

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
December 7, 2016**

PRESIDING: Mayor Brian Hodson.

COUNCIL PRESENT: Tyler Smith, Greg Parker, Traci Hensley, Tim Dale, Tracie Heidt and Clint Coleman.

STAFF PRESENT: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Amanda Zeiber, Asst. City Administrator/HR Director; Jamie Stickle, Main Street Manager; Bryan Brown, Planning Director; Irene Green, Library Director; and Kim Scheafer, City Recorder.

OTHERS PRESENT: Carol Palmer, Moira Dietz, Stephen Morris, Casey Brown, Cherie Switzer, Jenne Parker, Noelle Quezada, Tony & Betty Crawford, Kathleen Jesky, Angie & Jesus Navarro, Shawn Varwig, Sarah Spoon, Irene Konev, Vicky Aguilar, Herberto Aguilar, Melia Stoddart, Moira Dietz, Alyk House, Stephen Morris, Bob & Luanna Hill, Lucas & Noelle Quezada, Wendy & James Morris, Ross Ibanez, Camerina Galvan, Pamela White, Marilyn Wood, Charlie Gingerich, Sarah & Devan Dietz, Andre Chernishov, and Wendy Hutchinson.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:35 p.m. in the Council Chambers.

Kiwanis Canby Community Food & Toy Drive Proclamation – Mayor Hodson presented Luanna Hill with a proclamation proclaiming December 11-17, 2016, as Kiwanis Canby Community Food & Toy Drive Week.

Mayor & Council Election Proclamation – Mayor Hodson read the certification of the November 8, 2016 General Election regarding the Mayor and City Council election. The official count of votes from Clackamas County was:

MAYOR

Brian D. Hodson – 5,410, Overvotes – 0, Undervotes – 2,503, and Write-In – 330

CITY COUNCIL

Tim Dale – 3,743, Traci Hensley – 3,670, Irene Konev – 2,815, Clinton H. Coleman – 2,977, Sarah Spoon – 3,948, Overvotes – 8, Undervotes – 7,320, and Write-In 232.

Measure 3-482 Proclamation – Mayor Hodson read the certification of the November 8, 2016 General Election regarding Measure 3-482. The official count of votes from Clackamas County was: Yes – 5,337, No – 2,499, Overvotes – 0, and Undervotes – 407.

Measure 3-483 Proclamation – Mayor Hodson read the certification of the November 8, 2016 General Election regarding Measure 3-483. The official count of votes from Clackamas County was: Yes – 3,279, No – 4,721, Overvotes – 3, and Undervotes – 240.

Measure 3-484 Proclamation – Mayor Hodson read the certification of the November 8, 2016 General Election regarding Measure 3-484. The official count of votes from Clackamas County was: Yes – 6,345, No – 1,577, Overvotes – 2, and Undervotes – 319.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: John Savory, Canby resident, discussed the controversy of Councilor Smith's appointment. He wanted to remind people that the First Amendment protected all citizens, not just those with whom you agreed. Some of the greatest and most influential leaders in history were not politically correct. Everyone needed to be able to live their lives freely without fear of retribution.

Jesus Navarro, Canby resident, said Canby needed to be a great community for everyone. He thought the founding fathers had a vision for a better life in this land and that was his wish as well. He was here to plea for a welcoming community for all and for the Council to publicly announce the welcome. The Latino community was concerned about the election results and was uncertain about the future. He listed names of Latinos who came to this country for a better life and had achieved amazing things.

Kathleen Jesky, Canby resident, discussed recent instances of racism in Oregon City and in Salem. She would like Canby to get out in front of the issue. She did not want her grandchildren or students exposed to this kind of behavior or to be afraid. She thought the Council should make a public statement that Canby welcomed everyone to help put fears to rest.

Vicky Aguilar, Canby resident, had grown up in Canby. The City had welcomed her family and offered help through their struggles. She had stayed in the community because she felt comfortable here even though she was a minority. She was a teacher in the bilingual program at Trost Elementary School to give back to the community. Due to the current political climate, there was fear, and she encouraged Canby to make a statement that they were a welcoming community. Her students and the families that she worked with needed that.

Camerina Galvan had worked for the Canby School District for several years and with Bridging Cultures for a year. She had witnessed and personally experienced harassment. It was important for Canby to release a statement expressing their support and welcome of all residents. That should be the first step which should be followed by conversations on how to ensure that in Canby they were fostering solidarity, friendship, and understanding between ethnic and cultural communities.

Irene Konev, Canby resident, thanked all the residents who had voted for her and supported her campaign. She asked the Council to make a statement as had been discussed. A city that had inclusive language in everything they wrote and did where people felt included, supported, and safe was a city that would grow and prosper. She gave some statistics for the growth of the Latino population and business ownership and the growth of the Russian population. A statement also needed to be made by the Police Chief that bias based crimes would be prosecuted.

MAYOR'S BUSINESS: Mayor Hodson said it was an interesting time and he thanked everyone for stating their concerns. He would work with staff and Council on making a statement in January. As long as he was mayor it would be a safe community for everyone. The Clackamas County Coordinating Committee met to discuss changes to the by-laws. Operation Snuggle was held on December 3. First Friday and the Light Up the Night event was held on December 2. He heard the Cantalinas sing at the Chamber luncheon and at St. Patrick's Church. They would also be singing at the Performing Arts Center. The Nutcracker was being performed by Allegro Dance Studio. He welcomed a Boy Scout who was working on a citizenship in the community merit badge.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Smith said he needed to make a

correction to what was reported in the *Canby Herald*. His office hours were on Wednesdays from 8 to 9 a.m. He met with staff to get more information on the City. He planned to attend all of the City's boards and committees at least once in the next few months.

Councilor Parker attended the Cantalinas concert at St. Patrick's Church and planned to see the Nutcracker. He encouraged people to give Council some suggested language for the statement.

Councilor Hensley attended the Bridging Cultures Thanksgiving dinner, Light Up the Night, Operation Snuggle, and Cantalinas concert at the Chamber lunch. The Celebration of Life for former Councilor Barry Lucas would be held on Saturday.

Councilor Dale attended the Bridging Cultures Thanksgiving dinner. The Urban Renewal Agency approved the development agreement for the Hanlon project for the old City Hall block.

Rick Robinson, City Administrator, explained the project which was a four story building that would be a combination of residential and retail space. It would be on the corner of 2nd Avenue and N Ivy, where the old planning and finance departments were located. The historic City Hall building would remain.

Councilor Heidt discussed the monthly movies at the Library and Friends of the Library annual tour of homes on December 10. The Transit Advisory Committee was reducing their number of meetings to six per year. Canby Area Transit was referring people to Liberty Cab for weekend pick-ups since there was no bus service on the weekends. CAT received an ODOT grant which allowed them to add midday service to Wilsonville for one year in Fiscal Year 2018-19. CAT's annual Open House would be held on December 19. She also attended the Bridging Cultures Thanksgiving dinner, 4H awards, Giving Tuesday fundraiser, visited Kiwanis, First Friday and Light Up the Night, Operation Snuggle, and Chamber luncheon.

Councilor Coleman attended the last Planning Commission meeting where a 105 lot subdivision application on SE 13th Avenue was approved and a request for historic designation for the old City Hall building was approved. The next Planning Commission meeting would be held on December 12. He also attended the last Traffic Safety Commission meeting where they received a presentation on traffic signs. The Traffic Safety Commission meetings would be changed to the first Friday of each month. He attended the Red Mitten Christmas Bazaar, Light Up the Night and Chamber luncheon. It had been a pleasure serving on the Council and working with City staff.

CONSENT AGENDA: **Councilor Dale moved to adopt the minutes of the November 16, 2016, City Council Regular Meeting; appointment of Andrey Chernishov to the Planning Commission for a term starting on January 1, 2017 and expiring on December 31, 2019; and appointment of Shawn Varwig to the Planning Commission for a term to expire on December 31, 2017. Motion was seconded by Councilor Hensley and passed 6-0.

PUBLIC HEARING: HD 16-01 Former City Hall Landmark Designation – Mayor Hodson read the public hearing format.

STAFF REPORT: Bryan Brown, Planning Director, said this application was being processed for the Historic Review Board. The Historic Review Board and Planning Commission had both held public hearings. The Planning Commission unanimously voted to designate the old historic City Hall building as a local historic landmark. This nomination placed a recognition on the property for a building that

was over 50 years old and had historic and architectural significance. It would also place a Historic Overlay Zone on the property and would preserve the historic exterior of the building.

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

PROPOSERS: Alyk House, Canby student, believed that the former City Hall should be a historical landmark. It was an old building, was an important part of the community, and had interesting architecture. He thought it should be turned into a museum. He discussed the history, architecture, and environmental importance of the building.

Casey Brown, Canby student, thought the old City Hall should become a landmark for its history and unique architecture. He gave examples of how City Hall had been used in the past, such as a jail, fire station, and library, and gave examples of the architecture that should be preserved.

Melia Stoddart, Canby student, gave reasons for designating City Hall as a historic landmark. It was important to the history of Canby, it was important because of its design, and it would benefit the City.

Moira Dietz, Canby student, said it would benefit Canby to make the old City Hall a historic landmark. The building had historical and architectural significance. It had been many different things over the years and had many interesting architectural features.

Stephen Morris, Canby student, agreed that the former City Hall should be a historic landmark due to its historical, architectural, and environmental significance. It was an important part of Canby's history. Most of its original architecture had been maintained. It had been a visual landmark to the community for many years.

Carol Palmer, Historic Review Board Chair, said there were three other buildings in Canby already designated as historic landmarks. They were the Mack House, Baer House, and Pioneer Chapel. The previous Historic Review Board had worked hard to designate these landmarks and one of the goals of the re-established HRB was to put the spotlight back on the local landmarks. They also wanted to add the Depot Museum to the landmarks list. The plan was to create a brochure and website with these buildings as well as a public event to showcase the landmarks.

OPPOSERS: None.

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

****Councilor Hensley moved to approve application HD 16-01 to designate the former City Hall as a Local Historic Landmark to be listed on the Local Register of Historic Landmarks and that the zone of the property be changed to add the Historical Protection Overlay Zone (A) designation to the existing underlying base zone. Motion was seconded by Councilor Heidt and passed 6-0.**

HD 16-01 Findings, Conclusion & Final Order – ****Councilor Hensley moved to adopt the Findings, Conclusion & Final Order for HD 16-01. Motion was seconded by Councilor Smith and passed 6-0.**

RESOLUTIONS & ORDINANCES: Resolution 1253 – Mr. Robinson said this was unique situation to provide City services to a property outside of the City limits. In 2001, the City Council identified several conditions that allowed connections for those outside the City limits including a health or

environmental hazard, area of still water that could be alleviated by a water service extension, pending annexation or promise to annex in the future, or infrastructure master plan for the area. This request met two of these conditions. There was a potential public health risk due to a well located within 100 feet of a septic system and the applicant agreed to pursue annexation within the next two years. The parcel was surrounded by land inside the City limits. He recommended approval.

****Councilor Coleman moved to adopt Resolution 1253, A RESOLUTION AUTHORIZING THE EXTENSION OF MUNICIPAL SEWER SERVICE TO 1575 N PINE STREET - TAX LOT NUMBER 31E28DD03201 - LOCATED OUTSIDE OF THE CANBY CITY LIMITS, PURSUANT TO THE URBAN GROWTH MANAGEMENT AGREEMENT BETWEEN CLACKAMAS COUNTY AND THE CITY OF CANBY. Motion was seconded by Councilor Heidt and passed 6-0.**

Resolution 1254 – Mr. Robinson thanked Amanda Zeiber for coordinating this agreement. There would be a 2% cost of living increase that would be retroactive to the expiration date of the contract, which was July 1, 2016. Employees would split insurance premium increases over 6% with the City on a 50/50 basis. If it increased over 10%, they would meet to determine how to divide the difference.

****Councilor Hensley moved to adopt Resolution 1254, A RESOLUTION ADOPTING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANBY (CITY) AND THE CANBY POLICE ASSOCIATION FOR THE PERIOD FROM JULY 1, 2016 THROUGH JUNE 30, 2019; AND REPEALING RESOLUTION 1173. Motion was seconded by Councilor Coleman and passed 6-0.**

Ordinance 1454 – ****Councilor Heidt moved to adopt Ordinance 1454, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 5.16.030 AND 5.16.060 REGARDING LIQUOR LICENSE REVIEW IN THE CITY OF CANBY. Motion was seconded by Councilor Coleman and passed 6-0 by roll call vote.**

Ordinance 1455 – ****Councilor Hensley moved to approve Ordinance 1455, AN ORDINANCE AMENDING THE ZONING DESIGNATION OF A CERTAIN PROPERTY IN THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON IN CONFORMANCE WITH THE COMPREHENSIVE PLAN AND THE LAND DEVELOPMENT AND PLANNING ORDINANCE OF THE CITY OF CANBY FOR TAX LOT 6000 OF TAX MAP 3-1E-33CA to come up for second reading on January 4, 2017. Motion was seconded by Councilor Heidt and passed 6-0.**

NEW BUSINESS: Cancellation of December 21, 2016 City Council Meeting – There was consensus to cancel the December 21, 2016, Council meeting as there were no items scheduled for the agenda.

ADMINISTRATOR’S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Resolutions 1253 and 1254.
3. Adopted Ordinance 1454.
4. Approved Ordinance 1455 to come up for second reading on January 4, 2017.

EXECUTIVE SESSION:

****Councilor Dale moved to go into Executive Session pursuant to ORS 192.660(3) Labor Negotiations. Motion was seconded by Councilor Hensley and passed 6-0.**

Mayor Hodson read the Executive Session announcement and recessed the Regular meeting at 9:27 p.m.

Mayor Hodson reconvened the Regular Meeting at 9:46 p.m. and immediately adjourned.



Kimberly Scheafer, MMC
City Recorder



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood