



AGENDA
CANBY CITY COUNCIL
WORK SESSION 6:00 PM
REGULAR MEETING - *7:30 PM*****

Virtual Meeting/ Council Chambers

Meetings can be viewed on CTV Channel 5 and YouTube:

<https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>

Register in advance for this meeting if you'd like to view on Zoom:

https://zoom.us/webinar/register/WN_wLWbH56-Rhaf_yHbLMsr1Q

After registering, you will receive a confirmation email containing information about joining the meeting.

March 17, 2021
222 NE 2nd Avenue, 1st Floor
Mayor Brian Hodson

Councilor Christopher Bangs
Council President Traci Hensley
Councilor Sarah Spoon

Councilor Jordan Tibbals
Councilor Greg Parker
Councilor Shawn Varwig

WORK SESSION 6:00 PM

1. CALL TO ORDER

2. PRESENTATION REGARDING HB 2001 AND HB 2003 & GENERAL DISCUSSION UNCONSTRAINED VACANT RESIDENTIAL INDUSTRIAL LAND & FUTURE COMPREHENSIVE PLAN UPDATE.

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3. ADJOURN

Regular Meeting – *7:30 PM- Please note change in start time.

1. CALL TO ORDER

2. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: This is an opportunity for audience members to address the City Council on items not on the agenda. Each person will be given 3 minutes to speak. Staff and the City Council will make every effort to respond to questions raised during citizens input before the meeting ends or as quickly as possible thereafter. *****If you would like to speak virtually or in person, please email or call the City Recorder by 7:00 pm on March 17, 2021 with your name, the topic you'd like to speak on and contact information: bissetm@canbyoregon.gov or call 503-266-0733. Once your information is received, you will be sent instructions to speak. Please note that Council will be attending this meeting virtually.**

3. PUBLIC HEARING: To consider a petition filed by Canby Development, LLC to vacate portions of the North Maple Street cul-de-sac right-of-way that are unneeded for the extension of North Maple Street (Related to Ordinance No. 1545).

Pg. 3

4. ORDINANCE

- a. Consider **Ordinance No. 1545**: An Ordinance vacating two small portions of North Maple Street public right-of-way that were formally part of a cul-de-sac at the street's northern terminus (*First Reading*). Pg. 6

5. MAYOR'S BUSINESS

6. COUNCILOR COMMENTS & LIAISON REPORTS

7. **CONSENT AGENDA:** This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.

- a. Approval of Minutes of the March 3, 2021 City Council Regular Meeting. Pg. 31
- b. Appointment to the Transit Advisory Committee.

8. DISCUSSION ON REOPENING CITY FACILITIES TO THE PUBLIC.

9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

- Bi-Monthly Reports Pg. 38

10. CITIZEN INPUT

11. ACTION REVIEW

12. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Melissa Bisset at 503.266.0733. A copy of this Agenda can be found on the City's web page at www.canbyoregon.gov. **City Council and Planning Commission Meetings are typically broadcast live and can be viewed on CTV Channel 5.** For a schedule of the playback times, please call 503.263.6287.

****We are requesting that rather than attending in person you view the meeting on CTV Channel 5 or on YouTube: <https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>**

If you do not have access virtually, there are a small number of chairs provided inside to allow for distancing.



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: March 17, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Don Hardy, Planning Director

ITEM: Updates on HB 2001 & HB 2003 and Inventory of Lands

Summary

Staff will present updates on House Bill 2001 and 2003 and general update on vacant inventory of residential and industrial lands.

Background

House Bill 2001 (Housing Choices)—This bill requires that lots zoned for single-family detached homes also permit a duplex on the same lot. The state has developed a model code for Medium Cities which Canby is designated. The model code will become effective on July 1, 2021, and cities will be required to implement the model ordinance.

House Bill 2003 (Housing Production Needs), requires the City to adopt a Housing Needs Assessment documenting city housing needs and measures for housing affordability. Adoption of the Housing Needs Assessment is required by December 2022. The Council previously reviewed the September 2019 Housing Needs Assessment but did not adopt housing strategies.

Planning staff is also assessing the amount of unconstrained residential and industrial lands within the city to identify future needs to be addressed in the anticipated comprehensive plan update. Further refinement of the vacant buildable lands will occur as part of the Housing Needs Assessment.

Discussion

The staff presentation will include discussion the model ordinance from House Bill 2001 allowing duplexes in single-family zoned areas (Low Density Residential), development standards and anticipated use by property owners.

House Bill 2003 and general options for housing affordability measures will be discussed along with the tie in to the Housing Production Strategy required one year after adoption of the Housing Needs Assessment.

Vacant unconstrained residential and industrial acreage will be reviewed to provide a high level estimate of remaining buildable lands within the city and urban growth boundary.

Attachments

None

Fiscal Impact

None

Options

This presentation is for background purposes and further Council work sessions will occur to provide greater detail and to start discussion on options.

Recommendation

This presentation provides background and overall schedule and specific recommendations are not included.

Proposed Motion

None

**NOTICE OF PETITION
TO VACATE PUBLIC
RIGHT-OF-WAY
CITY OF CANBY**

The Canby City Council will hold a public hearing on **March 17, 2021 at 7:30 pm** to consider a petition filed by Canby Development, LLC, to vacate portions of the North Maple Street cul-de-sac right-of-way that are unneeded for the extension of North Maple Street. The property is located at the terminus of North Maple Street. The North Maple Street cul-de-sac was dedicated to the City in 1975 as a temporary right-of-way and was intended to be vacated when North Maple Street is extended, as now required by the approval of the Seven Acres Subdivision. The street vacation petition was filed on February 3, 2021. Any objections or remonstrance may be made in writing and filed prior to the hearing and will be heard and considered during the hearing. Written comments may be submitted but must be mailed to City of Canby, PO Box 930, Canby, OR 97013 prior to the meeting date. They may also be emailed to PublicComments@canbyoregon.gov. If you would like to speak virtually or in person, please email or call the City Recorder by 7:00 pm on March 17, 2021 with your name, and contact information: bissetm@canbyoregon.gov or call 503-266-0733. Once your information is received, you will be sent instructions to speak.

Publish March 3, 10, 2021 CH194338



City of Canby

PO Box 930
222 NE 2nd Ave
Canby, OR 97013

Phone: 503.266.4021
Fax: 503.266.7961
www.canbyoregon.gov

City Council Staff Report

DATE: March 10, 2021
TO: Honorable Mayor Hodson and City Council
THRU: Scott Archer, City Administrator
FROM: Ryan Potter, AICP, Senior Planner
ITEM: Street Vacation VAC 20-01

Summary

A property owner, who is also the project proponent of the forthcoming Seven Acres Subdivision (City File SUB 17-05), has submitted a petition requesting that the City vacate a total of 3,170 square feet of street right-of-way at the current northern terminus of N Maple Street in the City of Canby. The vacation includes the edges of a cul-de-sac that are no longer needed for public use with the upcoming construction of the Seven Acres subdivision, which will extend N Maple Street beyond the existing cul-de-sac (see Figure 1 on Page 2). Vacation of public right-of-way requires City Council approval through an approved ordinance.

Background

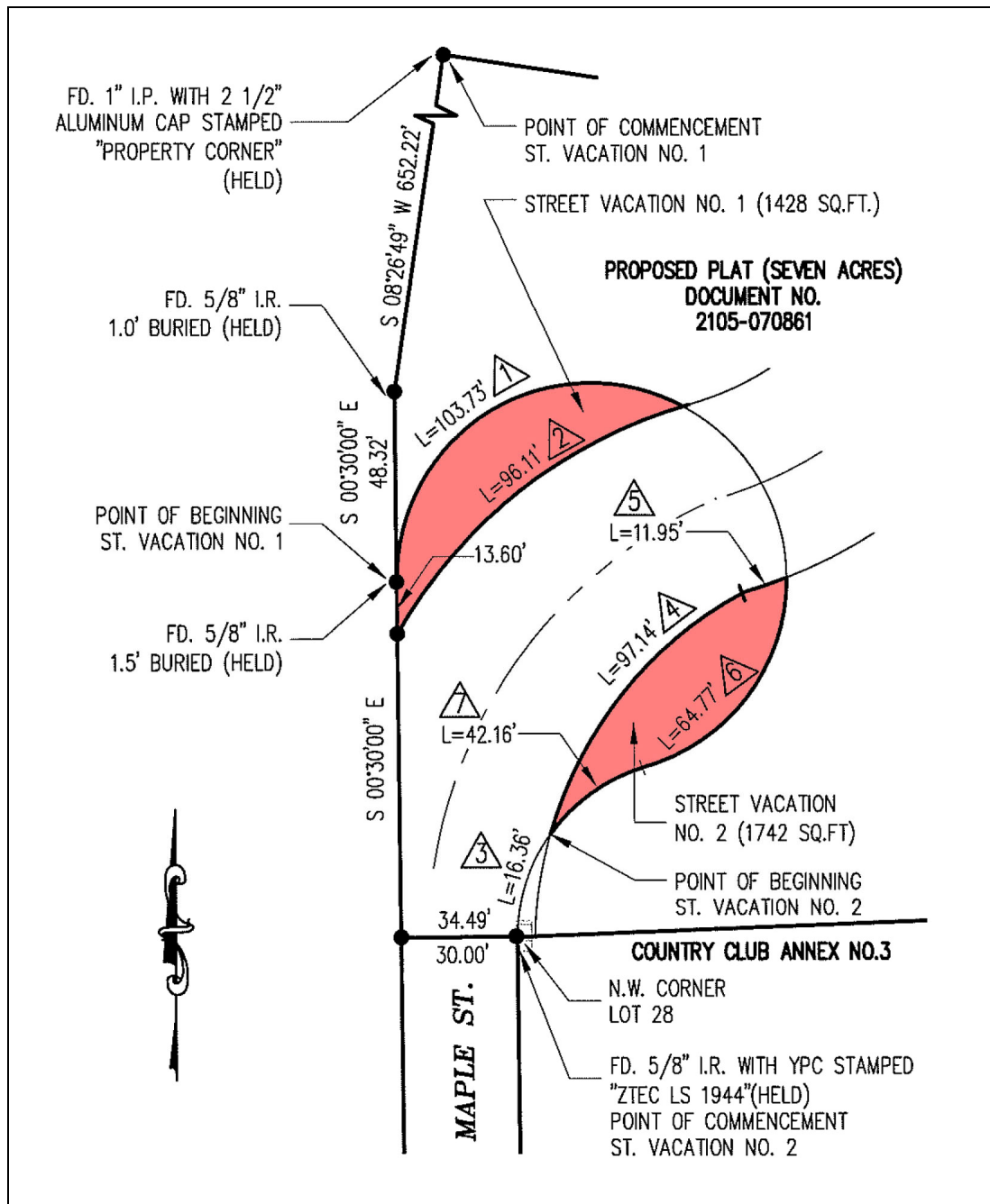
As part of the recorded plat for Country Club Estates Annex No. 3, the cul-de-sac at the northern terminus of N Maple Street was dedicated to the City in 1975. The plat for the subdivision identified this area as a “temporary cul-de-sac to be vacated . . . in the event of future street extension,” demonstrating that future extension of N Maple Street and vacation of the corresponding unneeded public right-of-way was contemplated at that time.

The Seven Acres subdivision, a 22-lot single-family residential development proposed for the property at the end of N Maple Street, was approved by the Canby Planning Commission on October 23, 2017. A series of appeals by other parties concluded on May 15, 2019 when the Oregon Court of Appeals declined to reconsider the Land Use Board of Appeal’s decision to uphold the original subdivision approval.

The approved subdivision includes an extension of N Maple Street beyond the existing cul-de-sac and a street loop (NE Maple Court/NE 35th Place) to serve the 22 new homes (see Exhibit 2 in attached applicant submittal). Continuation of N Maple Street means that two portions of the street are no longer required, as was acknowledge by Condition of Approval No. 14 in the subdivision approval:

14. The unused portion of the existing cul-de-sac for N. Maple Street which will no longer be necessary shall be vacated and then physically removed.

Figure 1 – Proposed Street Vacation



Upon approval of the proposed vacation and development of the Seven Acres subdivision, the proposed vacation areas would become part of Tract A and Lot 2.

Applicable Regulations

Procedures for vacations of public right-of-way are not identified in the Canby Municipal Code. However, this subject is dictated by state law via Oregon Revised Statutes (ORS). ORS 271.080, *Vacation in Incorporated Cities*, identifies the need for a petition and outlines procedures for acquiring consent of nearby property owners. Street vacation requirements are found in ORS 271.080 to 271.120 and 271.140. ORS 271.120 sets forth the criteria for City Council approval of property owner initiated vacations.

Discussion

The petitioner's application submittal outlines their compliance with the aforementioned ORSs. Below are staff findings for the applicable ORS criteria.

ORS 271.080 (1) requires that a petition be submitted to the City for a right-of-way vacation:

- (1) *Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.*

The applicant's submittal package (see attachment to this staff report) comprises the property owner's petition and establishes the petitioner's reasoning for requesting the vacation. The vacation area was originally identified as temporary and designed to be vacated once N Maple Street was extended. With extension of N Maple Street beyond the existing cul-de-sac, the obsolete street remnants will no longer be needed to convey vehicular or pedestrian circulation.

Finding 1: For the above reasons, Planning Staff finds that the proposed vacation areas are no longer required to serve the public interest.

ORS 271.080 (2) establishes requirements for the participation and consent of adjacent and nearby property owners:

- (2) *There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as*

to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing. [Amended by 1999 c.866 §2]

Finding 2: The affected area contains 441,394 square feet. Two-thirds of the affected area is 295,733 square feet. Collectively Sprague and Montecucco own 335,254 square feet of the affected area. Both affected area property owners have provided their written consent to the street vacation and they own 75% of the affected area which is more than the required 66%, therefore the requirements identified in ORS 271.080(2) are satisfied. Additionally, written consent of the two abutting owners has occurred.

Notice was placed in the Herald-Pioneer newspaper for two consecutive weeks prior to the hearing (March 3 and March 10, 2021) and the affected area was posted with two notice boards on March 3, 14-days prior to the City Council hearing. Therefore, neighbors were made aware of the proposed street vacation, per ORS 271.110(1).

Finding 3: As of this writing on March 10, 2021, no public comments have been received by staff, indicating that there no known opposition to the proposed vacation by surrounding property owners.

In general, at the public hearing the Council shall:

- Hear any objections to the application
- Determine whether consent of the affected benefitting owners has been obtained
- Confirm that notice has been duly given
- Determine whether public interest will be prejudiced by the vacation of the street
- If in favor, make the determination a matter of record to vacate the street by Ordinance

If approved, the vacation ordinance shall be filed of record with the County Clerk at least 30 days after passage with a map. The vacation ordinance is also sent to the County Assessor and County Surveyor with the necessary survey/deeds and/or easements documents after recordation of ordinance.

Fiscal Impact

The proposed vacation would have no fiscal impact on the City. The addition of acreage with taxable value to privately owned parcels would increase the property tax obligations of the applicable land owner(s).

Options

1. Approve the vacation application and pass an ordinance vacating the public right-of-way as defined in the legal description provided by the petitioner.
2. Grant in part, deny in part or as a whole the vacation, and/or make reservations such as for existing utility easements as appear to be in the public interest.

Recommendation

Staff recommend that the Council move to approve the proposed 3,170 square feet of street vacation and pass an ordinance vacating the applicable portions of the right-of-way. Staff is not aware of any reason why the City should retain these areas. The City has required this vacation (first envisioned in 1975) as a condition of approval for this subdivision, so it shouldn't unreasonably withhold its approval of it here.

Proposed Motion

"I move to approve Ordinance No. 1545, AN ORDINANCE APPROVING A RIGHT-OF-WAY VACATION AT THE CURRENT TERMINUS OF NORTH MAPLE STREET IN THE CITY OF CANBY, to come up for second reading on April 7, 2021."

Attachments

1. Applicant Submittal
2. Ordinance No. 1545

March 10, 2021

VIA E-MAIL

Mr. Brian Hodson, Mayor
Canby City Council
Canby City Hall
222 NE 2nd Avenue
PO Box 920
Canby, OR 97013

RE: Vacation of a Portion of the Existing Cul-de-Sac at the Present Terminus of N. Maple Street; Letter on Behalf of Canby Development, LLC Supporting the Street Vacation

Dear Mayor Hodson and Members of the Canby City Council:

This office represents Canby Development, LLC, the Petitioner for this street vacation. This letter explains why the Canby City Council (the “City Council”) can find that the criteria for this property-owner initiated street vacation are satisfied.

The Petitioner submitted this street vacation petition pursuant to ORS 271.080(1) in order to vacate parts of the cul-de-sac forming the present terminus of N. Maple Street. The 1975 recorded subdivision plat that dedicated the cul-de-sac right-of-way did so with the note stipulating the grantor’s intent that the dedication was temporary until N. Maple Street would be extended, at which time it would be vacated, and the grantee’s acceptance of the dedication subject to this note.

The City Council approved the Seven Acres Subdivision, which included the extension of N. Maple Street. The subdivision approval also included Condition of Approval 14¹ requiring the vacation of the unneeded portion of N. Maple Street cul-de-sac. This street vacation petition fulfills that condition of approval.

The Petitioner has reviewed the Staff Report to the City Council. The Petitioner agrees with the findings addressing the street vacation approval criteria and the recommendation that the two unneeded portions of the cul-de-sac be vacated.

The three approval criteria for a property owner-initiated street vacation are found in ORS 271.120. The Staff Report correctly explains how each of the approval criteria are met.

The first criterion requires that the notice of hearing be timely published once each week for two consecutive weeks in the local newspaper and that the vacation area be posted with notice of the

¹ The Petitioner’s earlier letter referred to Condition 13. The correct condition of approval number is 14.

hearing at least fourteen days before the City Council hearing date. ORS 271.110(1) and (2) The Staff Report explains that the City provided the required notices.

The second criterion is that the street vacation petition be accompanied by the written consent of the owners of at least two-thirds of the affected area and of the abutting property owners. ORS 271.080(2). The street vacation petition included the written consent of the owners of two-thirds of the affected area and the two abutting property owners.

The third criterion is that the street vacation not prejudice the public interest. ORS 271.120. The proposed street vacation is consistent with the 1975 recorded subdivision plat note and with the City Council's approval of the Seven Acres Subdivision. Further, the two areas of the cul-de-sac proposed to be vacated are unneeded after the extension of N. Maple Street. The City Council can find that the public interest is not prejudiced by the street vacation.

For all of the reasons contained in this letter, the City Council can find that the street vacation can be approved. The Petitioner respectfully requests that the City Council follow the Staff Report recommendation and approve the street vacation.

Very truly yours,



Michael C. Robinson

MCR:jmhi

cc: Mr. Doug Sprague (via email)
Mr. Danny Sprague (via email)
Ms. Kati Gault (via email)
Mr. Don Hardy (via email)
Mr. Ryan Potter (via email)
Mr. Joe Lindsey (via email)

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February 3, 2021

VIA E-MAIL

Mr. Brian Hodson, Mayor
City of Canby
Canby City Hall
222 NE 2nd Avenue
PO Box 920
Canby, OR 97013

RE: Request that the Canby City Council Approve the Vacation of Parts of a
Temporary Public Right-of-Way Pursuant to ORS 271.080-271.120 and 271.140

Dear Mayor Hodson and Members of the Canby City Council:

This office represents Canby Development, LLC (“Canby Development”). Lori A. Sprague Trust, Lori A. Sprague, Co-Trustee (“Sprague”) is an interested person in, and one of two abutting property owners to, the North Maple Street cul-de-sac (the other abutting property owner is Montecucco Rentals, LLC (“Montecucco”). Attached to this letter is a street vacation petition to the Canby City Council (the “City Council”) asking that it approve the vacation of parts of the North Maple Street cul-de-sac right-of-way that are unneeded for the extension of North Maple Street. The street vacation petition includes all information required to approve the street vacation.

Canby Development respectfully requests that the City Council approve the vacation of the parts of the cul-de-sac following required publication and posting notice for and the holding of a public hearing. Upon finding that North Maple Street is being extended, the City Council can vacate the two parts of the cul-de-sac that are no longer needed when North Maple Drive is extended. Upon approval of the street vacation, the vacated parts of the cul-de-sac right-of-way “attach” to the land bordering the vacated area, which is owned by Lori A. Sprague Trust, Lori A. Sprague, Co-Trustee, and Montecucco, pursuant to ORS 271.140.

Very truly yours,



Michael C. Robinson

MCR:jmhi
Enclosures

cc: Mr. Doug Sprague (*via email*) (*w/enclosures*)
Mr. Scott Archer (*via email*) (*w/enclosures*)
Mr. Joe Lindsay (*via email*) (*w/enclosures*)

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BEFORE THE CITY COUNCIL FOR THE CITY OF CANBY, OREGON

In the Matter of a Property Owner-)	
Initiated Vacation by Canby)	FINDINGS OF FACT AND
Development, LLC of Parts of the North)	CONCLUSIONS OF LAW
Maple Street Cul-de-Sac Right-of-Way)	SUPPORTING THE STREET
Pursuant to ORS Chapter 271.)	VACATION PETITION

1. Introduction.

Canby Development, LLC (“Canby Development”) requests that the Canby City Council (the “City Council”) approve this street vacation petition (the “Petition”) for the vacation of parts of the North Maple Street cul-de-sac right-of-way. Lori A. Sprague Trust, Lori A. Sprague, Co-Trustee (“Sprague”) is an interested person in, and one of two abutting property owners to, the North Maple Street cul-de-sac (the other abutting property owner is Montecucco Rentals, LLC (“Montecucco”)) and may initiate the street vacation under ORS 271.080(1).

This Petition to the City Council requests that it approve the vacation of the parts of the North Maple Street cul-de-sac right-of-way that are unneeded for the extension of North Maple Street as approved in the Seven Acres Subdivision (City of Canby File No. SUB 17-05; the “Subdivision”) by the City Council.

This Petition addresses the relevant approval criteria for the street vacation and explains why the City Council can find that the requirements of ORS 271.080-271.120 and 271.140 have been satisfied and the unneeded right-of-way can be vacated and attached to the land owned by the two abutting property owners.

2. The temporary cul-de-sac is to be vacated when North Maple Street is extended.

The North Maple Street cul-de-sac was dedicated to the City in 1975 as a temporary right-of-way and was intended to be vacated when North Maple Street is extended as now required by the approval of the Subdivision. **Exhibit 1** is the recorded 1975 plat of the “Country Club Estates Annex No. 3” (the “Plat”). The Plat dedicated to the public, and the City accepted, the cul-de-sac at the present terminus of North Maple Street. The Plat note for the cul-de-sac dedication states:

“Temporary cul-de-sac to be vacated commencing at the N.W. corner of Lot 28 in the event of future street extension.”

Rights-of-way are usually dedicated in perpetuity to the public but in this case, the Plat dedicated the cul-de-sac to, and the City accepted, the cul-de-sac right-of-way as a temporary dedication until the extension of North Maple Street.

The Subdivision extends North Maple Street beyond the cul-de-sac. **Exhibit 2.** Because Canby Development is extending North Maple Street as required for the Subdivision, the part

of the cul-de-sac unneeded for the extension of North Maple Street must be vacated according to Subdivision Condition of Approval 13 of the final City Council decision approving the Subdivision. The two parts of the cul-de-sac to be vacated are the east and west parts of the cul-de-sac bulb so that only the part of the right-of-way needed for the extension of North Maple Street to serve the Subdivision will remain after the vacation.

Condition of Approval 13 provides:

“The unused portion of the existing cul-de-sac for N. Maple Street which will no longer be necessary shall be vacated and then physically removed.”

The City Council can hold the public hearing on the street vacation Petition after the required notices of the public hearing. Upon finding that North Maple Street is being extended, the City Council can vacate the requested parts of the cul-de-sac. Upon the vacation, the vacated parts of the cul-de-sac right-of-way “attach” to the land bordering the vacated area, which is owned by Canby Development and Montecucco, respectively, pursuant to ORS 271.140.

3. Compliance with Street Vacation Approval Criteria in ORS 271.080-271.120 and 271.140.

A. ORS 271.080(1), “Vacation in incorporated cities.”

“(1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.”

Applicant’s Response: The Applicant has submitted a completed and signed City “Street Vacation” form and checklist. **Exhibit 3.** The Applicant also submitted a check made payable to the City as the applicable fee in the amount of \$500.00 for the street vacation petition. **Exhibit 4** is a legal description of the right-of-way proposed to be vacated.

The City Council can find that ORS 271.080(1) is satisfied.

B. ORS 271.080(2).

“(2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini,

the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.”

Applicant’s Response: Exhibit 5 is a map showing the “affected area” as described above for the proposed street vacation. The map shows that Sprague and Montecucco control two-thirds of the affected areas. Sprague and Montecucco have consented in writing to the vacation.

The City Council can find that ORS 271.080(2) is satisfied.

C. ORS 271.090, “Filing of Petition.”

“The petition shall be presented to the city recorder or other recording officer of the city. If found by the recorder to be sufficient, the recorder shall file it and inform at least one of the petitioners when the petition will come before the city governing body. A failure to give such information shall not be in any respect a lack of jurisdiction for the governing body to proceed on the petition.”

Applicant’s Response: The City Recorder can find that the Petition is satisfactory because it contains all of the information required for a property-owner initiated street vacation and can schedule the date and time for the public hearing on the Petition.

The City Council can find that that ORS 271.090 is satisfied.

D. ORS 271.100, “Action by city governing body.”

“The city governing body may deny the petition after notice to the petitioners of such proposed action, but if there appears to be no reason why the petition should not be allowed in whole or in part, the governing body shall fix a time for a formal hearing upon the petition.”

Applicant’s Response: There is no reason not to proceed with the Petition. The Petition contains all of the required evidence to satisfy the applicable approval criteria. The City Council can find that it can proceed with the Petition.

The City Council can find that ORS 271.100 is satisfied.

E. ORS 271.110(1), “Notice of hearing.”

“(1) The city recorder or other recording officer of the city shall give notice of the petition and hearing by publishing a notice in the city official

newspaper once each week for two consecutive weeks prior to the hearing. If no newspaper is published in such city, written notice of the petition and hearing shall be posted in three of the most public places in the city. The notices shall describe the ground covered by the petition, give the date it was filed, the name of at least one of the petitioners and the date when the petition, and any objection or remonstrance, which may be made in writing and filed with the recording officer of the city prior to the time of hearing, will be heard and considered.”

Applicant’s Response: The City can proceed with the required publication notice for the public hearing.

The City Council can find that ORS 271.110(1) can be satisfied.

F. ORS 271.110(2).

“(2) Within five days after the first day of publication of the notice, the city recording officer shall cause to be posted at or near each end of the proposed vacation a copy of the notice, which shall be headed, “Notice of Street Vacation,” “Notice of Plat Vacation” or “Notice of Plat and Street Vacation,” as the case may be. The notice shall be posted in at least two conspicuous places in the proposed vacation area. The posting and first day of publication of such notice shall be at least 14 days before the hearing.”

Applicant’s Response: The City can proceed with the required posting notice for the public hearing.

The City Council can find that ORS 271.110(2) can be satisfied.

G. ORS 271.110(3).

“(3) The city recording officer shall, before publishing such notice, obtain from the petitioners a sum sufficient to cover the cost of publication, posting and other anticipated expenses. The city recording officer shall hold the sum so obtained until the actual cost has been ascertained, when the amount of the cost shall be paid into the city treasury and any surplus refunded to the depositor.”

Applicant’s Response: The Applicant has submitted the required fee to the City.

The City Council can find that ORS 271.110(3) is satisfied.

H. ORS 271.120, “Hearing.”

“At the time fixed by the governing body for hearing the petition and any objections filed thereto or at any postponement or continuance of such matter, the governing body shall hear the petition and objections and shall determine

whether the consent of the owners of the requisite area has been obtained, whether notice has been duly given and whether the public interest will be prejudiced by the vacation of such plat or street or parts thereof. If such matters are determined in favor of the petition the governing body shall by ordinance make such determination a matter of record and vacate such plat or street; otherwise it shall deny the petition. The governing body may, upon hearing, grant the petition in part and deny it in part, and make such reservations, or either, as appear to be for the public interest.”

Applicant’s Response: The City Council can find that three approval criteria in this statute are satisfied.

- a. The City Council can find that the required written consents of the two abutting property owners and the owners of two-thirds of the affected area have been obtained and are attached to this Petition.

The affected area shown on **Exhibit 5** contains 441,394 square feet. Two-thirds of the affected area is 295,733 square feet. Sprague and Montecucco own 335,254 square feet. Both affected area property owners have provided written consents to the street vacation.

- b. The City Council can find that the required publication and posting notices will have been properly provided by the City prior to the public hearing.
- c. The City Council can find that the street vacation does not prejudice the public interest for two reasons. First, the Plat expressly provides that the cul-de-sac dedication is temporary and is to be vacated upon the extension of North Maple Street. Second, Subdivision Condition of Approval 13 requires the extension of North Maple Street. No public purpose is prejudiced by leaving part of the cul-de-sac in place where two public documents show that it is to be vacated upon the street extension and failing to vacate the part of the unneeded cul-de-sac would leave unneeded right-of-way in place and would be contrary to the terms of the Plat note.

The City Council can find that ORS 271.120 is satisfied.

I. ORS 271.140, “Title to vacated areas.”

“The title to the street or other public area vacated shall attach to the lands bordering on such area in equal portions; except that where the area has been originally dedicated by different persons and the fee title to such area has not been otherwise disposed of, original boundary lines shall be adhered to and the street area which lies on each side of such boundary line shall attach to the abutting property on such side. If a public square is vacated the title thereto shall vest in the city.”

Applicant's Response: The two parts of the cul-de-sac to be vacated will attach to the respective abutting property owner.

The City Council can find that ORS 271.140 can be satisfied.

4. Conclusion.

Canby Development respectfully requests that the City Council approve the vacation of the parts of the cul-de-sac pursuant to the Plat note following required publication and posting notice of the public hearing. Upon finding that North Maple Street will be extended, the City Council can vacate the two parts of the cul-de-sac. Upon approval of the vacation, the vacated cul-de-sac right-of-way “attaches” to the land bordering the vacated area, which is owned by Canby Development and Montecucco, respectively, pursuant to ORS 271.140.

Exhibit List

- Exhibit 1** Recorded Country Club Estates Annex No. 3 Plat
- Exhibit 2** Approved Seven Acres Subdivision
- Exhibit 3** Street Vacation Application Form and Checklist
- Exhibit 4** Legal Description of Cul-de-Sac Area to be Vacated
- Exhibit 5** Affected Area Map and Consent of abutting property owners and the owners of two-thirds of the affected area

COUNTRY CLUB ESTATES ANNEX NO. 3

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 21, T.3S, R.1E OF THE WILLAMETTE

MERIDIAN

CITY OF CANBY, CLACKAMAS COUNTY, OREGON

SURVEYED JANUARY, 1975

ZAROSINSKI-TATONE ENGINEERS, INC.
3737 S.E. 8TH AVE. PORTLAND, OREG.

* TEMPORARY CUL-DE-SAC
TO BE ADAPTED COMMENCING
AT THE N.W. CORNER OF LOT
28 IN THE EVENT OF FUTURE
STREET EXTENSION.

FD. STONE, S.W. CORN.
OF THE S.E. 1/4 SEC. 21

INITIAL POINT SAME AS
C.C. ESTATES ANNEX NO. 2
FD. 2" GALV. IRON PIPE
36" LONG 6" BELOW THE
SURFACE OF THE GROUND.

N.E. CORNER
OF "PRUNELAND"

(AMRINE

ROAD)

N. MAPLE ST.

RESTRICTED PLANNING AREA NOT A PART OF THIS PLAT

SCALE: 1" = 100'-0"

○ DENOTES 5/8" x 30" IRON ROD SET
● DENOTES MONUMENT FOUND

NOTE:

UTILITY EASEMENTS TO BE AS FOLLOWS.

- 5 FEET IN WIDTH CONTIGUOUS TO ALL INTERIOR LOT LINES.
- 5 FEET IN WIDTH CONTIGUOUS TO ALL EXTERIOR LOT LINES BOUNDING ON N. 34TH COURT.
- 10 FEET IN WIDTH CONTIGUOUS TO ALL EXTERIOR LOT LINES EXCEPTING LOT LINES BOUNDING ON N. MAPLE ST., N. 34TH COURT & 20' ACCESS ROAD.
- THE BEARING OF THE SOUTH LINE OF SEC. 21 WAS TAKEN AS N. 89° 41' 15" W. TO CONFORM WITH COUNTRY CLUB ESTATES ANNEX NO. 2

CURVE DATA

NO.	RADIUS	CENT.	TANG.	LENGTH	CHORD	BEARING
1.	50.00'	88°14'00"	48.48'	77.00'	69.61'	N. 43° 37' 00" E.
2.	45.00'	74°44'40"	34.37'	58.70'	54.63'	S. 36° 52' 20" W.
3.	50.00'	254°44'40"	222.31'	79.47'	53°07'40"	E.
4.	50.00'	45°56'19"	21.19'	40.09'	39.02'	N. 64° 45' 50" E.
5.	50.00'	69°46'04"	34.86'	60.88'	57.19'	N. 16° 09' 45" W.
6.	50.00'	102°56'48"	62.80'	89.84'	78.23'	S. 77° 28' 49" W.
7.	45.00'	81°43'35"	26.89'	48.48'	46.17'	N. 56° 52' 14" E.
8.	547.96'	08°07'03"	38.88'	77.63'	77.56'	S. 37° 11' 04" E.

SURVEYOR'S CERTIFICATE:

I, RONALD G. TATONE, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED ON THE ADJOINING MAP TO BE KNOWN HENCEFORTH AS "COUNTRY CLUB ESTATES ANNEX NO. 3" LOCATED IN THE SOUTHEAST ONE QUARTER (S.E. 1/4) OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF CANBY, COUNTY OF CLACKAMAS AND STATE OF OREGON. THAT AT THE INITIAL POINT OF "COUNTRY CLUB ESTATES ANNEX NO. 3" I SET A 2 INCH GALVANIZED IRON PIPE, 36 INCHES LONG, DRIVEN 6 INCHES BELOW THE SURFACE OF THE GROUND AT A POINT WHICH IS AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 21 WITH THE EAST BOUNDARY LINE OF "PRUNELAND" AS RECORDED IN RECORD OF PLATS, CLACKAMAS COUNTY, OREGON. SAID INITIAL POINT BEING NORTH 89° 41' 15" WEST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 1321.74 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 21. THENCE NORTH 00° 30' 00" WEST ALONG THE EAST LINE OF SAID "PRUNELAND" AND SAID EAST LINE EXTENDED NORTHERLY A DISTANCE OF 1507.30 FEET TO A POINT OF CURVE; THENCE ALONG A 50.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 254° 44' 40" AN ARC DISTANCE OF 222.31 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 53° 07' 40" EAST A DISTANCE OF 79.47 FEET) TO A POINT OF REVERSE CURVE; THENCE ALONG A 45.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 74° 44' 40" AN ARC DISTANCE OF 58.70 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 36° 52' 20" WEST A DISTANCE OF 54.63 FEET); THENCE NORTH 87° 44' 00" EAST A DISTANCE OF 621.61 FEET; THENCE NORTH 54° 15' 00" EAST A DISTANCE OF 129.88 FEET TO A POINT ON THE SOUTHWESTERLY BOUNDARY LINE OF THE "MOLALLA FOREST ROAD"; SAID POINT BEING A POINT OF CURVE; THENCE FOLLOWING SAID SOUTHWESTERLY BOUNDARY LINE ALONG A 547.96 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08° 07' 03" AN ARC DISTANCE OF 77.63 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 37° 11' 04" EAST A DISTANCE OF 77.56 FEET); THENCE CONTINUING ALONG SAID SOUTHWESTERLY BOUNDARY LINE, SOUTH 33° 08' 00" EAST A DISTANCE OF 292.26 FEET TO THE POINT OF INTERSECTION OF SAID SOUTHWESTERLY BOUNDARY LINE WITH THE NORTHERLY BOUNDARY LINE OF THE "WILLAMETTE VALLEY COUNTRY CLUB"; THENCE SOUTH 64° 56' 00" WEST ALONG SAID NORTHERLY BOUNDARY LINE A DISTANCE OF 132.02 FEET; THENCE NORTH 86° 59' 45" WEST A DISTANCE OF 260.84 FEET; THENCE SOUTH 87° 44' 00" WEST A DISTANCE OF 285.25 FEET; THENCE SOUTH 54° 02' 30" WEST A DISTANCE OF 18.03 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF SAID "WILLAMETTE VALLEY COUNTRY CLUB"; THENCE CONTINUING SOUTH 54° 02' 30" WEST ALONG SAID WESTERLY BOUNDARY LINE A DISTANCE OF 176.80 FEET; THENCE SOUTH 04° 03' 20" WEST ALONG SAID WESTERLY BOUNDARY LINE A DISTANCE OF 197.10 FEET; THENCE SOUTH 04° 06' 40" EAST ALONG SAID WESTERLY BOUNDARY LINE A DISTANCE OF 164.17 FEET; THENCE SOUTH 32° 06' 10" EAST A DISTANCE OF 34.75 FEET; THENCE SOUTH 00° 30' 00" EAST A DISTANCE OF 652.91 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 21; THENCE NORTH 89° 41' 15" WEST ALONG THE SOUTH LINE OF SAID SECTION 21 A DISTANCE OF 150.00 FEET TO THE INITIAL POINT OF BEGINNING OF THE ABOVE DESCRIBED "COUNTRY CLUB ESTATES ANNEX NO. 3"

I HEREBY CERTIFY THE ACCOMPANYING TRACING TO BE TRUE COPY OF THE ORIGINAL.

SUBSCRIBED AND SWORN BEFORE ME
THIS 29th DAY OF January 1975

Ronald H. Raymond
NOTARY PUBLIC FOR THE STATE OF OREGON

MY COMMISSION EXPIRES 12-17-1977



DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT "PORTLAND ESROWS INC" AN OREGON CORPORATION DOES HEREBY MAKE, ESTABLISH AND DECLARE THE MAP OF "COUNTRY CLUB ESTATES ANNEX NO. 3" AS DESCRIBED IN THE ACCOMPANYING SURVEYORS CERTIFICATE TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF, ALL LOTS BEING OF THE DIMENSIONS SHOWN AND ALL STREETS AND ROADS BEING OF THE WIDTHS HEREIN SET FORTH AND THAT WE DO HEREBY DEDICATE TO THE USE OF THE PUBLIC AS PUBLIC WAYS FOREVER ALL STREETS AND ROADS SHOWN ON SAID PLAT.

WITNESS OUR SIGNATURES THIS 16th DAY OF May 1975

WARD V. COOK - PRESIDENT

HATTIE W. VERMILYEA - SECRETARY

ACKNOWLEDGEMENT:

STATE OF OREGON } S.S.
COUNTY OF CLACKAMAS }

BE IT REMEMBERED THAT ON THIS 16th DAY OF May 1975 BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF OREGON PERSONALLY APPEARED WARD V. COOK AND HATTIE W. VERMILYEA KNOWN TO ME TO BE THE PERSONS NAMED IN THE FOREGOING DOCUMENT, WHO BEING FIRST DULY SWORN DID ACKNOWLEDGE TO ME THAT THEY EXECUTED THE FOREGOING DOCUMENT FREELY AND VOLUNTARILY, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR FIRST IN THIS CERTIFICATE WRITTEN.

Ronald H. Raymond
NOTARY PUBLIC FOR THE STATE OF OREGON.

MY COMMISSION EXPIRES June 17, 1977



APPROVALS:

Chairman Canby Planning Comm. DATE 5-20-75
Chairman to O.R.S. 92.095 I have by Certificate that all 1975-76 taxes are paid!
Juanita Orr DATE 6-6-75
COUNTY ASSESSOR
By Edward Minnits DATE 6-6-75
DEPUTY CO. ASSESSOR
DEXTER E. MILNE DATE 5-23-75
COUNTY SURVEYOR
Lora Robinson DATE " " "
DEPUTY CO. SURVEYOR
Thomas D. Delford DATE 5/27/75
CHAIRMAN CO. COMMISSIONERS
Robert Johnson DATE 5/27/75
COUNTY COMMISSIONER

COUNTY COMMISSIONER DATE
George D. Poppen DATE 5-6-75
COUNTY CLERK
Jemma Tomlin DATE 5-6-75
DEPUTY CO. CLERK
TAXES PAID TO June 30th DATE 1976
Clackamas County Sheriff
L. D. Poppen DATE 06-06-75
DEPUTY CO. SHERIFF



PHASING SEQUENCE:

PHASE 1: LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, TRACTS A, B, C, D, AND FRONTAGE STREET.

PHASE 2: LOTS 13, 14, 15, 16, 17, AND FRONTAGE STREET.

PHASE 3: LOTS 18, 19, 20 & 21 AND FRONTAGE STREET.

*PHASE 4: LOT 22

* NOTE:

1. PHASE 4 MAY BE CONSTRUCTED OUT OF SEQUENCE BUT NOT EARLIER THAN PHASE 1.

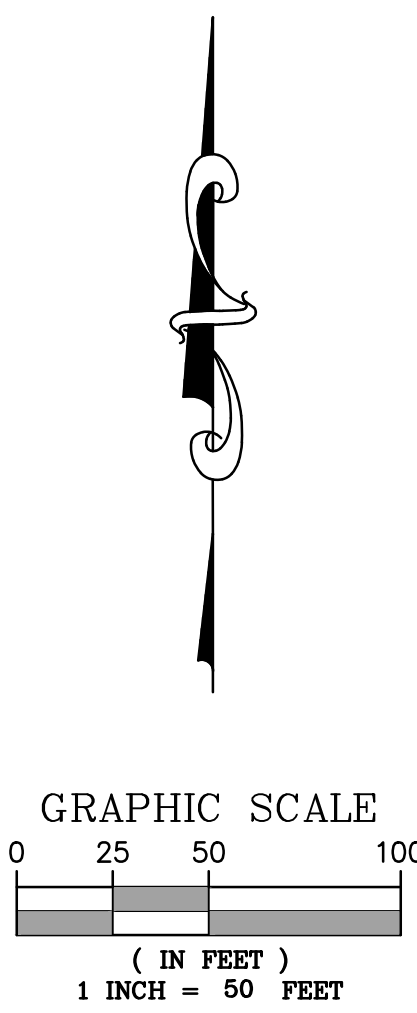
TRACT DESCRIPTION

TRACT 'A' - LANDSCAPE, SIGNAGE TRACT

TRACT 'B' - LANDSCAPE, OPEN SPACE, WETLAND TRACT

TRACT 'C' - PUBLIC WALKWAY & SECONDARY EMERGENCY ACCESS TRACT

TRACT 'D' - WETLAND, OPEN SPACE TRACT



SYM	REVISION	BY	APPROVED	DATE	<div><div><div><div>REGISTERED PROFESSIONAL ENGINEER 9692 <i>John Middleton</i> OREGON JULY 14, 1978 JOHN MCL. MIDDLETON</div><div>EXPIRES 12/31/2020</div></div></div><div><div>DRAWN BY CNW</div><div>CHECKED JMM</div><div>ENGR.</div><div>CHECKED</div></div><div><div>DATE 7-27-20</div></div></div>	<div>ZTec ENGINEERS INC.</div> <div>3880 S.E. 8TH AVE., SUITE 280, PORTLAND, OR. 97202</div> <div>PHONE: (503) 235-8795</div> <div>FAX: (503) 233-7889</div> <div>EMAIL: ztec@ztecengineers.com</div>		<div>SUBTITLE</div> <div>SUBDIVISION LAYOUT AND PHASING</div> <div>TITLE</div> <div>THE SEVEN ACRES 3500 N MAPLE ST CANBY, OR</div>		JOB NO.: Y704-1	
DWG. NO.:											
SCALE: 1"=50'											
SHEET:											
C04											



City of Canby
Planning Department
222 NE 2nd Avenue
PO Box 930
Canby, OR 97013
(503) 266-7001

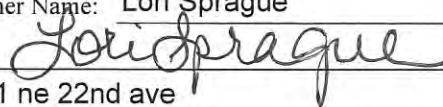
RIGHT-OF-WAY VACATION APPLICATION

- ☐ Please provide electronic copies of all files to the City
☐ \$500 Deposit Required

☐ **APPLICANT INFORMATION:** (Check ONE box below for designated contact person regarding this application)

☐ Applicant Name: Canby Development LLC Phone: 503-209-4165
Address: 641 ne 22nd ave Email: DOUGS@CANBYEX.COM
City/State: Canby, or Zip: 97013

☐ Representative Name: Danny Sprague Phone: 5033180945
Address: po box 848 Email: dannys@canbyex.com
City/State: canby, OR Zip: 97013

☐ Property Owner Name: Lori Sprague Phone: 5033181696
Signature: 
Address: 641 ne 22nd ave Email: lorisprague@gmail.com
City/State: canby, or Zip: 97013

☐ Property Owner Name: _____ Phone: _____
Signature: _____
Address: _____ Email: _____
City/State: _____ Zip: _____

NOTE: Property owners or contract purchasers are required to authorize the filing of this application and must sign above

- ❶ All property owners represent they have full legal capacity to and hereby do authorize the filing of this application and certify that the information and exhibits herewith submitted are true and correct.
- ❷ All property owners understand that they must meet all applicable Canby Municipal Code (CMC) regulations.
- ❸ All property owners hereby grant consent to the City of Canby and its officers, agents, employees, and/or independent contractors to enter the property identified herein to conduct any and all inspections that are considered appropriate by the City to process this application.

PROPERTY & PROJECT INFORMATION:

<u>3500 N Maple Street Canby, Or 97013</u>	<u>7 ac</u>	<u>2606</u>
Address or Location of Subject Property	Total Size of Property	Assessor Tax Lot Numbers
<u>File #'s of Previous Land Use Decisions to be Modified</u>	<u>R1</u>	<u>Low Density Residential</u>
	Zoning	Comp Plan Designation

Summary of Proposal

STAFF USE ONLY				
CITY FILE#	DATE RECEIVED	RECEIVED BY	RECEIPT #	DATE APP COMPLETE

Visit our website at: www.canbyoregon.gov

Email Application to: PlanningApps@canbyoregon.gov

CITY OF CANBY - STREET VACATION CHECK LIST

To help facilitate the street vacation process, please complete the steps below in the order presented.

- ☒ I have read the "Vacating A Street takes Time" information sheet
- ☒ I have called and spoken to Call at Clackamas County's Cartography Department at the Tax Assessor's office (503-655-8671) to see who will own the right-of-way area after the vacation is completed. In most cases the vacated area (from the right-of-way centerline to the adjacent property line) will revert to the ownership of the adjacent property owner.
- ☒ I have called the following City Departments to determine if they have need of the right of way area, now or in the future:
Planning Department (503-266-7001) regarding land use concerns.
Hassan Ibrahim, City engineer consultant, (503-684-3478) regarding engineering concerns.
Jerry Nelzen, Public Works Supervisor (503-266-0759) as to street needs.

If the three Departments listed above have **no objections** to the vacation, proceed in contacting the additional departments and agencies:

- | | | | |
|-------------------------------------|-----------------|------------------------------|----------------|
| <input checked="" type="checkbox"/> | Doug Erksen | Canby Utility Ops Mgr. | (503-263-4331) |
| <input checked="" type="checkbox"/> | Jeff Snyder | Parks | (503-266-0712) |
| <input checked="" type="checkbox"/> | Matt English | Canby Fire District | (503-266-5851) |
| <input checked="" type="checkbox"/> | Dave Connor | Waste Water Treatment Plant. | (503-266-0648) |
| <input checked="" type="checkbox"/> | Erick Kehler | DirectLink | (503-266-8223) |
| <input checked="" type="checkbox"/> | Robert Lee | Wave Broadband | (503-338-3259) |
| <input checked="" type="checkbox"/> | Andrew Schurter | Northwest Natural Gas | (503-226-4211) |

- ☒ I have talked with all owners of the property abutting all sides of right-of-way and they will support the vacation request (objecting property owners can complicate or stop the process).

After you have done all of the above and it appears that a right-of-way vacation may be feasible

- Surveyor has not done. Please Advise*
- ☐ Have your surveyor or engineer prepare the petition in accordance with Section 271.080 of the Oregon Revised Statutes. The preparer of the petition shall provide a sworn affidavit affirming that the petition meets the requirements of ORS 271.080 and that the request complies with ORS 271.140. (Please see sample consent and petition forms in this packet)
 - ☒ Have your surveyor or engineer prepare a map of the affected properties showing the current property owner names and addresses, the total square footage of the properties, and the total square footage of the properties that provided petition signatures.
 - ☒ Provide a boundary survey of the subject property, which shall include the existing right of way (ROW) boundary as well as the proposed ROW boundary. The survey shall be prepared by an Oregon licensed surveyor or engineer and include a legal description of the area to be vacated.
 - * ☒ A copy of the **original** plat and/or deed in which the ROW and the subject property were created.
 - * ☐ An Excel list of property owners within the required petition area.

I have completed all of the above

Signature

11-18-20

Date

A completed right-of-way vacation application and \$500 deposit is required.

Upon receipt of a complete application, the required deposit, a right-of-way vacation petition, consent form, and map of the affected properties the Planning Department will review the materials and **return to you for acquiring the necessary signatures**. When the petition process has been finished the completed materials are to be returned to the Planning Department via email at PlanningApps@canbyoregon.gov. The deposit is the minimum required. Additional costs and staff time will be billed.

If you have additional questions about the street vacation process, please contact the Planning Department at 503-266-7001.

See note on original Plat, that Culdesac is to be vacated upon future street Extension

CDC/ Lori Sprague is only affected property

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

John McL. Middleton, P.E.

Chris C. Fischborn, P.L.S.
3880 SE 8th Ave., Suite 280
Portland, OR 97202
503-235-8795

Ronald b. Sellards, P.E.

FAX: 503-233-7889

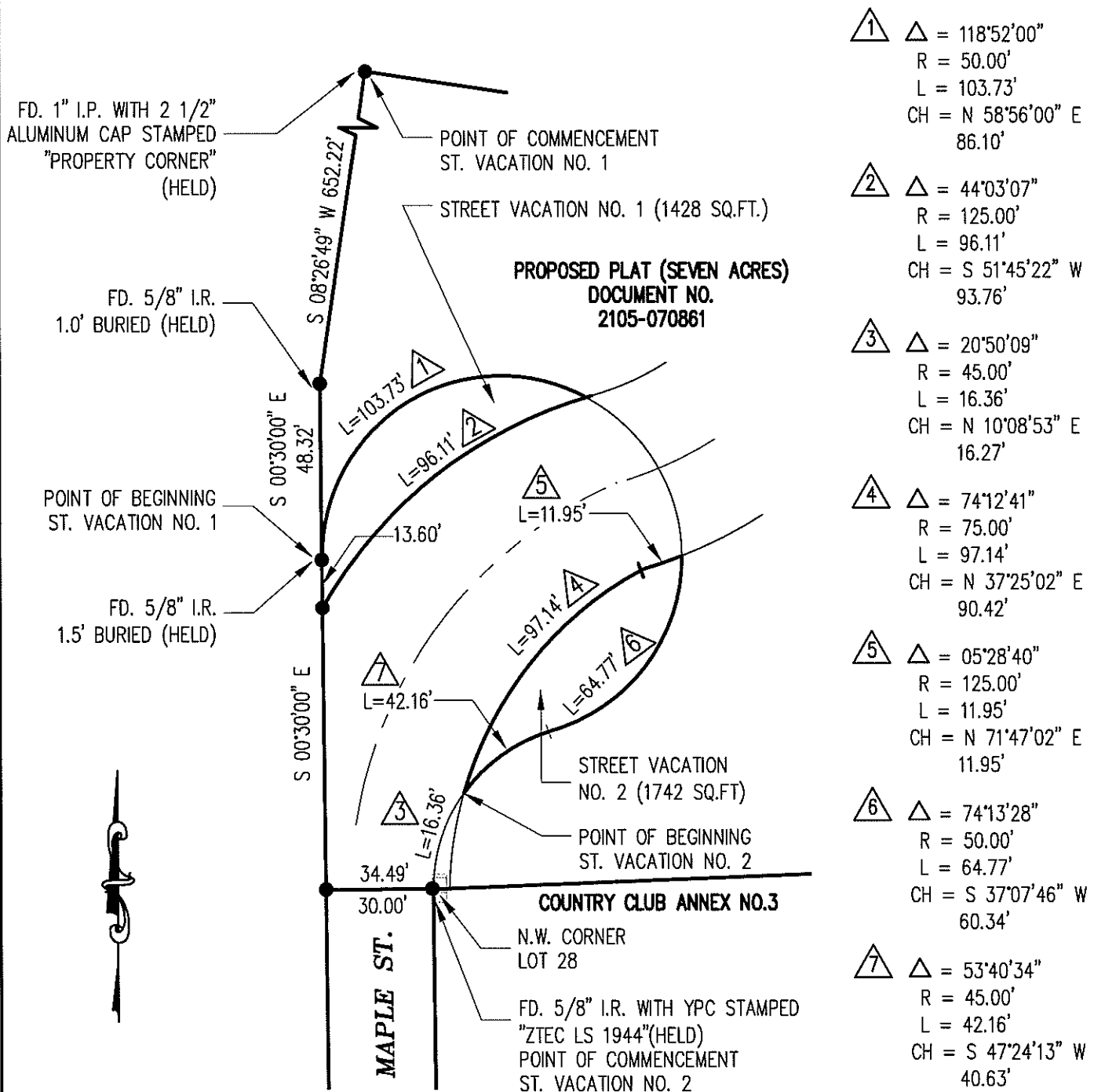
Email: chris@ztengineers.com

SEVEN ACRES PLAT STREET VACATION NO. 1

A TRACT OF LAND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN THAT DEED RECORDED AS DOCUMENT NO. 2015-070861, CLACKAMAS COUNTY DEED RECORDS, LOCATED IN THE SOUTHEAST ONE-QUARTER OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 1 EAST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1 INCH IRON PIPE WITH A 2-1/2 INCH ALUMINUM CAP STAMPED "PROPERTY CORNER" ON TOP AT THE MOST NORTHERLY CORNER OF SAID DOCUMENT NO. 2015-070861; THENCE SOUTH 08°26'49" WEST, ALONG THE WEST LINE OF SAID DOCUMENT NO. 2015-070861, A DISTANCE OF 652.22 FEET TO A 5/8 INCH IRON ROD THAT IS 1.0 FOOT BURIED AT AN ANGLE POINT IN SAID WEST LINE; THENCE CONTINUING ALONG SAID WEST LINE, SOUTH 00°30'00" EAST A DISTANCE OF 48.32 FEET TO A 5/8 INCH IRON ROD THAT IS 1.50 FEET BURIED AT THE NORTHWEST CORNER OF N. MAPLE STREET AND THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE ALONG A 50.00 NON-TANGENT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 118°52'00", AN ARC DISTANCE OF 103.73 FEET (THE LONG CHORD OF SAID CURVE BEARS NORTH 58°56'00" EAST A DISTANCE OF 86.10 FEET) TO A POINT OF NON-TANGENT CURVE; THENCE ALONG A 125.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 44°03'07", AN ARC DISTANCE OF 96.11 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 51°45'22" WEST A DISTANCE OF 93.76 FEET) TO A POINT ON SAID WEST LINE OF SAID DOCUMENT NO. 2015-070861; THENCE NORTH 00°30'00" WEST, ALONG SAID WEST LINE, A DISTANCE OF 13.60 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED. SAID TRACT OF LAND CONTAINS AN AREA OF 1428 SQUARE FEET MORE OR LESS.



EXHIBIT "B"



TITLE: SEVEN ACRES -

PLOT DATE: 10-13-20

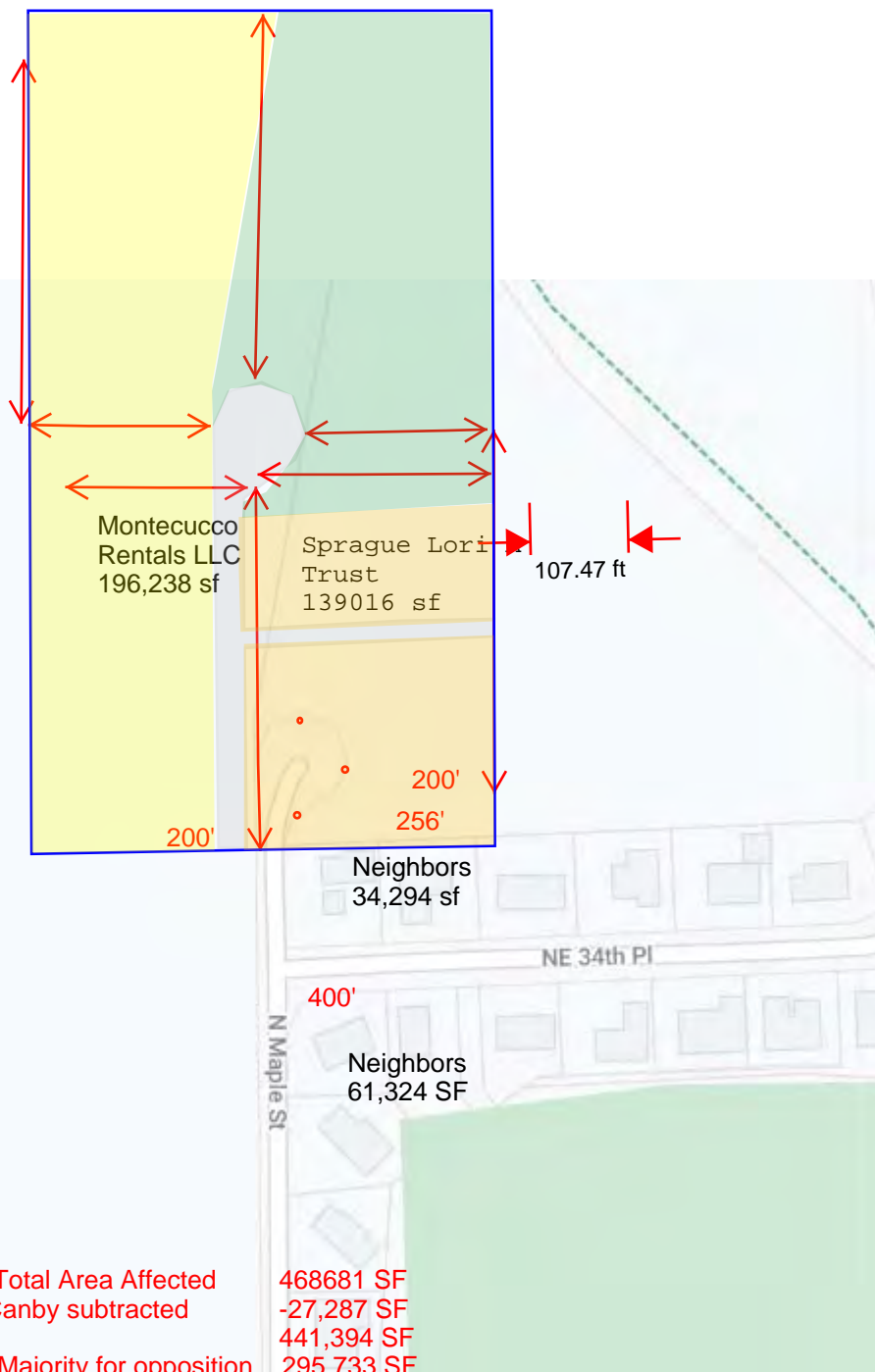
FILE: Y-704

CLIENT:

SCALE: 1"=40'

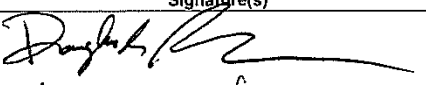
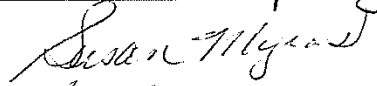
SHEET: 1

ZTec ENGINEERS, INC.
3880 S.E. 8TH AVE., SUITE 280
PORTLAND, OREGON 97202
(503) 235-8795



Approx Total Area Affected	468,681 SF
City of Canby subtracted	-27,287 SF
	441,394 SF
x.67 for Majority for opposition	295,733 SF
Sprague/ Montecucco Total	335,254 SF
Neighbors Total	95,618 SF

CONSENT TO VACATE A PORTION OF

Tax Lot Subdivision Block - Lot	Property Owner Address City, State and Zip	Signature(s)
31E21 02602	Douglas R. Sprague and Lori A. Sprague 641 NE 22nd Ave Canby, OR 97013	 Lori A. Sprague
31E21 00300	Montecucco Rentals LLC 3460 N Holly St Canby, OR 97013	 Member

ORDINANCE NO. 1545

AN ORDINANCE VACATING TWO SMALL PORTIONS OF NORTH MAPLE STREET PUBLIC RIGHT-OF-WAY THAT WERE FORMALLY PART OF A CUL-DE-SAC AT THE STREET'S NORTHERN TERMINUS.

WHEREAS, the City of Canby presently owns and maintains two small portions of North Maple Street public right-of-way that total 3,170 square feet and are described through a legal description and illustrated in Exhibit "A" and are attached heretofore and by this reference incorporated herein; and

WHEREAS, the vacation of this right-of-way was explicitly anticipated by the applicable subdivision plat recorded in 1975, which contemplated the cul-de-sac becoming obsolete in the event that Maple Street were to be extended to the north; and

WHEREAS, the vacation of this right-of-way was required by a condition of approval for the Seven Acres Subdivision (City File SUB 17-05); and

WHEREAS, the right-of-way is no longer required for public use; and

WHEREAS, a right-of-way vacation application and petition were submitted to the City for the aforementioned vacation on February 8, 2021; and

WHEREAS, the application was reviewed by the Planning Director and found to be complete; and

WHEREAS, as required by law, notice of public hearing was published for two (2) consecutive weeks in the Herald-Pioneer newspaper, posted on the area to be vacated, and mailed to all property owners within the State Statute defined "affected" area; and

WHEREAS, a public hearing was held on this matter before the Canby City Council on March 17, 2021 and all statutory requirements for the vacation were found to be met and the request suitable for approval.

NOW THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:

- (1) VAC 20-01 is hereby approved, and the right-of-way areas described by legal description and shown in Figure 1 in the attached staff report shall be vacated and title to the vacated property shall attach to the neighboring property owner.

SUBMITTED to the Council and read the first time at a regular meeting thereof on March 17, 2021, ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days, as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at a regular meeting thereof on April 7, 2021 commencing after the hour of 7:30 p.m., hosted virtually from the Council Chambers located at 220 NE 2nd Avenue, Canby, Oregon.

Melissa Bisset, CMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on April 7, 2021 by the following vote:

YEAS _____ NAYS _____

Brian Hodson, Mayor

ATTEST:

Melissa Bisset, CMC
City Recorder

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
March 3, 2021**

PRESIDING: Mayor Brian Hodson

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

OTHERS PRESENT: Kevin Starrett, Stefani Carlson, Margaret Starrett, and Dawn Depner.

MEMBERS OF THE PARKS AND RECREATION ADVISORY BOARD: Barry Johnson, David Biskar, Scott Sasse, Teri Jones, Ryan Oliver, Lisa Potter, Mark Triebwasser, Jim Davis, and Barbara Karmel.

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney; Jeff Snyder, Parks and Recreation Lead; Jerry Nelzen, Interim Public Works Director; Julie Blums, Finance Director; Jamie Stickel; Economic Development Director; Melissa Bisset, City Recorder/ HR Manager.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:07 p.m.

Mayor Hodson read a statement addressing a situation that occurred over the weekend regarding a flyer distributed by the library.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:

Kevin Starrett, Canby resident, stated the flyer that was distributed by the library advertising was an inappropriate book to children. He thought library staff should be held accountable for the distribution.

Lois Brooks, Canby resident, sent an email in response to the flyers distributed by the library and how she found the decision to stop the BookPage subscription a poor one. She had found new books and authors to try through this subscription and she skipped over the books that did not interest her. She thought they should not cancel a subscription that many residents enjoyed and requested that the Library Director reconsider this decision.

Stefani Carlson, Canby resident, expressed concern regarding the flyer distributed by the library as the book was labeled great books for every reader. She thought staff needed to be held accountable for this oversight. She gave examples of verbiage contained in the book. She asked that library management look at what they were promoting to the community.

Margaret Starrett, Canby resident, thought it was unprofessional that staff did not review the flyers before distributing them. She did not think it should be passed off as an innocent mistake and thought staff needed to be held accountable.

Dawn Depner, Canby resident, discussed the effects of pornography on children and felt the flyer was inappropriate. She wanted the library to be a safe place for all. She was upset that it had been allowed.

Mayor Hodson said in his conversations with the City Administrator about this issue, he found out that this was a ten year subscription with the Library. He agreed there needed to be a policy put in place so this did not happen again. It was not uncommon for these flyers to get put out without review because there had not been issues in the past. The City Administrator was the one to take action on the matter.

Scott Archer, City Administrator, said his responsibility was in direction of staff and services, and he was reviewing this matter. He made the decision to cancel the subscription. He would also be reviewing the procedures and policies of the Library.

DISCUSSION PARK MASTER PLAN UPDATE & PROJECT LIST

Mr. Archer shared the purpose of this conversation was to review the status of the Park Master Plan and project list. They were trying to balance the implementation of the current maintenance projects and needs while developing a long term strategy through the Park Master Plan update. They had to figure out how to add to the park system, what the priorities of the community were, how they would be funded, and how to keep up with the maintenance of what they currently had and what might be added to the system. The City had already budgeted for the update and it had been 20 years since the last update to the Plan. The RFP had gone out for the update and four proposals had been received. This would be a master plan for the whole city with a lot of input from the community and partner agencies. The Parks and Recreation Advisory Board would be the steering committee for the project. In August 2020, staff presented Council three options for maintenance and replacement projects to be done in the near future. In December, the Board recommended to proceed with Option 3. This included work at S Locust Park, Community Park, and park signage. Since this list was recommended by the Board, staff had been working on the list however the ice storm had damaged many parks and a lot of staff time and resources had been diverted to the cleanup.

Barry Johnson, Parks and Recreation Advisory Board Chair, explained the reasons for the recommended projects in Option 3. The Board agreed that a Master Plan update needed to be done, however they would still like to move forward with some projects. They had determined that Locust Street would be a good project to focus on that could be completed before the end of this year. Playground equipment had been replaced and the roof of the restroom was completed. Bark was also added. What was left to do was resurfacing and striping the basketball court and putting in a gazebo with electricity over the concrete area. Their focus was to complete Locust Street Park this year. They were also interested in putting in a fountain to give the pond in Community Park an opportunity not to be so stagnant in the summer. They would also like to put safety nets in Maple Street Park to keep balls from flying into the Splash Pad. He noted that tennis courts were removed when the Splash Pad went in and they needed to be replaced with either new tennis courts or pickle ball courts. There also needed to be an arborist to look at Wait Park as there had been much damage from the recent ice storm. These were all things the Board wanted to work on while the Master Plan was being updated.

Barbara Karmel, Parks and Recreation Advisory Board Member, said the Board wanted to understand the funding sources better, such as where the funding came from, how the sources related to the budget itself, rules for the funds, how were they allocated, and the time period they had to access them. It made it difficult to compare one priority to another when they did not have this information.

Councilor Tibbals thanked the Board for their work. He saw Wait Park as a safety issue and thought it should be a high priority.

Jeff Snyder, Parks and Recreation Lead, said an arborist was going to do the assessment of Wait Park on March 8.

Chair Johnson said this was work to make the park safe, and then the Master Plan would direct what should be done after that.

Councilor Parker suggested the Council stay out of the decision and let the Board drive the whole process. He thought the Board should work on underserved populations, work on mobility impaired populations, and build a design that was attenuated to the changing age demographics. He also wanted the Board to make sure they kept up on the maintenance and gave recommendations on the new parks.

Councilor Varwig agreed the priority needed to be Wait Park.

Councilor Spoon thought they should reconfigure the Park Maintenance Fee budget to allocate the funds where they would be the most appropriate and also free up some funds to maintain public, but non-park spaces. She agreed that the Board should decide on the projects.

Mr. Archer said the cemetery maintenance was paid out of the City's General Fund as well as the fees collected for burials. They did not use the Park Maintenance Fee on the cemetery.

Julie Blums, Finance Director, said the Park Department split their time in several different areas. The time that they spent in the parks was charged to the parks budget. When their staff worked in the cemetery, it was charged to the cemetery.

Councilor Parker thought they should find another way of staffing so a quarter of the available hours in the Park Department was not being used for cemetery.

Ms. Blums said when the cemetery was moved to the Park Department, the staff from the other departments that were maintaining the cemetery were moved to the Park Department.

Councilor Bangs thanked the Board for their work and agreed that the Board should be making these decisions. He thought Community Park should have a different name. He asked if an arborist needed to look at Community Park as well due to damage from the ice storm.

Mr. Snyder said right now the arborist would only be looking at Wait Park, but there was damage at Community Park that would need to be addressed. That was why the park was

currently closed.

Chair Johnson thought more hours should be put into deferred maintenance. The Park Maintenance Fee generated about \$36,000 per month which equated to \$432,000 per year and over the three year period totaled \$1.3 million. He would like the expenditures of the fee to be tracked that showed what the money was being used for and how much was coming in.

Ms. Blums explained the Fee had been used to hire two staff members and to begin the maintenance projects. The way it was tracked was by taking the General Fund contribution and the Fee and subtracting the expenses and the balance rolled forward to the next year which was the Park Maintenance Fee Reserve. Coming into the current fiscal year, the reserve was \$170,000. It would be difficult for the Park Department to track their time between the normal work and the maintenance fee work as they were blended. Every year the contribution went up according to the CPI. Last year they did not increase the fee due to Covid. They only had a year and a half left of the fee before a decision needed to be made to continue it or change it. They always used the General Fund money first, and the fee was kept in the reserve as much as possible. The fee would be reviewed through the master plan update process.

Councilor Bangs thought more employees should be hired with the reserve. He thought it should be used, not kept in the bank.

Mayor Hodson said the fee was not permanent and they might need to lay off people if they decided not to collect it anymore. He thought the fee should instead be used for larger projects.

Councilor Tibbals agreed with the Board making the decisions. He asked if the Board had enough information to make the decisions.

Chair Johnson thought they could make the decisions. They were given advice by staff for what direction they might be able to go and the master plan would open up avenues for them to make improvements going forward. The plan would also tell them where the SDC funds could be spent. He thought the Board should get a Maintenance Fee update quarterly and they had to know from staff what projects they could tackle and which they could not. They were asking for Council's support for the projects they wanted to tackle this year.

Councilor Spoon asked if they could address the fee earlier than a year and a half from now.

Joe Lindsay, City Attorney, said the Council could decide to take out the sunset clause or send it to a vote in the next General Election.

Ms. Karmel thought they needed to find creative ways to empower the Board for projects and finances. She noted all the improvements that had been done in Locust Street Park and how they showcased what they were trying to accomplish.

Ryan Oliver, Parks and Recreation Advisory Board Member, said the direction from the Board for the fee was it would fund the backlog maintenance. It was not meant to be for new parks. He was excited about the Master Plan update, especially since for the last 20 years they had not done

much for parks. As a City they did not do anything for recreation and he would like to see moving forward something to support youth and organizations like Canby Kids.

Scott Sasse, Parks and Recreation Advisory Board Member, would like to see some of the fee be used for an annual contribution to Canby Kids. He did not see the fee ever going away. He thought another parks and another public works employee needed to be hired. Now was the time to take care of Wait Park. He asked if they could use Urban Renewal funds for Wait Park.

Mr. Archer said all of the feedback would be reviewed and staff would continue to work with the Board on these projects. The Master Plan update would be helpful in guiding what they did in the future. He would like to see the City do more for recreation as well.

MAYOR'S BUSINESS: Mayor Hodson said the County Commission discussed whether to put the Vehicle Registration Fee to the voters or repeal it. They did not go forward with either option, and decided the Fee would remain in place. This Saturday was the Council Retreat. He asked if the Council wanted to meet in person due to the lifting of some Covid restrictions.

Councilor Hensley thought they would be more effective live.

Councilor Spoon wanted to wait until everyone was able to get vaccinated.

Councilor Parker said they did not know how many citizens would join and he did not want to put staff at risk.

Councilor Varwig thought they could do a hybrid, some could meet in person and others by Zoom. He preferred to meet in person.

Councilor Tibbals said where they would gather would far exceed the social distancing requirements. The School Board had started meeting in person again. He also preferred to meet in person.

Councilor Bangs agreed Zoom was not as effective, but he did not want to meet in person until he was vaccinated. He liked the hybrid idea.

Mr. Archer said the facilitator strongly recommended to either have a meeting in person or on Zoom, but not to have it split.

There was discussion regarding postponing the retreat.

There was consensus to postpone until the Council could all meet in person.

Mayor Hodson said staff was looking at the logistics for when they started meeting again in the Council Chambers and reopening the library, civic offices, police station, and municipal court. Mr. Archer said staff was targeting April 1 for the reopening.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Tibbals addressed comments made earlier in the meeting. They should be careful about what was being handed out to children and it should not be taken lightly. He thought it was a poor policy to put flyers out without reviewing them and it needed to be addressed. He wanted to make sure it would never happen again.

Councilor Bangs reported on the School District. The Superintendent announced he would be retiring at the end of his contract. Children had started back to school this week. They still had to follow the guidelines for masks and social distancing. Sports at the High School had also started, however fans were still not allowed. Football games would be starting soon, along with fireworks during the games. Last week the School Board and Teacher's Union agreed to an amendment to the contract regarding Covid requirements. The Board would be meeting tomorrow to discuss waiving athletic fees and complaints against the Superintendent and Board members. He had been recruiting a new high school student to serve on the Library Board. He did not think it was the role of elected officials to censor the materials that came from the Library. Libraries provided materials and people decided what they wanted to read or not to read. He did not think they should get involved in that.

Councilor Hensley agreed with Councilor Tibbals. She felt the issue with the flyer at the library was that it was advertising an adult themed book that had no business being promoted to children. She stated it was a new policy to put the flyers in bags instead of sitting on a table. She appreciated Mr. Archer's response and looked forward to the review of the policies and processes to make sure it never happened again.

Councilor Spoon said Bridging Cultures had been posting on their Facebook page in Spanish the locations and times of vaccine clinics and had been handing out free PPE.

Councilor Varwig reported on CTV-5 who would be broadcasting the football games. There had been interviews for vacancies on the Planning Commission which would be approved tonight in the consent agenda. At the Fire Board meeting, they announced two new chaplains and a joint Fire Marshal had been brought in. Canby Fire had been awarded the Program Department of the Year Award. During the ice storm, they responded to 180 calls in two and a half days. They had approved the contract to build a north side fire station. Regarding the flyer at the library, the problem was staff putting out information that they did not review. The library needed to be a safe and inclusive place for all people. He thought more needed to be done than just canceling the subscription.

Councilor Parker said the City Charter specifically prevented the Council from taking issue with any employee except the City Administrator. He did not want to set a precedent where the Council criticized City employees.

Councilor Tibbals agreed about the Charter, but wanted to make sure the Council voiced concerns that were not being addressed so the City Administrator knew how they felt. Citizens who made comments deserved to know what the Council's thinking was as well.

CONSENT AGENDA: **Council President Hensley moved to approve the minutes of the February 17, 2021 City Council Work Session and Regular meeting, the appointment of James Hieb to the Planning Commission for a term expiring December 31, 2021 and Jason Padden to the Planning Commission for a term expiring December 31, 2023. Motion was seconded by Councilor Varwig.

There was discussion regarding the selection process for the Planning Commission seats.

Motion passed 6-0.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Archer announced the storm debris drop off site would remain available through this Friday. He discussed Clackamas County's racial justice research project. The County had asked all of the cities to participate in the financial cost. If the Council wanted to contribute, he recommended contributing \$2,500.

There was discussion regarding whether or not to contribute to and be involved in the project.

This item would be brought back to the next Council meeting.

CITIZEN INPUT: None

ACTION REVIEW:

1. Approved the Consent Agenda.

The meeting adjourned at 10:19 p.m.

Melissa Bisset
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood



City of Canby Bi-Monthly Report
Department: Administration
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
From: Melissa Bisset, City Recorder/ HR Manager
Prepared by: Erin Burkhard, Office Specialist II
Through: Scott Archer, City Administrator
Date: 3/17/2021

Board and Commissions

Board/ Commission/ Committee	Vacancy	Applications Received	Status
Bike & Pedestrian Committee	1	1	Filled 2/3/2021
Canby Utility Board	1	1	Filled 1/20/2021
Heritage and Landmark Commission	1	0	
Library Board	1	0	
Planning Commission	2	3	Filled 3/3/2021
Transit Advisory Committee	2	4	Interviews taking place on 3/15/2021
URA Budget Committee	1	0	

Business Licenses

	Issued	Inactivated	Renewals Mailed	Total Licenses
January & February 2021	19	31	248	683 have Canby Addresses 1553 Total
January & February 2020	31	31	239	683 have Canby addresses 1533 Total

Cemetery

	Property purchases recorded	Internments recorded
January 2021	15	11
February 2021	2	3

Recruitments

- Welcomed two lateral Police Officers, Planning Director and Mechanic.
- Began implementation of NEOGOV software (recruitment/ application and onboarding solution)

Trainings

City Recorder/ HR Manager, Confidential Administrative Assistant and City Attorney attended sessions during the CIS Annual Conference.

Liquor Licenses/ Noise Variance Application

One Liquor License was processed. Annual liquor licenses were renewed.

Public Records Requests

One public records request was processed

Special Animal Permits

No special animal permits were issued.

SUBJECT: Attendance Numbers for January 2021
DATE: March 2021

CANBY SWIM CENTER January	ADMIT 2020	ADMIT 2021	PASS 2020	PASS 2021	TOTAL 2020	TOTAL 2021	YTD TOTAL 19-20	YTD TOTAL 20-21
MORNING LAP	42	0	303	0	345	0	2186	1494
ADULT RECREATION SWIM	30	0	365	0	395	0	2782	538
MORNING WATER EXERCISE	93	0	339	0	432	0	3002	0
PARENT/ CHILD	0	0	0	0	0	0	798	0
MORNING PUBLIC LESSONS	142	0	0	0	142	0	3186	0
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	85	0	320	0	405	0	1934	0
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	215	0	3	0	218	0	2617	0
PENGUIN CLUB	0	0	0	0	0	0	1042	0
CANBY H.S. SWIM TEAM	0	0	920	0	920	0	1732	266
CANBY GATORS	0	0	613	0	613	0	4401	1378
MASTER SWIMMING	0	0	14	0	14	0	54	0
EVENING LESSONS	660	0	0	0	660	0	6180	0
EVENING LAP SWIM	64	0	55	0	119	0	621	0
EVENING PUBLIC SWIM	192	0	4	0	196	0	1986	0
EVENING WATER EXERCISE	0	0	0	0	0	0	181	0
ADULT SWIMMING	15	0	8	0	23	0	62	0
GROUPS AND RENTALS	272	0	0	0	272	0	1815	0
OUTREACH SWIMMING	0	0	0	0	0	0	477	0
TOTAL ATTENDANCE	1810	0	2944	0	4754	0	35056	3676

SUBJECT: Attendance Numbers for February 2021
DATE: March 2021

CANBY SWIM CENTER February	ADMIT 2020	ADMIT 2021	PASS 2020	PASS 2021	TOTAL 2020	TOTAL 2021	YTD TOTAL 19-20	YTD TOTAL 20-21
MORNING LAP	31	117	269	545	300	662	2486	2156
ADULT RECREATION SWIM	30	50	347	233	377	283	3159	771
MORNING WATER EXERCISE	90	0	388	0	478	0	3480	0
PARENT/ CHILD	54	0	0	0	54	0	852	0
MORNING PUBLIC LESSONS	150	0	0	0	150	0	3336	0
SCHOOL LESSONS	1128	0	0	0	1128	0	1128	0
NOON LAP	76	0	294	0	370	0	2304	0
TRIATHLON CLASS	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	141	0	9	0	150	0	2767	0
PENGUIN CLUB	0	0	112	0	112	0	1154	0
CANBY H.S. SWIM TEAM	0	0	421	0	421	0	2153	266
CANBY GATORS	0	0	884	472	884	472	5285	1850
MASTER SWIMMING	0	0	19	0	19	0	73	0
EVENING LESSONS	852	0	0	0	852	0	7032	0
EVENING LAP SWIM	40	0	84	0	124	0	745	0
EVENING PUBLIC SWIM	299	0	15	0	314	0	2300	0
EVENING WATER EXERCISE	0	0	0	0	0	0	181	0
ADULT SWIMMING	7	0	14	0	21	0	83	0
GROUPS AND RENTALS	384	0	0	0	384	0	2199	0
OUTREACH SWIMMING	0	0	0	0	0	0	477	0
TOTAL ATTENDANCE	3282	167	2856	1250	6138	1417	41194	5043



City of Canby Bi-Monthly Report Department: Economic Development For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
From: Jamie Stickel, Economic Development Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 3/9/2021

Economic Development Director Updates

Business Retention and Expansion: The City of Canby is working to create a Business Retention and Expansion (BRE) program with the assistance of Mary Bosch, Marketek. A meeting to outline a BRE game plan was held on February 5th. The program will focus on outreach to businesses, capturing metrics, and updating marketing materials. On February 12th, Bosch met with the Economic Development Director to begin to fill in the outline of work with additional details, highlight dates in the future for outreach, and provide “homework” to create Canby-centered marketing materials. This work is being funded with a \$5,000 Ford Family Foundation Technical Assistance Grant which was awarded in late November. Mary Bosch has worked previously in Canby creating the 2012 Retail Market Analysis and providing consulting on traded sector businesses. Bosch is well-known for her work assisting cities such as creating Wilsonville’s BRE program as well as Clackamas County’s.

Clackamas Prosperity Collaborative/Canby Design Lab: Clackamas County created an effort called the Clackamas Prosperity Collaborative which focuses on creating project around equity and inclusion in three communities: Canby, Milwaukie, and Estacada. The work in each of the communities is called the “Design Lab”. The Clackamas Prosperity Collaborative met on November 18th and City’s Economic Development Director has been regularly attending the Clackamas Prosperity meetings, as well as the Canby Design Lab meetings. The Design Lab regularly meets the first Tuesday of the month, brings together people of various backgrounds and engages them to identify a problem statement and a solution statement for the community. Canby’s statement focuses on the lack of knowledge or support for citizens to navigate resources in the community. As the Canby Design Lab continues to meet, it will identify a project to help assist the community such as a website or an app focused on providing information on all resources.

TSP Amendment: The Planning Department brought a Transportation System Plan Amendment before the Canby City Council on Wednesday, January 20th. The amendment was approved and will see the replacement of the formerly planned Otto Road alternative access to Highway 99 with the proposed Walnut Street Extension. The proposed extension road would help to secure a roadway to more effectively and efficiently move people from the industrial park and south Canby to Highway 99. This TSP amendment will greatly impact the Canby Pioneer Industrial Park with its current businesses and developments, as well as potential new developments in the future. Additionally, by including the Walnut Street Extension in the TSP, allows system development charges to be used on the planning and construction of the road.

Urban Renewal Agency Façade Improvement Program: At the January 20th Urban Renewal Agency (URA) meeting, staff was asked to bring back the topic of potentially moving the façade improvement program approval from URA meetings, to avoid delays in authorization, to an administrative approval. At the February 3rd meeting, staff brought forward a staff report and resolution but the item was ultimately tabled due to citizen input. URA Commissioner Bangs asked for the item to be tabled so he could work with concerned citizens on streamlining the process while also acknowledging the need for public input in the process. Jamie Stickel offered to work with Bangs and the citizen, Carol Palmer, to review the process and bring it back to the URA. When the three met, a large focus was put

on public input specifically as it relates to potential historic sites or districts that could form in the future. The process will be reviewed at an upcoming URA work session.

Former Canby Public Library: Over the course of the last year, the Canby City Council has been negotiating the purchase and sale of the former Canby Public Library, located at 292 N Holly Street. The prospective new owner of the building is Oregon City Brewing Company who intends to open what is tentatively being called the Canby “Beer Library”. The plan to offer a brewery and cidery, indoor food carts, two retail spaces along NW 3rd Avenue, a family-friendly arcade, and an indoor atrium. The purchase and sale agreement passed by ordinance at the February 3rd City Council meeting, and passed the 2nd reading of the ordinance at the February 17th city council meeting. The negotiated price was \$500,000 with a \$100,000 promissory note. The City is working with Oregon City Brewing Company owners and the state on utilizing the Oregon Main Street Revitalization grant the city received in 2019 for that building.



Economic Development and Tourism Updates

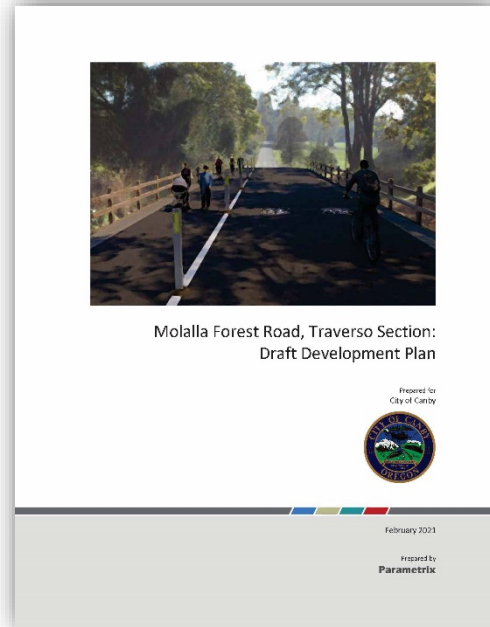
Promotion

- **Summer Events** – The Economic Development and Tourism Coordinator (ED&TC) is working with colleagues to stay abreast of the event guidelines for 2021 and create flexible plans for safe community events in 2021. The ED&TC has also forged a partnership between economic development, Library staff, and Friends of the Canby Public Library to hold a concert series in Wait Park on First Thursdays in July, August, and September.
- **Discover Canby Brochure Update** - The ED&TC met with Mount Angel Publishing to commission an updated “Discover Canby” brochure focused on promoting local shops and restaurants.
- **Buy Local/ Shop Canby campaign** – The ED&TC worked with the Canby Area Chamber of Commerce to print posters with photos promoting local restaurants, which were distributed for display at local businesses. This effort was a continuation of the “Shop Canby” efforts in December, but focused on restaurants enduring dining room closures.
- **Social Media and Newsletter** – The ED&TC continues to use Canby Business accounts on Facebook and Instagram to promote local businesses and convey business and tourism news to the community. The Newsletter has been updated with fresh design and restaurant business listings/ links.

- **Clackamas County Cultural Coalition (CCCC) Grant Award** – The ED&TC was awarded a \$2000 grant from CCCC to support a project to install wireless speakers in Wait Park for use at City-sponsored events. The ED&TC is working with a vendor to purchase equipment, expected to be installed for summer 2021.
- **Travel Oregon Destination Ready Grant Application** – The ED&TC applied for a grant from Travel Oregon for a \$10,000 project to conduct a digital marketing audit of food and beverage establishments. Canby

Organization

- **Bicycle and Pedestrian Advisory Committee (BPAC)** – The ED&TC is managing a BPAC project to create a development plan for the Traverso section of the Molalla Forest Road. The ED&TC facilitated the Stakeholder Advisory Committee meeting on February 26. A second online open house will be launched in March, which can be accessed via the MFRTrail.org webpage. A draft development plan from the contractor, Parametrix, was delivered on February 23, and will be the focus of outreach during the online open house.
 - **ODOT Community Pathways Grant Application** – The ED&TC worked with the BPAC to submit a grant application to ODOT for a \$150,000 project to complete refinement planning and public engagement on the Traverso section of the MFR.
- **Heritage and Landmark Commission (HLC)** - The Heritage and Landmarks Commission completed and closed out three of the recommendations included in the city's newly completed Historic Preservation Plan (HPP). Additionally, the commission finalized the 2021-2 program, which includes ten of the recommended short-term projects included in the HPP. The activities involved in the selected projects are compatible with COVID-19 protocols. Priority was given to projects that educate potentially eligible property owners about financial incentives associated with a historic property designation. The survey and research projects include the fairgrounds, neighborhoods adjacent to the downtown core, and pre-1940 structures not previously surveyed.
 - The ED&TC submitted a grant application to OPRD's Certified Local Government (CLG) grant program on behalf of the HLC to support surveying, board education, and updates to preservation code.



Economic Vitality

- **Open Air Canby** – The ED&TC provided Open Air Canby registrants with updated guidelines on outdoor seating requirements and communicated the opportunity to unregistered businesses.

Design

- **Façade Improvement Program (FIP)** – The ED&TC processed FIP applications from Godfrey Properties, LLC (Caldera/ former Parsons building) and Columbia Brickworks (Holly Mall). Both of these projects were approved at the Urban Renewal Agency meeting on January 20 and improvements at these downtown properties are in process. The ED&TC has also processed an FIP application from Rice Time, with plans for a new awning. This project has been scheduled for review at the March 3 URA meeting.



City of Canby Bi-Monthly Report
Department: Finance Department
For Months of: January/February 2021

To: The Honorable Mayor Hodson & City Council
From: Julie Blums, Finance Director
Prepared by: Suzan Duffy, Financial Analyst
Through: Scott Archer, City Administrator
Date: March 8, 2021

In addition to providing services and responding to inquiries from both internal and external customers, and performing the tasks listed statistically on the last page, the Finance Department reports the following items of interest this period.

- A supplemental budget for 2020-2021 was approved by the City Council in February. This was necessary primarily to address the receipt of CARES Act funding, project timing issues and funding of retirement/separation costs.
- The 2021-2022 budget process began with a kickoff meeting of department heads. Finance has begun the process of projecting revenues and assembling capital expense estimates.
- Finance and Public Works worked together to prepare costs estimates of the City's response to the ice storm. Estimates needed to be submitted to Clackamas County on a very short timeline in order to provide the State with enough information to apply for FEMA emergency relief funding. It is not known at this time if any reimbursement will be forthcoming.
- The Finance and Economic Development Directors jointly prepared the Urban Renewal Annual Report for 2019-2020 which will be presented to the Agency in March.
- Transit tax outreach continued with additional mailings offering annual payroll filing to firms with a low tax liability. Efforts are being made to find contacts at a growing number of payroll services that file on behalf of firms doing business or having workers located in Canby.
- The annual preparation of IRS forms W2 and 1099 was completed.
- Finance staff participated in the following meetings, trainings and events this period:
 - Caselle user group
 - Meetings with new Councilors
 - Meetings regarding current and proposed projects
 - Management Team meetings
 - OGFOA Certification meeting
 - LOC webinar regarding lodging tax collection by the State
 - Local Budget Law training
 - New website training

Statistics for FY 2020-2021:

	<u>July-</u> <u>Aug</u>	<u>Sept -</u> <u>Oct</u>	<u>Nov -</u> <u>Dec</u>	<u>Jan -</u> <u>Feb</u>	<u>Mar -</u> <u>Apr</u>	<u>May -</u> <u>June</u>
Accounts Payable						
Invoices:	414	415	463	362		
Invoice entries:	967	942	997	858		
Encumbrances:	59	18	21	14		
Manual checks:	7	2	7	1		
Total checks:	259	311	290	238		
Payroll						
Timesheets processed:	530	415	504	398		
Total checks and vouchers:	594	475	566	452		
New hires/separations:	0/8	2/3	2/2	3/4		
Transit Tax Collection						
Forms sent:	20	824	1060	470		
Penalty & Int. notices sent:	1	0	1	16		
Pre-collection notices sent:	0	0	221	0		
Accounts sent to collections:	0	0	0	109		
Accounts opened/closed:	44/37	47/24	33/22	21/32		
Returns posted:	952	604	814	1083		
Utility Billing						
Bills sent:	10,114	10,116	10,271	10,296		
Counter payments:	0	0	0	0		
Accounts opened and closed:	170	144	120	96		
Lien payoffs:	0	4	6	2		
Lien payoff inquiries:	42	48	27	48		
Collection notices sent:	0	0	0	35		
Accounts sent to collections:	0	0	0	0		
New homes occupied:	18	24	27	34		
General Ledger						
Total Journal entries:	614	317	335	384		
Cash Receipts Processed						
Finance:	1,146	811	717	1251		
Utility:	95	100	57	16		

Fleet Service BI-Monthly Report

By Robert Stricker, Lead Mechanic

Jan-21

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	0	\$0.00	\$0.00	\$0.00	\$0.00
Adult Center	1	\$238.75	\$0.00	\$25.37	\$264.12
Facilities	0	\$0.00	\$0.00	\$157.77	\$157.77
Wastewater Collections	5	\$321.41	\$190.28	\$436.10	\$947.79
Wastewater Treatment	0	\$0.00	\$0.00	\$0.00	\$0.00
Parks	9	\$2,227.62	\$1,285.69	\$480.60	\$3,993.91
Police	24	\$2,451.99	\$1,574.63	\$4,074.56	\$8,101.18
Streets	13	\$1,297.57	\$739.45	\$974.72	\$3,011.74
Fleet Services	0	\$0.00	\$0.00	\$103.02	\$103.02
Canby Area Transit (CAT)	12	\$1,244.65	\$2,102.06	\$5,519.35	\$8,866.06
CUB					
Total	64			Total	\$25,445.59

Feb-21

Department	Work Orders	Labor Cost	Material Cost	Fuel Cost	Total Cost
Administration	0	\$0.00	\$0.00	\$0.00	\$0.00
Adult Center	1	\$0.00	\$0.00	\$20.55	\$20.55
Facilities	1	\$0.00	\$0.00	\$136.27	\$136.27
Wastewater Collections	8	\$1,188.67	\$0.00	\$498.18	\$1,686.85
Wastewater Treatment	5	\$175.33	\$1.76	\$2,028.06	\$2,205.15
Parks	11	\$2,062.25	\$1,201.79	\$1,153.78	\$4,417.82
Police	24	\$2,505.25	\$1,983.56	\$4,880.80	\$9,369.61
Streets	16	\$655.48	\$529.44	\$2,392.04	\$3,576.96
Fleet Services	1	\$96.78	\$66.85	\$0.00	\$163.63
Canby Area Transit (CAT)	13	\$1,930.93	\$1,198.67	\$5,423.31	\$8,552.91
CUB					
Total	80			Total	\$30,129.75

Fleet Service Highlights

- * Hired a new Mechanic
- * Added a new Police vehicle to the fleet



**City of Canby Bi-Monthly Report
Department: Tech Services
For Months of: January & February 2021**

To: The Honorable Mayor Hodson & City Council
From: Julie Blums, Finance Director
Prepared by: Valerie Kraxberger, IT Office Specialist
Through: Scott Archer, City Administrator
Date: 3/1/2021

The City of Canby Tech Services Department issued:

January 2021

42 Work Orders with 49 being completed

February 2021

48 Work Orders with 47 being completed

Some of the projects we have been working on for January and February are:

- Onboarding new City Councilors, Fleet Mechanic and Patrol Officer
- Annual asset inventory and researching barcode scanning system
- New ArcGIS Setup for Public Works and Cemetery
- New copy machines in PD and Library
- Ice storm power outage issues
- Various PD NetMotion issues



City of Canby Bi-Monthly Report
Department: Library
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
From: Danny Smith, Library Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 3/12/2021

Staff

After several months of working in cohorts during the height of winter pandemic preventative measures, library staff will largely be returning to the facility on March 22nd 2021. Staff will shift from working in two cohorts to working as one unified team as long as favorable conditions exist. Everyone is looking forward to safely returning to the office so we can continue towards our goal of reopening the library facility.

Spaces

With great excitement and anticipation, library staff are making the final updates needed to prepare the library facility for a phased reopening. *Note: all reopening plans are subject to change at any time based on guidance from the Oregon Health Authority (OHA) and the Governor's office.*

Phase 1 – beginning April 1, 2021

- The facility will operate at 25% capacity or fifty (50) people, whichever is smaller.
- Frequent sanitation of high-touch surfaces, social distancing and masking will be required. Additionally, hand sanitizer, disposable masks and wipes will be available to the public throughout the facility.
- Curbside pickup will be offered on Monday 10:00-2:00, Tuesday 2:00-6:00 and Wednesday 10:00-2:00.
- In-person services will be offered on Thursday 2:00-6:00 and Friday 10:00-2:00 and will include:
 - Browsing in the stacks, the accounts desk will be staffed and offer limited informational and account assistance as well as new cards, self-checkout will be available for routine transactions and the restrooms will be open. In-depth information questions will continue to be handled via phone or chat.

Phase 2, date to be determined, all services from phase 1 in addition to:

- The facility will operate at 50% capacity or one hundred (100) people, whichever is smaller.
- Curbside pickup will be offered on Monday and Tuesday. Times to be determined.

- In-person services will be offered Wednesday, Thursday and Friday and will also include: Times to be determined.
 - Full information desk services and computers will be available for use.

Phase 3, date to be determined, all services from phase 1 and 2 in addition to:

- Full occupancy of the library facility, including use of meeting rooms.
- Programs fully restored.
- Furnishings fully restored.
- Full return to pre-pandemic services and library experience.
 - Times to be determined.

Collections

No updates for the months of January and February.

Events & Visits (by the numbers)

Total virtual programs: 50

Total virtual program attendees: 2,042

Total DIY crafts distributed: 560

Seasonal Book Giveaways: 100

Items checked out at curbside: 12,626

Items checked in: 30,798

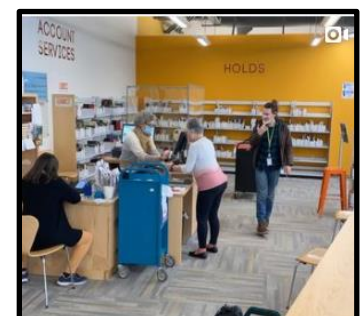
Unique visits at curbside: 3,268

Unique eLibrary visits: 5,059



General News

In an effort to increase transparency and share more about what happens at the library, we've been hosting our "Behind-the-Scenes Saturday" program. For this program, library staff share photos and video footage of all the interesting work that takes place in the background. For the months of January and February, we had a total of 1,157 views and had a fabulous time sharing with the community just what staff does every day and how we connect them to the resources they need.





City of Canby Bi-Monthly Report
Department: Court
January and February, 2021

To: The Honorable Mayor Hodson and City Council
Prepared By: Jessica Roberts, Municipal Court Supervisor
Through: Scott Archer, City Administrator
Date: March 3, 2021

Canby Municipal Court has jurisdiction over all city and state law offenses committed within city limits other than felonies. These include: violations, traffic crimes, misdemeanors and City code violations. *Note: Statistic category terms outlined on page 2*

Monthly Statistics	January	February
Misdemeanors		
Offenses Filed	51	28
Cases Filed	42	22
Warrants Issued	27	12
Misdemeanor Case Detail		
Diversion/Deferred Sentence	4	5
Offenses Dismissed	3	3
Offenses Sentenced	6	4
Offenses not filed by City Prosecutor	1	0
Traffic & Other Violations		
Offenses Filed	81	72
Cases/Citations Filed	46	68
Parking Citations Filed	6	3
Traffic & Other Violations Case Detail		
Diversion (Good Driver Class/MIP)	4	3
Dismissal (Fix It Tickets)	4	2
Dismissed by City Prosecutor or Judge	15	5
Sentenced by Judge	25	14
Handled by Violations Bureau	41	17
Guilty by Default	82	38
Traffic and Criminal Trials		
Court Trial (Misdemeanor)	0	0
Jury	0	0
Traffic Trial	3	3
Defendant Accounts referred to Collections	\$0	\$60,938
Fines & Surcharges Collected	\$40,221.76	\$33,165.10

Explanation of terms:

1. Difference between Offenses Filed vs. Cases Filed
 - Multiple offenses (charges) can be filed on any one defendant from a single traffic stop or arrest.
 - Offenses filed reflects this number. Cases filed (also called docket numbers) refers to a single defendant's matter before the court.
2. Offenses not filed by City Prosecutor. Crimes cited by the police department go to the city prosecutor for review. At times those charges are not filed on against the defendant at the determination of the City Prosecutor.
3. Guilty by Default. When a defendant does not appear or contact the court on their scheduled court date a defaulted conviction is entered against them on the following Wednesday. A court clerk processes the default convictions.
4. The Violations Bureau applies to traffic violations only.

Under the Judge's authority, court clerks can accept pleas, offer a deferred sentence program (if qualified) and set a payment plan. Where a crime is charged, a court appearance before the judge is mandatory.

If a defendant qualifies, the clerks can offer an option to participate in an informative driving education course for a fee to the court. If there are no convictions during the following two months, the case will be dismissed.

Current programs and to qualify:

- Good Drivers Program (no prior traffic convictions in the last five years and no further convictions for 60 days)
- 1st Offender – Traffic violation (if under the age of 18)
- 1st Offender - Minor in Possession of Alcohol/Marijuana citation

5. Fix It Citations

The court offers a Fix It program, which allows the defendant to have a citation dismissed if an issue with their vehicle, registration or license is fixed. There is a \$50 dismissal fee owed for each fixed violation. This is reflected in the traffic violations dismissed statistic.



City of Canby Bi-Monthly Report
Department: Parks
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
 From: Jeff Snyder, Parks Maintenance Lead Worker
 Prepared by: Same as above
 Through: Scott Archer, City Administrator
 Date: 3/9/2021

Two Month Deferred Maintenance Report

January and February

City Park Properties	January February 2020	January February 2021	Deferred Maintenance Tasks
	Snapshot of Actual Hours		
Arneson Gardens	49.5	21	Decrease in landscaping
Baker Prairie Cemetery	2	9	Increase in landscaping
Beck Pond trail	3	23	New fence installation
Community Park	262	113.5	Decrease in tree trimming
Disc Golf	0	10	Increase in storm removal, no volunteers
Eco Park	12.5	4	Decrease in maintenance
Faist 5 - Undeveloped	1	0	Service as needed
Legacy Park	94.5	128.5	Increase in debris removal
S. Locust Park	154.5	263.5	Playground restoration project, storm cleanup
Forest Road Path	21.5	76	Increase in trail maintenance, storm cleanup
Fish Eddy	5.5	1.5	Service as needed
Maple Park	207	79	Decrease in landscaping
19 th Loop	0	6	Service as needed
Northwood Park	29.5	6.5	Decrease in maintenance
Simnitt - Undeveloped	0	0	Service as needed
Skate Park	20.5	22	Service as needed
Territorial CLC	0	0	Maintained by volunteers
Timber Park	43	74	Storm debris cleanup
Triangle Park	14.5	7.5	Decreased landscaping
Wait Park	233	308	Storm debris removal

Within the body of the January/February snapshot, the difference between the 2020 and 2021 cycles, there has been a decrease of .5 hours dedicated towards all park maintenance.

Parks Maintenance

November - December 2021

Park Renovations

The playground construction and reroofing of the restroom at S. Locust St. Park has been completed. A new fence was installed along the Beck pond trail to protect the neighbor's privacy. New lights were installed on the exterior of the Legacy Park restroom building. A fence was repaired along the Willow Creek wetlands trail.

Park Maintenance

January started off with the removal of the Holiday lighting throughout the town. The Christmas trees drop off was at Maple St. Park once again, 300 plus trees were chipped. Shrub beds and trees were trimmed in anticipation of spring. Cleaning of city properties and hazard tree removals occupied staffs time. Playground equipment was repaired as needed. Staff installed engineered wood fiber for the new playgrounds at S. Locust St. Park.

On February the 13th. An epic Ice Storm descended upon Canby. Staff has directed its focus from maintenance to addressing tree hazards and the cleanup of the storm debris.

Canby Municipal Courts community service referrals were not utilized in the parks due to COVID-19. The Parks Department spent 8 hrs. addressing graffiti and vandalism over the last two months. Regular maintenance was not performed at the 34 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, Beck Pond, Community Park (River), CPIP sign, Disc Golf Park, Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Klohe Fountain, Knights Bridge right of way, Legacy Park, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park, Nineteenth Loop Natural area, Northwood Estates Park, NW 1st Ave., NW 2nd Ave., Police Department landscaping, Simnitt Property, Skate Park, Shop Ground, Swim Center, Timber Park, Territorial Estates Future CLC Park, Transit Bus Stop, Triangle Park, Wait Park, Willow Creek Wetlands (19th Loop), WWTP property and Zion Cemetery.

Meetings attended

I attended the Park and Recreation Boards zoom meetings.

I attended the FY 21-22 budget kickoff meeting.

Ken attended a pesticide training course to earn his CEU's for his license.

Zion Cemetery

At the cemetery storm/leaf debris removal, mowing, floral decoration cleanup, building maintenance issues and sexton duties were performed. Staff has started the process of establishing a GIS mapping/plotting program at the cemetery.

On February the 13th. An epic Ice Storm descended upon Canby. Staff has directed its focus from maintenance to addressing tree hazards and the massive job of cleanup.

For your Information

Please see attached park maintenance actual hours for the months of January and February 2021. Hours are based on number of employee's (each day) x 7.5hrs.

Parks Department	January 2021 Actual Hours																															Total
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
Adult Center																																0.0
Arneson Gardens				0.5		0.5	0.5	0.5			1.0	0.5	3.0	0.5	1.0			2.0		3.0					0.5			0.5	0.5			14.5
Baker Prairie Cem.				1.0														6.0														7.0
Beck Pond					2.0								1.0					4.0	2.5	2.0						3.0	2.0					16.5
Community Park				5.0	2.0	1.0	0.5	2.0			5.0	1.0	21.0	20.0	2.0			11.0	1.5	2.0	2.0	2.0			2.0	2.0	1.0	2.0	2.0			87.0
CPIP Sign Property																																0.0
Disc Golf Course				10.0																												10.0
Eco Park				0.5				0.5			0.5				0.5			0.5							0.5							3.0
Faist V (5)																																0.0
Holly-Territorial Sign																																0.0
Hulberts-sign property																																0.0
Klohe Fountain																																0.0
Knights Brdg.																																0.0
Legacy Park				3.5	0.5	1.0	0.5	2.0				0.5		1.0	1.0			2.0		1.0		2.0			2.0		2.0	1.0	1.0			21.0
S. Locust Park				1.5	0.5	0.5	2.0	1.0			5.0	4.0	1.0	1.0	2.0			3.0	3.0	1.0	2.0	2.0			2.0	2.0	2.0	2.0	1.0			38.5
Logging Rd. Path				1.0	9.0	1.0					2.0		5.0	1.0	19.5			3.0							1.0				1.0			43.5
Fish Eddy-Log Boom															0.5										0.5							1.0
Maple St. Park				3.0	0.5	1.0	0.5	1.0			15.0	0.5		1.0				2.0	1.0			4.0			2.0	1.0		1.0	1.0			34.5
19th Loop												2.0						4.0														6.0
Northwood Park				0.5		0.5					1.0				0.5			0.5							0.5		0.5					4.0
Street Landscaping								22.5										1.0	30.0	30.0	30.0	30.0			30.0	30.0	30.0	12.0				245.5
Storm/Collect mow								4.0						1.0														18.0	30.0			53.0
Police Department																																0.0
Simnitt Property																																0.0
Skate Park				1.0		0.5		0.5			1.0	0.5			0.5			0.5									0.5					5.0
Shops/tools-trucks				1.0							2.5				2.5				1.0		2.0					1.5	3.0		4.0			17.5
Swim Center																																0.0
Territorial-CLC Prop.																																0.0
Timber Park				3.0	0.5	1.0	0.5	2.0			1.0	0.5		6.0	1.0			2.0	1.5			1.0			1.0		1.0	1.0	1.0			24.0
Transit Bus stop				1.5	0.5	0.5	0.5	1.0			0.5	10.5			1.0			1.0		1.0					1.0			0.5	0.5			20.0
Triangle Park				0.5																												0.5
Wait Park				4.0	15.5	38.0	26.5	1.0			3.0	0.5		7.0	1.5			1.5	2.0	2.0	3.0	2.0			2.0		2.0	1.0				112.5
Veterans Memorial											10.0	20.0															1.0					31.0
WWTP property																																0.0
Zion Cemetery				7.5	7.5		16.0	11.0				7.5	13.5	13.0	15.0				7.5	7.5	8.5	7.5				8.5	7.5	8.0	7.5			153.5
Administration					6.5	7.0	5.0	3.5			4.0	4.5						1.0	2.5	4.0	5.0	2.0				4.5		5.5	3.0			58.0
Monthly Total																																1007.0

Monthly Total 1007.0

Parks Department	February 2021 Actual Hours																															Total	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		
Adult Center								0.5				1.0																				1.5	
Arneson Gardens	1.0	0.5	2.0		0.5						1.0											1.0				0.5						6.5	
Baker Prairie Cem.			1.5	0.5																												2.0	
Beck Pond		1.0							3.0		1.0						0.5		1.0													6.5	
Community Park	5.0	2.0	6.0	2.0	2.0			1.5	0.5	0.5	1.0	4.0										1.0				1.0						26.5	
CPIP Sign Property		6.0																														6.0	
Disc Golf Course																																0.0	
Eco Park			0.5	0.5																												1.0	
Faist V (5)																																0.0	
Holly-Territorial Sign		7.0																														7.0	
Hulberts-sign property					2.0																											2.0	
Klohe Fountain																																0.0	
Knights Brdg.																																0.0	
Legacy Park	2.0		1.0	29.0	29.0			1.0		0.5	1.0	3.0							1.0			1.0			37.5	1.0						107.0	
S. Locust Park	3.0	2.0	4.0	3.0	2.0			30.5	25.0	38.0	13.0	2.0							1.0	30.0		35.0	30.0	6.0		0.5						225.0	
Logging Rd. Path	1.0				1.0			1.0	1.0		4.0								2.0		22.5											32.5	
Fish Eddy-Log Boom																						0.5										0.5	
Maple St. Park	2.5	2.0	1.0	2.0				1.0	3.0	2.5	2.0	4.0							1.0			2.0				0.5	21.0					44.5	
19th Loop																																0.0	
Northwood Park	0.5			0.5				0.5														0.5				0.5						2.5	
Street Landscaping		15.0	15.0					0.5			2.0		15.0		15.0														6.5				69.0
Storm/Collect mow																																0.0	
Police Department										1.5																						1.5	
Simnitt Property																																0.0	
Skate Park	0.5							0.5	1.0	1.0	14.0																					17.0	
Shops/tools-trucks	10.5		1.0									4.0																				15.5	
Swim Center																																0.0	
Territorial-CLC Prop.																																0.0	
Timber Park	1.5	3.0	2.5	1.0	0.5			0.5	0.5	0.5	0.5								0.5			1.0				38.0						50.0	
Transit Bus stop	1.0	0.5	1.0	0.5	0.5			0.5	0.5		0.5	5.0										1.0				1.0						12.0	
Triangle Park																												7.0				7.0	
Wait Park	6.0	2.0	7.5	2.0	1.0			1.0	1.5	0.5	1.0	4.0				37.5	37.0	37.5	30.0			1.0		24.0		2.0						195.5	
Veterans Memorial	1.0									3.0																						4.0	
WWTP property																																0.0	
Zion Cemetery	7.5	7.5	7.5	7.5	7.5				5.5	4.5	7.5	1.0				15.0	15.0	15.0	15.0	15.0		5.0	15.0		15.0	7.5	12.0					185.5	
Administration	5.0	4.0	2.0	1.0	5.5			4.0	3.5		4.0	2.0							1.0	7.5		3.5	7.5	7.5								58.0	
Monthly Total																																1084.5	

Monthly Total 1084.5



City of Canby Bi-Monthly Report Department: Police January / February 2021

To: The Honorable Mayor Hodson and City Council
From: Chief Bret Smith
Through: Scott Archer, City Administrator
Date: March 9, 2021

	January	February
Calls for Service Dispatched 911 and non-emergency calls	752	719
Property Crimes Reported		
Burglary	3	1
Unauthorized Use of Motor Vehicle / Unlawful entry of Motor Vehicle	8	1
Fraud	0	0
Robbery	0	0
Theft I, II, & III	15	9
Forgery	0	0
Trespass	4	2
Vandalism (Criminal Mischief)	9	2
Person Crimes Reported		
Assault I, II, IV	1	2
Carrying Concealed Weapons (knife, blade, etc.)	1	2
Disorderly Conduct (includes resisting arrest)	1	0
Endangering Welfare of a Minor/Recklessly endangering	0	0
Felon in possession of firearm/restricted weapon	1	0
Harassment, Intimidation or Threats	4	0
Identity Theft	4	2
Interfering with Peace Officer	0	0
Menacing	0	2
Sex Offenses	2	3
Strangulation	1	0
Arrests		
Warrant Arrests (and contempt of court, restraining order, parole violations)	10	4
Adult and Juvenile Custodies (includes juvenile curfew)	33	20
Drug Crimes		
Possession Controlled Substance (Cocaine, Heroin, Marijuana, Meth.)	2	1
Delivery of a Controlled Substance (Cocaine, Heroin, Marijuana, Meth.)	1	0
Manufacture Controlled Substance (Cocaine, Heroin, Marijuana, Meth.)	0	0
Traffic Crimes, Accidents, Citations		
Attempt to Elude	0	1
Driving Under the Influence of Intoxicants	12	10
Other Traffic Crimes (hit & run, driving while suspended, etc.)	8	8
Traffic Accidents	9	4
Traffic Citations	195	230

Crimes combine misdemeanor and felony offenses,
reported to State of Oregon for inclusion in the annual national FBI crime report.



City of Canby Bi-Monthly Report
Department: Development Services
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
From: Don Hardy, Planning Director
Prepared by: Laney Fouse Lawrence, Planning Office Specialist II
Through: Scott Archer, City Administrator
Date: 3/9/2021

The following report provides a summary of Planning and Development Services activities for the months of January and February, 2021. Please feel free to call department staff if you have questions or desire additional information about any of the listed projects or activities. This report identifies ongoing planning activities, a list of submitted land use applications, and a list of projects for which the City has performed site plan review for building permits.

Development Services Activities:

- 1. New State Housing Mandates.** Planning staff has continued to assess House Bill 2001 and 2003 (Housing Bills) to identify requirements and implementation measures for discussion with city council during their March 17, 2021 work session. These house bills address duplexes in the Low Density Residential Zone and the Housing Needs Assessment elements.
- 2. Buildable Land Inventory.** Planning staff is in the process of assessing the buildable land inventory for unconstrained residential and industrial land that will be further refined as the Housing Needs Assessment is updated along with the Economic Opportunity Assessment over FY 2021. This will provide a preliminary inventory for consideration of the future anticipated comprehensive plan update.
- 3. Parks Master Plan.** Planning staff is reviewing proposals submitted in response to the parks master plan RFP and will be moving to consultant selection in March/April 2021. The plan will establish a long-range vision for the City's parks and recreational amenities and will identify priority projects and methodologies for funding those projects.
- 4. Code Updates.** Planning Staff is continuing to review City zoning and development standards needing updating and is considering both near term code updates to bring to city council for adoption and a longer term code overhaul and the timing in relation to the Housing Need Assessment update.

LAND USE APPLICATION ACTIVITY

1. Pre-Application Conferences Submitted January 1 – February 28, 2021:

- a. **PRA 21-01 1568 SE 3rd Ct, Lot 6** – Applicant wants to build a professional office building approximately 2802 sq. ft. and parking lot in accordance with the Perman Development Agreement signed by the Clackamas County Clerk and include C-M zoning codes. The office will be used as a professional headquarters for meetings and administrative business. No construction trucks or large equipment will be stored on sight.
- b. **PRA 21-02 SW 3rd Ave,** 10 Unit Multi-family Housing Applicant seeks to build a 10-unit multifamily project with 2 separate buildings.
- c. **PRA 21-03 386 S Sequoia Pkwy, Dragonberry Produce,** Their proposed 28,100 expansion will be of concrete tilt-up construction and will include a large drive-in cooler, nut-processing facilities and office space. The primary use of the building will be as a warehouse with associated office space.

2. Land Use Applications Submitted January 1 – February 28, 2021:

3. Pre-Construction Conferences held January 1 – February 28, 2021: None held during this time period.

3. PC Agenda Items Reviewed January 1 – February 28, 2021:

- a. To consider a request for the redevelopment of the existing Taco Bell quick service drive-thru restaurant on SW 1st Ave, while retaining the building footprint **(DR 20-05)**.
- b. To consider a request to build a two-story, 56,000 SF assisted living facility building with 102 units with a memory care endorsement, and 8 cottages on site for Independent Living that will be in separate 1-story, 700 SF duplexes, at the corner of 1300 S Ivy St. **(DR 20-03, CUP 20-02 Memory Care Facility-moved to April 12)**.
- c. To consider a request to subdivide three parcels consisting of approximately 4.59 acres into 44 separate legal lots located on N Redwood St. **(SUB 20-04 Redwood Landing III Subdivision)**.
- d. To consider a request to construct an emergency fire and medical station at 1460 NE Territorial Road (subject property) on a 1-acre site (project site) adjacent to the City of Canby's Public Works shops complex. The station would allow the agency to better serve the north side of Canby with emergency services. **(DR 20-06/CUP 20-04 Canby Fire Emergency Fire and Medical Station)**.

4. Site Plans Submitted for Zoning Conformance and Authorization for Release of County Building Permits January 1 – February 28, 2021:

CITY FILE #	PROJECT/LOCATION
SP 21-01	RADD 651 N. Juniper Court
SP 21-02	Revision 1911 S. Fir Loop, Ivy Ridge Estates, Lot 13
SP 21-03	Revision 1915 S. Fir Loop, Ivy Ridge, Lot 14
SP 21-04	386 SW 18th Ave, Ivy Ridge, Lot 1
SP 21-05	1485 NE 17th Ave, Postlewait Estates, Lot 2
SP 21-06	1203 N. Maple St ADU
SP 21-07	Kyle Patio Cover 1726 S Evergreen
SP 21-08	367 SW 18th Ave, Ivy Ridge Lot 8
SP 21-09	270 SW 18th Ave Ivy Ridge Lot 4
SP 21-10	1411 NE 17th Ave, Postlewait Lot 4
SP 21-11	1473 NE 17th Ave, Postlewait Lot 1
SP 21-12	1432 NE 17th Ave, Postlewait Lot 5
SP 21-13	1435 NE 17th Ave, Postlewait Lot 6
SP 21-14	1459 NE 17th Ave, Postlewait Lot 8
SP 21-15	1053 NE 16th Ave, Hamilton Acres Lot 11
SP 21-16	1447 NE 17th Ave, Postlewait Lot 7
SP 21-17	1490 SE 10th Ave, Patio Addition
SP 21-18	1877 S. Fir Loop, Ivy Ridge Lot 10
SP 21-19	DirectLink Temporary Construction Trailer
SP 21-20	1580 N. Oak St, Hamilton Acres Lot 35
SP 21-21	1088 NE 15th Ave, Hamilton Acres Lot 22
SP 21-22	2025 SE 11th Place, Faist 8 Lot 51
SP 21-23	2054 SE 12th Ave, Faist 8 Lot 49
SP 21-24	845 SW 1st Ave, Taco Bell
SP 21-25	292 SW 11th Interior Remodel
SP 21-26	309 S Knott Ct, Knott Commons, Townhome 5

5. Signs Submitted for Plan Review January 1 – February 28, 2021:

CITY FILE #	APPLICANT	PROJECT	ADDRESS
SN 21-01	Hannah Signs	Wall Sign	155 S Hazel Dell Way
SN 21-02	Trail Cross Apartments	Monument	1203 NE Territorial Rd
SN 21-03	Integrity Signs	Taco Bell Wall Sign	845 SW 1 st Ave
SN 21-04	Daniel Godfrey	Book Nook Awning Sign	294 NW 2 nd Ave
SN 21-05	Pike Awning	Rice Time Awning Sign	356 NW 1 st Ave



City of Canby Bi-Monthly Report
Department: Public Works
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
From: Jerry Nelzen, Interim Public Works Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 3/1/2021

Facilities

Facility Maintenance is working on getting quotes on damaged buildings from the ice storm.



Facilities	Total Hours
January	144
February	136

Streets Department

Public Works Employees working at one of three storm debris collection areas with volunteers from Extreme Excavating and Canby Excavating, we want to thank them for all of the help during our cleanup of Canby. We could not have had Canby cleaned up so fast without them.



January Streets	Total Hours
Street Sweeping	123
Street Sweeper Maintenance	5
Street Maintenance	131
Sidewalks	4
Driveway Approach & Sidewalk Inspections	4
Street Sign Manufacturing	25
Street Sign Maintenance	7
Street Lights	1
Dump Truck Usage	2
GIS Mapping	105

February Streets	Total Hours
Street Sweeping	13
Street Maintenance & Ice Storm	761
Driveway Approaches	8
Street Sign Maintenance	2
Tree Trimming/Removal	86
Street Lights	2
GIS Mapping	52

Sewer Collections

S Ivy Street sewer main replacement.



January Sewer	Total Hours
Sewer Cleaning	10
Sewer Maintenance/Repair	69
Sewer TV	10
Lift Station Maintenance	34
Locating Utilities	74.5
Sewer Inspections	5
Drying Beds	2

February Sewer	Total Hours
Sewer Cleaning	11
Sewer TV	48
Sewer Laterals/Maintenance	28
Lift Station Maintenance/Ice Storm	50
Locating Utilities	36
Sewer Inspections	13
Vactor Usage	3

Storm Water

Public Works crew found broken storm line and fixed it at N Cedar Street and NW 4th Avenue. Unknown on how long this pipe has been broken.



January Stormwater	Total Hours
Catch Basins Maintenance/Repair	12
Drywell Maintenance	20
Storm Line Maintenance/Repair	154.5
Erosion Control	5
Vactor Usage	15
Drying Beds	17

February Stormwater	Total Hours
Catch Basins Maintenance/Repair	8
Drywell Maintenance	2
Erosion Control	1
Storm Line Maintenance/Repair	27



City of Canby Bi-Monthly Report
Department: Canby Swim Center
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council

From: Eric Laitnen, Aquatic Program Manager
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 3/9/2021

As everyone continues to deal with the effect of COVID 19, the Canby Swim Center was still ordered closed for the month of January. In February the Swim Center was allowed to open again and we returned to our revised schedule of lane reservations. The first half of the month we had tight restrictions and the second half it loosened a little. Canby Swim Club was allowed to have 6 swimmers at a time the first half of the month which allowed for the youngest swimmers, the second half of the month the others were also allowed to return while maintaining a 6 foot separation. The weather also caused a lot of crazy days for the city, although the swim center didn't lose any days as presidents day gave us a day to get everything running again for our customers.

We are continuing to look forward to how to get things turned around and working towards getting things back to "normal" whatever that may be. We are starting from scratch with our programs and staffing as we move forward. I will be very happy when people will be able to use the swim center more.

In January of 2021 we were closed and had no swimmers and only had a couple of refunds. In February of 2021 we had 1,400 swimmers and made almost \$1,000. We are not focused on the dollar signs at the moment as we just want to continue to open up for more swimming.

HVAC heater is scheduled to be repaired on Friday March 12. If everything goes as planned all the HVAC will be at 100% next week. We continue to look into upgrading the front part of the building, office and more importantly dressing rooms. We are doing some staff retraining this month and are looking at a lifeguard class later this month for new people.



City of Canby Bi-Monthly Report
Department: Transit
For Months of: January & February 2020

To: The Honorable Mayor Hodson & City Council
From: Todd Wood, Transit Director
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 3/5/2021

1) Grant Funding and Contracts:

The following grant activities have taken place:

- Monthly Elderly and Disabled transportation reports were submitted to TriMet.
- New 5310 and STF applications were submitted which included a 3% increase request in funding for Elderly and Disabled Dial-A-Ride service.
- A New 5311 application was submitted including an annual increase of \$13,000 to support 99x route service.
- A New State Transportation Improvement Fund application has been submitted including funding for continued Saturday service and the new City Circulator.
- Quarterly Reporting was submitted to TriMet and ODOT.

2) Ridership:

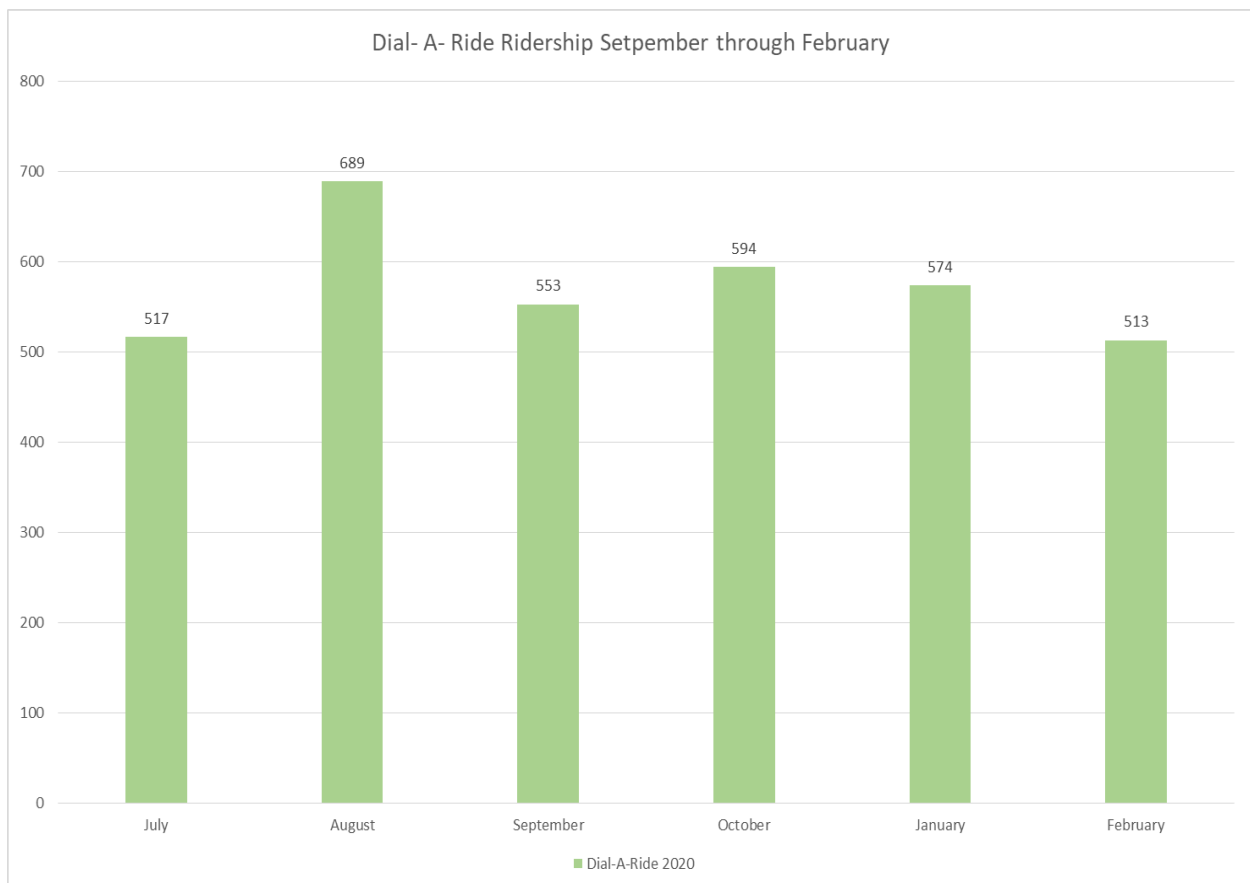
CAT has continued to operate as normal during the COVID pandemic providing critical trips for those who have no other transportation options. Additionally, fixed route has continued to carry critical workers to places of employment including hospitals, nursing homes, grocery stores etc.

Due to the fact that many businesses closed for in person and most have been social distancing, ridership has taken a steep decline. Fixed route saw an initial drop of more than 40% while Dial-A-Ride services saw an initial drop of nearly 80%.

Ridership is slowly returning and will continue to do so, however, the system will continue to see ridership well below normal for quite some time. The most recent pause has slowed recovery. During the months of January and February a drop in ridership was seen due to weather conditions:

January average weekday daily fixed route ridership:	170 trips
January average weekend daily fixed route ridership:	66 trips
February average weekday daily fixed route ridership:	161 trips
February average weekend daily fixed route ridership:	68 trips

January average weekday Dial-a-Ride route ridership:	27 trips
January average weekend Dial-a-Ride route ridership:	9 trips
February average weekday Dial-a-Ride route ridership:	26 trips
February average weekend Dial-a-Ride route ridership:	16 trips



3) Continued COVID-19 responses:

Due to COVID-19 transit continues to operate with following restrictions in place:

- a) The rider of the month program is suspended.
- b) All fares are suspended until further notice. All rides are free.
- c) All buses have been reduced in capacity to meet COVID social distancing guidelines.
- d) All buses are being cleaned and disinfected on a daily basis by drivers.
- e) Barriers have been installed to protect drivers.
- f) All drivers have been provided with PPE use while operating their vehicle.
- g) All passengers are required to wear masks. Masks are being provided as needed.

4) Transit Advisory Committee:

The advisory committee met on January 21, 2020 at 6:00 PM via Zoom and will meet again on March 25, at 6:00 PM via Zoom.

The advisory committee has begun to plan for the new City Circulator. There are currently two open positions for the committee which will be interviewed and selected by the Chair and Liaison.

5) City Circulator Update:

A survey was created and distributed to get feedback on the potential routing and hours for the new City Circulator. It was posted at various places throughout the City. The survey closed the 11th of March. The transit advisory will use this information to help construct the new circulator. We are estimating a start date of October 4, 2021.

6) New RFP for transit services:

The contract with MV transportation expires June 20, 2021 and no more extensions are allowed. The New RFP has been published and closes on the March 18th. On March 4th the City held a pre-bid conference. The RFP and related documentation can be found at the city RFP website: <https://www.canbyoregon.gov/RFPs.htm>

7) Ice Storm:

Due to the ice storm CAT was forced to shut down services Saturday February 13, with the fixed route remaining shut down until February 15. One bus suffered severe damage when a tree branch fell into the bus from a nearby tree on 99E. Nobody was injured.



City of Canby Bi-Monthly Report
Department: Wastewater Treatment Plant
For Months of: January & February 2021

To: The Honorable Mayor Hodson & City Council
From: Dave Conner, PW Operations Supervisor–WWTP
Prepared by: Same as above
Through: Scott Archer, City Administrator
Date: 3/9/2021

Facility Operation & Maintenance:

The water quality for the months of January and February remain fair as we continue to fight an overabundance of filamentous bacteria. All reports and DMR's were completed on time and without issue. The primary clarifier project is still moving forward as planned.

Plant Operators split time between process operations, daily maintenance and repairs of equipment, buildings and grounds.

Biosolids Program

- **January** Production: Belt run time = 20 days. 7 loads to Heard farms 209 wet tons.
- **February** Production: Belt run time = 15 days. 6 loads to Heard Farms, 179 wet tons.

Pretreatment Inspection/Reporting, FOG Program

- **January** Pump Outs: 15 Inspections: 1 fog, 4 pretreatment
- **February** Pump Outs: 22 Inspections: 0 fog, 3 pretreatment

Pretreatment activities also included monthly review of business license, reviewing environmental surveys, plan review, industrial inspection, industrial permit/compliance data review of reports and working with businesses on BMP agreements.

Daily Lab Activity

- Continued OSU Covid 19 Wastewater Study sampling.
- Weekly BOD's, E-coli, solids, NH3 and Alkalinity testing.
- Ongoing industrial sample testing.

Personnel Meetings/Training Attended

- Work site safety and city safety meeting.
- NPDES Permit strategy training.
- Pre-construction meeting.
- ACWA water quality meeting.