

**CANBY CITY COUNCIL  
WORK SESSION MINUTES  
November 20, 2024**

**PRESIDING:** Brian Hodson

**COUNCIL PRESENT:** Traci Hensley, Scott Sasse, Daniel Stearns (attended virtually), and Jason Padden (attended virtually).

**COUNCIL ABSENT:** James Davis and Herman Maldonado.

**STAFF PRESENT:** Eileen Stein, City Administrator; Teresa Ridgley, Deputy City Recorder; Don Hardy, Planning Director; Jamie Stickel, Economic Development Director/Communications Specialist; and Tyler Nizer, Economic Development & Tourism Coordinator.

**CALL TO ORDER:** Mayor Hodson called the Work Session to order at 6:03 p.m.

**HOUSING AND COMPREHENSIVE PLAN UPDATE AND SPECIAL AREA J:** Don Hardy, Planning Director, presented. Staff was requesting Council direction on two options: 1) incorporate Comprehensive Plan map changes for Special Area J or 2) create specific Comprehensive Plan policies as part of the Comprehensive Plan update. He gave a background on the Housing Needs Analysis and Economic Opportunities Analysis findings, Comprehensive Plan update and UGB process, Special Area J Comprehensive Plan designations, Area J analysis and scenarios, findings and staff's recommendation for Scenario 1, community summit input, Scenario 1 net impact on the UGB deficit, Scenario 1 findings related to the Canby HNA and EOA, DLCD input and support for Scenario 1, Council options, and pros and cons of the options.

There was discussion regarding increasing density in the future, highway commercial zoning, and conversations with property owners.

The Council gave direction for staff to move forward with Option 1.

Mayor Hodson adjourned the Work Session at 6:44 p.m.

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
November 20, 2024**

**PRESIDING:** Brian Hodson

**COUNCIL PRESENT:** Scott Sasse, Daniel Stearns (attending virtually), James Davis (arrived at 7:38 p.m.), Traci Hensley, Herman Maldonado, and Jason Padden (attended virtually).

**COUNCIL ABSENT:** None.

**STAFF PRESENT:** Eileen Stein, City Administrator; Teresa Ridgley, Deputy City Recorder; Emily Guimont, City Attorney; Jorge Tro, Police Chief; Jose Gonzalez, Police Captain; Don Hardy, Planning Director; Jamie Stickel, Economic Development Director/Communications Specialist; Tyler Nizer, Economic Development & Tourism Coordinator; Todd Wood, Fleet/Transit/IT Director; and Heidi Muller, Transit Operations Manager.

**CALL TO ORDER:** Mayor Hodson called the meeting to order at 7:02 p.m.

**NEW EMPLOYEE INTRODUCTIONS:** Mayor Hodson recognized Emily Guimont, the new City Attorney from Beery, Elsner, and Hammond LLP.

- a. Swearing-in Ceremony: Jorge Tro, Police Chief, introduced two police officers, Officer Wyatt Parker (who finished academy) and Officer Kyler Boyd (who moved laterally from the City of Salem), who were sworn in by Judge Rodney Grafe.

**SHOP LOCAL CANBY PROGRAM/2024 SMALL BUSINESS SATURDAY**

**PROCLAMATION:** Mayor Hodson read the proclamation declaring November 30, 2024, as Small Business Saturday. He also read a statement from Belinda Goody, Executive Director of the Canby Area Chamber of Commerce, on why small businesses mattered.

Tyler Nizer, Economic Development & Tourism Coordinator, presented the Shop Local Canby Program going on November 30 to January 2. He explained the program and banners that had been created.

**CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS:**

Kristi Smith, Canby resident, read a proclamation declaring November 20, 2024, as Transgender Day of Remembrance.

Ron Yarbrough, Canby resident, proposed adopting the pink Dogwood tree as the City's tree and planting them around town to beautify the City and bring in tourism. Mayor Hodson said he would talk to staff about next steps.

**CONSENT AGENDA: \*\*Council President Hensley moved to approve the October 23, 2024, City Council Work Session and Regular Meeting minutes; the November 6, 2024, City Council Regular Meeting minutes; and the reappointment of Hannah Ellison, Judi Jarosh, and Craig Lewelling to the Planning Commission with terms to expire on December 31, 2027. Motion was seconded by Councilor Maldonado and passed 6-0.**

## **ORDINANCES AND RESOLUTIONS:**

Ordinance 1634 – **\*\*Council President Hensley moved to adopt Ordinance 1634, AN ORDINANCE ADOPTING THE HOUSING EFFICIENCY MEASURES: COTTAGE CLUSTER DEVELOPMENT AND DESIGN STANDARDS 16.21, PLANNED UNIT DEVELOPMENT CODE UPDATES CHAPTER 16.74 AND 16.76, LOW DENSITY RESIDENTIAL CHAPTER 16.16, AND MEDIUM DENSITY RESIDENTIAL CHAPTER 16.18, AS PART OF THE CITY OF CANBY CODE (TA 24-02). Motion was seconded by Councilor Maldonado and passed 6-0 by roll call vote.**

Ordinance 1635 – Ms. Stein explained there was an administrative change to the contract to indemnify the City for non-legal services and activities that were covered by Beery, Elsner, and Hammond LLP's general liability and automobile insurance coverage, making the agreement consistent with CIS's position on this issue.

There was discussion regarding a potential conflict of interest since the contract was written by the same firm that they were hiring and in the future getting a third party to review the contract.

**Council President Hensley moved to adopt Ordinance 1635, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A CONTRACT BETWEEN THE CITY OF CANBY AND BEERY, ELSNER & HAMMOND, LLP FOR CITY ATTORNEY SERVICES AS AMENDED. Motion was seconded by Councilor Maldonado and passed 6-0 by roll call vote.**

Ordinance 1636 – Ms. Stein said this took away the cap on Ordinance 1606 so they could continue to pay for services on the contract with Beery, Elsner, and Hammond LLP for interim City Attorney services through the end of the year.

**\*\*Councilor Sasse moved to adopt Ordinance 1636, AN ORDINANCE AMENDING ORDINANCE 1606 TO DELETE THE NOT TO EXCEED AMOUNT IN THE CONTRACT BETWEEN THE CITY OF CANBY AND BEERY, ELSNER & HAMMOND, LLP FOR INTERIM CITY ATTORNEY SERVICES. Motion was seconded by Councilor Davis and passed 6-0 by roll call vote.**

Resolution 1421 – Ms. Stein stated the Council heard the presentation on the Transit Master Plan on October 2, and this resolution would adopt the Plan.

Todd Wood, Fleet/Transit/IT Director, said he had approached Cherriots (the qualified entity for STIF in Marion County) for funding for the extension to Woodburn (to Woodburn's downtown transit center) and was denied. He gave the top three highlights of the Plan.

**\*\*Councilor Sasse moved to adopt Resolution 1421, A RESOLUTION ADOPTING THE 2024 TRANSIT MASTER PLAN FOR CANBY AREA TRANSIT. Motion was seconded by Council President Hensley and passed 6-0.**

**OLD BUSINESS: Canby Adult Center Funding Conditions** – Ms. Stein reported the City had found a way to report its ARPA expenditures that the funds could be considered unallocated reserves now.

Emily Guimont, City Attorney, presented the results of her research on what was needed to ensure the funds given to Canby Adult Center met the conditions in the agreements. She gave a background on the CDBG funds that the City had received for the current Adult Center location and any penalties in the agreements if that location was no longer used for that purpose. She recommended a Memorandum of Agreement between the County and City that stated the current building had reached the end of its useful life. This would ensure the City would not need to repay any CDBG funds. She then discussed the funding agreement with the Adult Center and asked for guidance on the purpose for the funds.

There was discussion regarding putting restrictions on the funds, the deadline that the funds needed to be expended, and conditions in which the funds would be returned.

Keith Galitz, Adult Center Board Treasurer, said the money from the City would be used for the downpayment with the condition that the building be converted to the Adult Center.

There was consensus for a broader grant with the restriction that the money be used for the transition to the new property including a downpayment or improvements. However, in the event the Adult Center sold or ceased to use the new property within a certain amount of time, the funds would be reimbursed to the City. There would also be a deadline to expend the funds in 8 years or it would be returned. Disbursement would be authorized at the execution of the agreement. The agreement would be brought back to the next meeting.

**NEW BUSINESS:** January 2025 Meeting Schedule – There was consensus to hold Council meetings on January 8 and 22, 2025.

**MAYOR’S BUSINESS:** Mayor Hodson congratulated Councilors who were reelected. He reported on Canby Builders Supply 75<sup>th</sup> anniversary, ODOT approval of the Walnut Street extension, signal on 99E and Pine, and how he had been appointed as chair of the Housing and Livability Committee with the Metro Mayors Consortium. The Light the Night event would be held on December 6.

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

Councilor Sasse asked for an update on the house. Chief Tro said the owners of the house were working with a realtor to sell the house.

Councilor Davis said there would be an Open House with the new Fire Chief on December 14. He reported on the Parks and Recreation Advisory Board meeting where the Auburn Farms design and Maple Street Park lighting and trail were discussed. He also discussed the Adult Center Board elections and Thanksgiving lunch.

Council President Hensley reported on the Traffic Safety Commission where they discussed issues on NE 10<sup>th</sup>, SE 2<sup>nd</sup> and 3<sup>rd</sup>, and traffic cameras. She also attended the Canby Builders Supply celebration, First Thursday, and 99E reopening. She called out disparaging comments made at the City’s booth at First Thursday, and she requested in the future that Councilors participated in a separate booth from City staff.

Councilor Padden said the conversations were not at the City's booth, but in the parking lot. He apologized for his actions, but he was also made uncomfortable with questions about a recent Executive Session.

Mayor Hodson said this issue had already been addressed and should not have been brought up at the meeting.

**CITY ADMINISTRATOR'S BUSINESS:** Ms. Stein gave some highlights from the bi-monthly reports. The Council had received an email from the goal setting consultant to kick off the process.

Councilor Davis thought next time they should go out for an RFP for a new goal-setting consultant.

There was discussion regarding doing the goal setting in one day or breaking it up into two half days.

Ms. Stein explained how citizens could apply to the upcoming Citizens Engagement Academy.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Ordinances 1634, 1635 as amended, and 1636, as well as Resolution 1421.
3. Approved changing the January 2025 Council Meetings from the first and third Wednesdays, to January 8 and January 22.

**\*\*Council President Hensley moved to go into Executive Session pursuant to ORS 192.660(2)(b) Charges or Complaints against a Public Officer and ORS 192.660(2)(i) Performance Evaluation. Motion was seconded by Councilor Maldonado and passed 6-0.**

Councilor Davis asked if the Executive Session was noticed within 24 hours. Mayor Hodson responded it was, and the City Administrator was asked if she wanted it in an open session or executive session.

Mayor Hodson read the Executive Session statement and recessed the Regular Meeting at 9:00 p.m. Mayor Hodson reconvened the Regular Meeting at 10:47 p.m. and immediately adjourned.



Maya Benham, CMC  
City Recorder



Brian Hodson  
Mayor

Assisted with Preparation of Minutes – Susan Wood