

**CANBY CITY COUNCIL
CITY COUNCIL WORK SESSION
May 18, 2016**

Presiding: Mayor Brian Hodson.

Council Present: Todd Rocha, Greg Parker, Traci Hensley, Tim Dale, Tracie Heidt, and Clint Coleman.

Staff Present: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Haley Fish, Finance Director; Eric Laitinen, Aquatics Program Manager; and Kim Scheafer, City Recorder.

Others Present: None.

Mayor Hodson called the Work Session to order at 6:00 p.m. in the City Hall Conference Room.

The Council met in a work session to discuss the wording of a five-year local option levy for Swim Center operations, banning the sale of marijuana ballot measure, and a three percent tax on the sale of marijuana items ballot measure.

Joseph Lindsay, City Attorney, said the proposed five-year local levy for the Swim Center would remain the same as the previous five years without being raised from the \$0.49 per 1,000. He discussed the caption and question to put on the ballot.

Haley Fish, Finance Director, explained why the levy was not being raised. The five-year forecast showed that the levy could be left as it was and still include the increases in minimum wage and cost of living as well as the effects of HB 2632. The \$0.49 was sufficient and the City did not have to ask for more.

Mr. Lindsay then discussed the summary to put on the ballot. There was agreement to say that this measure would ask the voters to approve a renewal of the five-year levy for the Swim Center. If it did not pass, the current level of services would not be able to be maintained.

Eric Laitinen, Aquatics Program Manager, said yearly maintenance was required as well as upgrades. No major projects were planned in the next five years.

There was discussion regarding what to put in the explanatory statement. The Council wanted to add what a yes and what a no vote would do and some of the accomplishments of the previous five years.

Mr. Lindsay discussed the caption, question, summary, and explanatory statement for the City-wide ban on marijuana measure. This would be a ban on marijuana businesses, not on personal grows or personal use of marijuana. He would include in the explanatory statement that a yes vote would not prohibit individuals over 21 to possess marijuana and that the City could not tax marijuana businesses as none would be allowed in the City limits. The Council wanted to say this would establish a permanent City-wide ban on marijuana.

There was discussion regarding the caption and question. The caption would be “removing a City-wide ban on marijuana businesses in Canby” and the question would be “Shall the City of Canby

allow the establishment of marijuana businesses within the City?” He would explain in the explanatory statement that this was either to remove the ban and allow marijuana businesses in the City limits or to continue the ban on marijuana businesses.

Mr. Lindsay then discussed the caption, question, summary, and explanatory statement for the three percent sales tax on marijuana sales measure. He would explain further in the explanatory statement that the tax would only be collected if the ban on marijuana businesses was removed.

Mayor Hodson adjourned the Work Session at 6:50 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
May 18, 2016**

Presiding: Mayor Brian Hodson.

Council Present: Todd Rocha, Greg Parker, Traci Hensley, Tim Dale, Tracie Heidt, and Clint Coleman.

Staff Present: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Kim Scheafer, City Recorder; Haley Fish, Finance Director; and Mark Gunter, Public Works Director.

Others Present: Bob Cornelius, Bob Backstrom, Robert Cambra, Jennifer Borgaes, Debbie Jackson, Larry Jackson, Rose Judge, Robert Lane, Bill Judge, Irene Breshears, Sonya Carrion, Peg & Dale Rohrscheib, Kathy Shinn, Mike Hemelstrand, Fire Chief Jim Davis, Bruce Parker, Dirk Templeman, Bill Kinman, Sarah Moth, Cory Christensen, and Barbara Rogers.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:30 p.m. in the Council Chambers followed by opening ceremonies.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Irene Breshears reported that on May 14, 10,384 pounds of food had been collected during the National Association of Letter Carriers Food Drive. She thanked the community for their support.

Robert Cambra was concerned about the state of Maple Street. The condition of the road was bad with many potholes. The street was often used and had one of the City’s largest and most popular parks. There were no sidewalks on the street and it was a safety liability. Another issue was half of the roadway was in the City and the other half was in the County.

Mayor Hodson said the Council had a retreat and discussed the need for conversations with the County on how to bring County streets up to standard and bring them under City jurisdiction.

MAYOR’S BUSINESS: Mayor Hodson thanked everyone for attending the Prayer Breakfast. The addition of vendors in Wait Park during First Friday was great. He met with Senator Wyden and the owners of JV Northwest.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Parker said Bridging Cultures would start next Saturday at Locust Street Park.

Councilor Hensley said CTV 5 was upgrading to HD. Geovanni Lopez, a high school student, participated in the Duralife® Unlocker Challenge and was awarded a grant for new lockers at the high school and a scholarship. SW Canby Neighborhood Association was having their Bylaws meeting at Hope Village. She attended the Prayer Breakfast, ribbon cutting for Judson Roy Home Furnishings, and First Friday. The Auxiliary breakfast would be on Sunday and would be the last one until September.

Councilor Dale said the City Budget Committee held three meetings and had forwarded the budget to the City Council. Purchasing rodeo tickets on line worked very well. Canby Utility had engaged Group Mackenzie to start architectural design on a new building. Larry Hepler, Operations Manager, retired from Canby Utility. Oregon Health completed their scheduled inspection of the City's water facilities and Canby Utility passed with flying colors. Canby Utility's General Manager would be bringing a recommendation to the Canby Utility Board in June regarding the taste and odor issues. He discussed significant power outages that had occurred over the last month. Canby Utility was donating a public water fountain in the downstairs area of the new library/civic building.

Councilor Hensley said Canby Utility was having two information meetings on June 2 regarding the taste and odor issues.

Councilor Heidt said the library brought in 790 pounds of food during Fines for Food and waived \$500 in fines. The Summer Reading Program would begin June 1. The library's Volunteer of the Year was Carol Wagner. A focus group met last night regarding library services for the new library. The Canby Adult Center was working on a Strategic Plan and would hold their 50th Anniversary Lunch on June 2. The Adult Center would also be hosting the Canby School District Transitional Program's Annual Art Sale. The school district contracted with a new bus company and would be getting new buses with security cameras. She attended a Children's Center Luncheon and Clackamas Export and Global Trade Center Summit. She announced the Get a Clue Scavenger Hunt on June 4 and Canby 5k on June 11. The River Celebration would be held on Saturday.

Councilor Coleman attended the Mayor's Prayer Breakfast, Budget Committee meetings, and the ribbon cutting for Judson Roy Home Furnishings. The Planning Commission approved three annexation applications. He spoke about the Traffic Safety Commission, the process they took to address traffic safety issues, and the various projects they had completed. He explained why he was in favor of using speed humps.

CONSENT AGENDA: **Councilor Dale moved to adopt the minutes of the May 4, 2016 Council Regular Meeting. Motion was seconded by Councilor Hensley and passed 6-0.

PUBLIC HEARINGS: Installation of Speed Humps on Birch Street Between Territorial Road and NW 9th Avenue – Mayor Hodson read the public hearing format.

Rick Robinson, City Administrator, said after his staff report his recommendation would be that the City Council refer the matter back to him for final determination as an administrative matter. This was an attempt to address some of the issues that were raised by citizens. One of the issues

was how speed humps were designed. The City Engineer had engineered the design of the speed humps. Staff had looked at several communities to see what did and didn't work. The design that had been adopted for the City's speed humps had already been adopted by the cities of Beaverton and Portland and was proven to be successful. The speed hump was designed to be 14 feet long, parabolic in shape with a height of 3 inches, and a width of 36 feet. There would be signage indicating the location of the speed humps, painting on the street, and arrows indicating the direction of travel. The design allowed up to six speed humps on Birch between Territorial and NW 9th Avenue. Studies of traffic volumes had been conducted. Northbound average daily traffic was 1,435 vehicles and southbound average daily traffic was 1,937 vehicles. There was also a speeding issue on the street as 85% of the vehicles traveling on Birch were traveling above the speed limit. Birch was classified as a neighborhood route which made it a candidate for speed humps.

Mayor Hodson asked about the height of the speed hump on SE 13th Avenue.

Mr. Robinson said it was greater than 3 inches and had originally been designed as a decorative crossing. It was done more for aesthetics and had some unexpected consequences.

There was discussion regarding the traffic study, traffic volumes on Birch, and flashing speed signs and other alternatives.

Mayor Hodson opened the public hearing at 8:31 p.m.

Public Testimony:

Proponents: Debbie Jackson lived on the corner of 9th and Birch. She was in favor of the speed humps. The road was much busier than it was 30 years ago. Her issues were the speed and volume of traffic. The sound of the traffic and the amount of traffic was excessive. The neighbors knew it as a dangerous road and there were children living on the road. Most of the traffic was due to commuters using the street to bypass the City. Were there any plans to make Barlow Road better so people would use that road instead?

Mayor Hodson said that had been discussed for a long time. It was on the County's transportation plan.

Robert Lane lived on Territorial at the end of Birch. He witnessed the increased traffic and speeding that was occurring on Birch. He thought the speed humps made sense as people saw Birch and Territorial as a sub-highway going around the City on their commute.

Sonya Carrion lived on the corner of 12th and Birch. It was not an exaggeration to see vehicles passing each other on the street. When the police cars were there, people went the speed limit, but as soon as the police were gone, they went back to speeding. She had three cars totaled in the front of her house. Canby businesses were missing out on a lot of traffic due to people using Birch and Territorial. She hoped the speed humps would be put in.

Jennifer Borgaes was adamant about the City doing something about the speed and traffic dangers. She lived on the corner of Birch and Territorial and had two small children. It was a very busy street, and was dangerous and noisy. She gave the example of a driver passing a car on the

other side of the island. People were getting away with this and she thought the speed humps was one answer.

Robert Backstrom, Traffic Safety Commission Chair, said the Commission responded to everyone that walked in the door and took their work seriously. They had heard from many neighbors and had studied this situation. Installing speed humps on Birch was part of an overall recommendation to address neighborhood trouble spots and reduce the bypass volume. There was a large number of out of town commuters who bypassed downtown Canby in favor of the north side neighborhoods as an expedient cut through. Birch was experiencing 1.2 million vehicles per year and that figure continued to rise. The volume and speed of traffic negatively affected the livability of the residents in this area. Many neighbors were concerned about the safety of the children living on Birch.

Opponents: Bruce Parker lived out of town, but owned property in the City. He thought commuters did a lot of business in town and should be considered in this decision. Birch had always had a lot of traffic coming off of I-5. If speed humps were put on Birch, more traffic would be put on Holly. He did not want to start a precedent of putting speed humps on all the streets with traffic.

Rose Judge lived on the corner of 12th and Birch. She had not noticed a problem on Birch. People did speed, but they sped on other roads as well. There was more traffic everywhere. Diverting traffic off of Birch would make a problem for other City streets. She thought speed humps were excessive. She talked with her neighbors, and half said they wanted the speed humps and half said they did not. She suggested delaying putting in speed humps and looking into other solutions such as stop signs or flashing signs.

Bill Judge said a lot of his questions had been answered. He did not want those living in the neighborhood to be penalized for going the speed limit. He did not notice an uncomfortable amount of traffic. He would like to know what a 25 mph ride would be over the speed humps.

Mr. Robinson explained what it would be like and the success other cities had with them.

Peg Rohrscheib lived on Birch and was concerned about the extra time it would take emergency vehicles to use the road with the speed humps. She thought it was excessive to put six speed humps in that short span of road. She did not want a hump in front of her house. She also did not want to transfer the problem to some other street.

Mr. Robinson said they would not put a hump in front of houses that did not want them.

Dale Rohrscheib asked about the cost to install the speed humps. He thought stop signs would be less expensive. He was not in favor of the speed humps.

Mr. Robinson said they would cost between \$2,500 and \$3,000 each to install.

Kathy Shinn thought there would be problems on other streets if they deterred people from using Birch. There were a lot of Canby residents who commuted to the freeway and there would be more as additional housing units became available. She thought they should try some other alternatives before putting in the speed humps, such as flashing lights or repainting the pavement. She was concerned that the speed humps might cause additional noise as vehicles went over them.

Mike Hemelstrand drove down Birch Street several times a day. He watched the other cars and did not think they were speeding. He thought there was a smooth flow of traffic.

Mayor Hodson closed the public hearing at 9:20 p.m.

Councilor Hensley said this conversation had been going on for at least four years and many solutions had been discussed. The fire and police departments had been part of the conversations. She thought this was the best recommendation for the situation.

Councilor Coleman said speed humps helped the efforts of the police department, and there would not be a problem going over the humps if people went the correct speed.

Councilor Heidt discussed the traffic shifting to other streets and setting a precedent for other streets of concern. Mr. Robinson thought it would help get people to drive through town. There would be more public meetings to discuss a longer term solution and pick one that would be the most likely to have success.

There was Council consensus to refer the matter to the City Administrator for final determination.

Update to Master Fee Schedule – Mayor Hodson said the same public hearing format would be used as the previous public hearing.

Haley Fish, Finance Director, reviewed the proposed changes to the Master Fee Schedule. There would be no increase in the Sewer and Stormwater rates. An updated Sewer/Collection Master Plan had been budgeted to include a formal rate analysis for future consideration of rates. She explained the other changes to the Schedule. They included actual costs for services and increases for inflation.

Mayor Hodson opened the public hearing at 9:27 p.m.

Public Testimony: None.

Mayor Hodson closed the public hearing at 9:27 p.m.

RESOLUTIONS & ORDINANCES: Resolution 1235 – **Councilor Hensley, moved to adopt Resolution 1235, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON, SETTING FEES FOR SERVICES. Motion was seconded by Councilor Rocha and passed 6-0.****

Ordinance 1441 – Mark Gunter, Public Works Director, said this piece of equipment was used extensively in the sewer and stormwater system to show the condition of the pipes. The one being used was from 1984 and needed to be replaced.

****Councilor Hensley moved to approve Ordinance 1441, AN ORDINANCE AUTHORIZING A CONTRACT BETWEEN THE CITY OF CANBY AND TRUE NORTH ENVIRONMENTAL FOR THE PURCHASE OF A 2016 CAMERA VAN WITH SPECIFIC EQUIPMENT, INSTALLATION SERVICES, AND DELIVERY to come up for second reading on June 1, 2016. Motion was seconded by Councilor Parker and passed 6-0 on first reading.**

NEW BUSINESS: None.

ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Robinson said construction of the library/civic center was proceeding on schedule. The shelving order would be placed soon.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Referred installation of speed humps on N Birch Street to the City Administrator for final determination.
3. Adopted Resolution 1235.
4. Approved Ordinance 1441 to come up for second reading on June 1, 2016.

Mayor Hodson read the Executive Session statement.

****Councilor Dale moved to go into Executive Session pursuant to ORS 192.660(2)(h) Litigation. Motion was seconded by Councilor Hensley and passed 6-0.**

Mayor Hodson recessed the meeting at 9:33 p.m. The meeting was reconvened at 9:45 p.m. and immediately adjourned.

Kimberly Scheafer, MMC
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood