

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
February 19, 2020**

PRESIDING: Mayor Brian Hodson.

COUNCIL PRESENT: Tim Dale, Greg Parker, Trygve Berge, Traci Hensley, Shawn Varwig, and Sarah Spoon.

STAFF PRESENT: Amanda Zeiber, Assistant City Administrator/HR Director; Joseph Lindsay, City Attorney; Bryan Brown, Planning Director; Ryan Potter, Associate Planner; Jamie Stickel, Economic Development Director; Jerry Nelzen, Public Works Lead; and Melissa Bisset, City Recorder.

OTHERS PRESENT: Jim Dippman, Louis Boesel, Martin Lackner, Betty Crawford, Sarah Crawford-Dietz, Jason Dietz, Mary Walsh, Sarah Rodriguez, Muriel Jordan, Adam Ericksen, Rayah Dickerson, Zane Forrester, Rose and Mark Dreckhahn, David Thorndike, Crystal Thorndike, Lulu Wills, Julie Wills, Olivia Coburn, Dah Goodman Greiner, Rayne Wills, Diana Cerasin, Geanne Horne, Leslie Carroll, Larry Horne, Joli Shempert, Lynnetta Spurling, Terry N. Tolls, Celesta Graves, Pat Schauer, Kristi Smith, Howard Thomas, Scott Sprager, Cathyleen Polly (Burden), Staci Sprague, Jason Sprague, Matt Weber, Sam Caruso, Bob Cambra, Mindy Montecucco, Paul Ylvisaker, Craig Harris, Irene Breshears, and Matt English.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:07 p.m. in the Council Chambers followed by the opening ceremonies.

Mayor Hodson explained Resolution 1330 had been removed from the agenda and would be brought back for a work session.

PROCLAMATION: Iwo Jima Remembrance Day – Mayor Hodson read a proclamation proclaiming February 22, 2020 as Iwo Jima Remembrance Day and presented it to U.S. Marine Martin Lackner.

Mr. Lackner discussed the event, which would celebrate the 75th anniversary of the end of World War II. He presented the Mayor with a plaque in appreciation of his contributions towards the restoration of the helicopter at the Vietnam Memorial.

COMMUNICATIONS: None

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Amira Stanley, Canby resident, sent the Mayor two emails this week asking again for a proclamation for Transgender Day in March and also about the meeting with high school students regarding issues at the school. She also sent the Mayor a pamphlet and had a sample proclamation.

Sarah Rodriguez, Canby resident, requested a proclamation for Transgender Day. This was a world-wide observation for raising awareness of the discrimination that transgender people faced every day. Trans people worked in the community, were neighbors and members of families, participated in all faiths and community groups, and represented all racial classes and backgrounds and felt it was time to adjust to the new us. Public denial fostered anger, fear, and anti-transgender stigma. It led to violence, with members denied services, and trans youth afraid to use bathrooms at school. She was asking for City values to align with community values and that the leaders of the City to set the standard in practicing these values.

Adam Ericksen, Canby resident, was a pastor. He stood with the transgender community and their request that the City go forward with the proclamation. The most important command in scripture was to love God and to love all of our neighbors. He also pointed out in the Constitution it stated, "We the people". It meant all of the people, including transgender. This proclamation would acknowledge transgender people and let them know that they were loved.

Lulu Wills, Canby resident, discussed how things really needed to change. They explained how they had been harassed at school regarding going to the bathroom. They asked that the Trans Day be allowed.

Julie Wills, Canby resident, discussed how her children didn't want to go to school because a boy was following them to the bathrooms to watch them in the stall. Visibility was crucial to their treatment. She implored the Council to engage in the conversation. There needed to be a positive movement going forward regardless of personal feelings. She would like to start the conversation now.

Olivia Coburn, Canby resident, was a veteran of the United States Coast Guard and asked if they were really going to ignore the plight of citizens so they could be discriminated against because they thought it was unimportant and asked the Council to stand with them on Transgender Day on March 31. Who did they really represent and would they stand with them?

Paul Ylvisaker, Canby resident, read the paper last week about the possibility of the closure on the fireworks at the high school. He asked if it was moving to an affirmative end or were they considering something else.

Mayor Hodson responded that he had asked about opening up the topic of the noise ordinance as it pertained to the fireworks, but the Council had decided not to open up the topic again. They would continue to discuss the issue with the School District regarding potential alternatives. It would be the decision of the School District to make any other changes.

Mr. Ylvisaker stated the less percussive fireworks were still harmful, discriminatory, and unwanted in the neighborhood. He would like the Council to rescind the variance.

Celesta Graves, Canby resident, was a member of the Canby Transgender Alliance (CTA) and would love to see the City support Transgender Day.

Dah Goodman Greiner, Canby resident, was on the board of the CTA. Recognition on a larger scale led to personal acceptance and increased their safety. They did not need to approve of their existence, but they deserved to be safe in the community and their accomplishments were worthy of recognition. Every trans person had value. Any attempts to silence them would only increase visibility both of bigotry and their resilience.

Joli Shempert, Canby resident, stood in solidarity with the CTA. She was a member of the Canby community. Many in the conservative Christian community had pushed hateful ballot measures to curtail LGBTQ rights. Transgender were invisible at that time as they had not gained enough notice to be actively and vocally hated. It took her a long time to know who she was and to embrace her whole self. A Transgender Day back then could have saved a lot of wasted years. They were in the midst of a new cultural moment, one in which transgender people were finally being seen and heard. Recognizing Transgender Day would state clearly that the most vulnerable were welcome. It could be the difference between life and death for an isolated trans person showing them they were not alone. Many people hated and feared transgender. They were not the people they should be afraid of. She urged Canby to be better.

Diana Cerasin, Canby resident, stated that she was proud of the community. Last year members of the community came together regarding the Transgender Day proclamation. In response to the pushback the Canby Transgender Alliance was formed. This group gained over 100 members the first day it was formed. They had created a transgender friendly clothing closet. The CTA had helped cover the costs of rent, gas, and electricity. She asked everyone to think about the amazing people in the community. They were improving the community and should get the recognition wherever possible.

Mayor Hill thanked everyone who came and spoke.

Councilor Parker stated in the Charter the Mayor had the authority to decide on proclamations. If he had the authority he would issue a proclamation. He stated that they had his support, love, understanding of government, willingness to work with the library and police for outreach and programs, and continued discussions with the Mayor.

Councilor Spoon thanked those present for attending. Being a safe city did not include gender, and a proclamation would validate that. Canby Transgender Alliance was making a huge impact in the community. She was happy that they were here and personally disagreed with the current policy on proclamations.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Parker said the Canby Adult Center was a busy place. They had recruited more people to help volunteer with taxes and

all of the spots filled up in 4 days. There were a lot of people using their services and enjoying the activities.

Councilor Hensley stated the final community leader meeting for the Canby Suicide Prevention Task Force would be tomorrow evening.

Councilor Varwig stated the Friends of the Library meeting was tomorrow night. The Library was bringing red crates to the schools for children to return library books at the schools. The Library was also doing training for the census in March.

Councilor Spoon said they still had open spots on the Transit Advisory Committee.

CONSENT AGENDA: **Councilor Dale moved to adopt the minutes of the February 5, 2020 City Council Work Session and Regular Meeting, appointment of Melody Thompson to the Budget Committee, annual liquor license renewals, and new wholesale malt beverage and wine OLCC liquor license for Dragonberry Produce. Motion was seconded by Councilor Hensley and passed 6-0.

PUBLIC HEARING: Appeal (APP 20-01) of Condition(s) of Approval of the Planning Commission Decision for Caruso Produce (DR 19-02) –

Councilor Parker said the Planning Commission made a decision on this application, and after that meeting there was a discussion with the County Transportation Department and new information came forward.

Ryan Potter, Associate Planner, explained staff had clarified the County's requirements for improvements to Mulino. They were comfortable deferring to the City to decide when those improvements could be made. The original staff report allowed those to be deferred until another parcel developed.

Councilor Parker stated his preference was to remand it back to the Planning Commission for them to consider the new information. When discussions took place that might influence a decision, he would like a signed document from someone with authority explaining the information.

Mr. Potter said from staff's perspective it was clarification. The County hadn't wavered from the fact that improvements in this location would need to be installed at some point, but it was a clarification on the timing and who would be responsible.

Joe Lindsay, City Attorney, explained because the Planning Commission closed their hearing, there was no way for the Planning Commission to revisit it without a remand. He clarified the fee for the hearing was waived.

Councilor Parker thought Council should take appeals and review the process, but not consider a change of facts. That role was at the Planning Commission.

Bryan Brown, Planning Director, thought it could go on the next Planning Commission meeting's agenda which would be March 9. There were two Planning Commissioners who did not seem to make their decision on requiring the Mulino Road improvements based on the County's memorandum in the record. They cited other reasons why it was important, such as the road was going to become a lost cause and not taken care of either by the City or County and it would never be improved. That was what seemed to carry the decision making. It didn't seem to be because of the memo from the County recommending that the improvements be made. He was not sure if it would change anything to remand it back.

****Councilor Parker moved to remand the decision back to the Planning Commission at the earliest possible date. Motion was seconded by Councilor Spoon.**

Councilor Spoon thought it should go back to the Planning Commission due to the new information.

Mr. Lindsay clarified the remand would only be for the two conditions that were on appeal, not the approval of the application.

Councilor Berge was in favor of the remand as well. It was the cleanest and easiest way to take care of the issue.

Councilor Varwig asked if this would delay the project. Mr. Brown said yes, and the developer would prefer that the Council make a decision on it tonight and to be as expedient as possible.

Mayor Hodson thought it should be vetted by the Planning Commission.

****Councilor Parker amended his motion to remand the two conditions that were on appeal only. Amendment seconded by Councilor Spoon and passed 4-3 with Councilors Hensley, Dale, and Varwig opposed and Mayor Hodson breaking the tie.**

ORDINANCES & RESOLUTIONS: Ordinance 1522 – **Councilor Spoon moved to adopt Ordinance 1522, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO ITS CONTRACT WITH MV TRANSPORTATION, INC. OF DALLAS, TEXAS FOR PROVIDING TRANSIT OPERATIONS FOR CANBY AREA TRANSIT (CAT). Motion was seconded by Councilor Varwig and passed 6-0 by roll call vote.

Resolution 1331 – Mr. Lindsay explained the Public Works design standards were last updated in 2012. Over the years the laws had changed and the standards needed to be updated to reflect current law.

Jerry Nelzen, Public Works Operations, discussed how these changes would make it easier and clearer for staff, citizens, and developers.

****Councilor Parker moved to adopt Resolution 1331, A RESOLUTION ADOPTING THE 2020 REVISED PUBLIC WORKS DESIGN STANDARDS AND REPEALING RESOLUTION 1135. Motion was seconded by Councilor Hensley and passed 6-0.**

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: Sarah Rodriguez, Canby resident, stated that the statistics for suicide were shocking and alarming for transgender youth. LGTBQ youth who were accepted by their family and community were eight times less likely to attempt suicide and six times less likely to suffer depression. Currently 1 in 3 trans youth attempted suicide and 1 in 3 were victims of sexual violence. She gave some comparisons of cisgender and transgender youth in attempted suicide and depression. She asked if this information could be taken to the Suicide Prevention Task Force and encouraged them to support the LGTBQ youth in this town.

Councilor Hensley said the current public service announcement included members of the LGTBQ community.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Remanded APP 20-01 to the Planning Commission.
3. Adopted Ordinance 1522.
4. Adopted Resolution 1331.

Mayor Hodson recessed the Regular Meeting at 8:26 p.m. Mayor Hodson reconvened the Regular Meeting at 8:28 p.m.

****Councilor Dale moved to go into executive session pursuant to ORS 192.660 (2)(b) to consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing. Motion was seconded by Councilor Hensley and passed 6-0.**

Mayor Hodson reconvened the Council into an open session.

****Councilor Dale moved to exercise the no cause clause in the City Administrator's contract, and to thank Mr. McClure for his service and wish him all the best. Motion was seconded by Councilor Varwig and passed 5-1.**

The meeting adjourned at 8:40 p.m.

Melissa Bisset

Melissa Bisset, CMC
City Recorder



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood