge where numerous accidents had occurred, and the Yorkfield HOA (Darcy Estates – SE 1<sup>st</sup> and 2<sup>nd</sup> and SE Aspen and Birch) recommendation to lower the speed limit. Per discussion with police and after reviewing the Charter, it was allowable for a municipality to lower a speed limit by 5 mph, to 20 mph. She asked for consensus for staff to bring an Ordinance to lower it.

Councilor Stearns asked if lowering it by 5 mph would have the desired impact. He suggested putting in stop signs instead to govern the speed.

Council President Hensley said there were lots of rules associated with stop signs and since they had the police involved, they would be aware of the new speed limit and would enforce it.

Councilor Maldonado agreed the spacing on that street was very tight and he could see the need for lowering the speed limit. He asked if 5 mph was what they could lower it overall, or if possible further reductions could be done later. Council President Hensley did not know but that would be something useful to ask the City Attorney.

Jerry Nelzen, Public Works Director, said the speed limit outside City Hall had been lowered by 5 mph in a previous instance. He recommended discussing this in staff's leadership team meeting to see if an ordinance was required, or if it would be able to be enacted on recommendation of

the police and City Administrator alone. If they wanted to lower the speed further, they would have to get approval from ODOT.

Mr. Doughman thought per the statute, it would need to be done by ordinance.

Councilor Padden wanted to see a map with the streets in question highlighted to make sure there were no business impacted.

Council President Hensley said the area was completely residential.

Councilor Padden wanted to know what a long-term plan would look like for mitigating the speeding in that area overall.

Councilor Maldonado wanted to see if there were alternatives like speed humps, or bump-outs that could be put in, or possibly fencing around basketball courts, etc. to protect children playing.

Council President Hensley stated there were already stop signs all over the neighborhood that were appropriate, including at traffic circles. She would look into the appropriateness of fencing.

There was consensus for staff to come back with a plan for reducing speed in the area.

Councilor Davis attended the meeting with Cogeo. He wanted to make sure that the necessary Executive Session was set up to update the Council on the property for the athletic fields.

Ms. Stein would set it up as soon as it was feasible.

Councilor Davis attended the Parks and Recreation meeting and gave updates on the bathrooms at Community Park, Auburn Farms park design, bids on the Legacy Park exercise equipment, and contract for work at Maple Street Park. The Board also started putting together a wish list for the upcoming budget cycle which would include renovating the bathrooms at Wait Park and putting in a possible “Pedal Park” at the Honda Pits.

Councilor Davis also gave an update on the Fire Department, saying they had a busy New Year’s Eve and Day with most of their calls coming in after midnight. They were also getting into their goal-setting process. They were raising money for the Fourth of July fireworks, which would cost \$20,000 this year. Citizens could donate online or drop off physical donations at the Fire Station.

Councilor Padden asked for an update on the dog park. Councilor Davis said they had been discussing where to locate it. It was on the Master Plan and would be addressed.

Council President Hensley gave a PSA for the community. If anyone was feeling down, or needed help, they should reach out to 988, or anyone for support.

**CITY ADMINISTRATOR’S BUSINESS:** Ms. Stein spoke about the upcoming Clackamas Cities Dinner on January 25. The Ethics Commission training session had to be scheduled and completed by May 17, 2024. She spoke about submitting proposals for Homeless Initiative Grants from the County. She also reminded Council that on January 17, there would be the mid-year budget review session.

Councilor Stearns asked about the Homeless Initiative Grants.

Ms. Stein said the total amount for all Clackamas County cities combined was \$5 million. The fund's use and purpose was somewhat vague.

Mayor Hodson noted Canby did not have shelters or many other resources, and in many cases, they referred those in need to Oregon City where the resources were more abundant. There were some warming shelters in the winter and cooling shelters in the summer in the City that might benefit from the grants.

Councilor Padden reminded the Council of the need to reach out to former Councilors about the Ethics training. Ms. Stein said they would be notified, and she planned to have the leadership team participate, and possibly City advisory members.

Council President Hensley thought the training was pursuant to Executive Sessions and did not want people to attend thinking the training was going to cover topics that did not end up being addressed. Boards and committees would not be involved in Executive Sessions, and she did not want to waste their time if it was the only thing that was covered in the training.

Councilor Padden was told by the training coordinator that they had a variety of topics they could cover and would tailor-make a training that fit the City's needs.

Ms. Stein would speak with them and make sure the training was valuable for all who attended.

**CITIZEN INPUT:** None

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Approved Ordinance 1615 to a second reading on January 17, 2024.

The meeting was adjourned at 8:42 p.m.

Maya Benham  
City Recorder

Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood