

**CANBY CITY COUNCIL
WORK SESSION
July 21, 2021**

PRESIDING: Mayor Brian Hodson

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

COUNCIL ABSENT: Jordan Tibbals

OTHERS PRESENT: Jason Padden, Fire Chief Jim Davis

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/ Assistant City Administrator; Todd Wood, Transit Director; Melissa Bisset, City Recorder/ HR Manager; Jerry Nelzen, Interim Public Works Director; Jamie Stickel, Economic Development Director; Taylor Kimble, KinTechnology; Valerie Kraxberger, Office Specialist; and Heidi Mueller, Transit Coordinator.

CALL TO ORDER: Council President Hensley called the Work Session to order at 6:01 pm.

PRESENTATION AND DISCUSSION REGARDING THE TRANSIT BUILDING:

Todd Wood, Transit Director, presented on the new transit offices building. He discussed the location history, study of the options, and pros and cons of the four sites which included the northwest area of the City's shop property, parking lot of the shop property, shop parking lot near the Fire Station, and CAT property. The preferred alternative was the CAT property. The study included electrifying the sites and the costs. The funding would be a combination of the \$1.5 million that had been saved for the project and loans, bonds, or grants. The landlord for the current CAT offices would like CAT to move out as soon as possible and had asked that they relocate while the new offices were being built. The next step would be an RFP for the design and determining the funding.

Councilor Parker asked about the property at the shops noting that there might be a conflict with the traffic generated by CAT. Mr. Wood clarified that the movement within the yard and the general shifting of buses within the yard for general maintenance would be the conflict.

Councilor Parker stated his preference would be to collocate.

Council President Hensley also liked the idea of consolidating onto one property.

Councilor Bangs voiced support for the CAT property and not clear cutting two acres of trees. He liked the property on Hazel Dell Way.

Mr. Wood asked for some direction on how the Council might like to proceed.

Mayor Hodson would love to see the department comingle at the shops but questioned if that was the better option long term for CAT.

Councilor Parker said if the study showed the offices on the CAT property, that's what they should do. He asked if the efficiencies gained by colocation outweighed the limitations. Mr. Archer supported the recommendation to locate at the Hazel Dell Way location. There was some need to expedite the process due to the landlord's request.

Mayor Hodson said in the future the shops might need to expand and if CAT moved there, they might need to move again to allow for the growth.

There was discussion regarding the difficulties with the shop locations, especially due to the movement of the buses, need to have a two acre site at minimum, and how the shops was not easy access for customers.

There was consensus to move forward with an RFP for the location at Hazel Dell Way.

PRESENTATION AND DISCUSSION REGARDING STREET MAINTENANCE FEE:

Mr. Archer said at the June 2, 2021 Work Session there was a discussion on the Street Maintenance Fee and the Council agreed to bring the topic back for further discussion. The Street Fee had been in place since 2008 and the rate was set at \$5 per month for single family residents. The Fee had not increased since 2008. The conversation was around whether or not to leave the fee as is or look at a flat rate increase or something tied to an inflationary index. The information presented showed that if inflation had been put into place when the fee was created, it would be close to \$7 with incremental increases over time. Prices to do the work had gone up over time and they were not able to do as much with the amount of money currently collected. The question was whether the the City wanted to move forward with an increase or take it out to a vote. It was noted that it was a fee, not a tax and the Council had the legal authority to enact a fee.

Mayor Hodson suggested adding the question, did the Council think what was being done currently for streets was enough.

Council President Hensley thought they were doing an adequate job. She considered this a tax and was not in favor of increasing it without a vote of the people.

Councilor Bangs supported tying the fee to a CPI and raising the fee. He did not recommend taking it to a vote.

Councilor Parker was unsure why the fee was not indexed in the first place and was in favor of increasing the fee under the authority of the Council.

Councilor Spoon also supported increasing the fee.

Councilor Varwig supported asking the voters to increase the fee.

Mr. Archer explained at the last meeting there was discussion about how much the fee would be raised in order to continue with the projects. The cost index they had discussed was the ENR which was a typical inflationary index.

Councilor Varwig suggested putting a survey on the City's website asking if citizens would be in favor of the increase.

Council President Hensley suggested finding out how much it would cost to go to an election as opposed to doing a survey.

Councilor Spoon stated that if they had indexed the fee, the most it would have gone up was between 10 to 14 cents per year. She did not think it was a big ask and did not think it needed to go to the voters. They should not start with where they would have been if it was indexed. She was interested in either graduating it over time or starting now with indexing.

Councilor Parker did not think a survey was necessary.

Councilor Spoon stated if there was going to be a survey, they should provide examples of how much the fee would increase every year.

Mayor Hodson noted that there would be a public hearing on the matter as well.

There was discussion regarding the pros and cons of taking the fee to a vote.

Councilor Bangs was not in favor of a survey or vote. A lot of the complaints about the roads were the ones owned by the County and not maintained by the City.

It was noted that the construction cost index would be used.

There was consensus not to do a survey and for staff to bring back a recommendation for an increase and a cap for the fee. If it went to a vote, it would be on the May 2022 election.

The meeting was adjourned at 7:16 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
July 21, 2021**

PRESIDING: Mayor Brian Hodson

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

COUNCIL ABSENT: Jordan Tibbals

STAFF PRESENT: Scott Archer, City Administrator; Joseph Lindsay, City Attorney/ Assistant City Administrator; Melissa Bisset, City Recorder/ HR Manager; Jerry Nelzen, Interim Public Works Director; Jamie Stickel, Economic Development Director; and Eric Laitinen, Aquatic Program Manager.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:35 pm.

HOMETOWN HERO AWARD: Mayor Hodson gave a background on the Hometown Hero Award and the nomination for Mike Zagava.

Multiple citizens spoke regarding Mr. Zagava commenting on his service as a principal in the community, his integrity, humor, leadership, support of the teachers, and knowing every child in the school by name.

The Council thanked Mr. Zagava for his service and leadership.

Mr. Zagava thanked his family and everyone for their kind words.

Mayor Hodson presented Mike Zagava with a Hometown Hero Award Certificate for his Community Leadership. Mr. Zagava's name would also be added to the plaque in City Hall.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:

Jason Padden, Canby resident, thanked the Council for discussing the Street Maintenance Fee again. He was not in favor of playing catch up with the fee. He thought they should make the change starting from where they already were. If they sent it to a vote and it failed, it would be the responsibility of the Council to figure out where the funding was coming from. He did not recommend putting a cap on it as the cost of materials was going to keep going up and more streets were being added to the city.

Paul Ylvisaker, Canby resident, thanked the Mayor for the discussion last time he was present. He made two comparisons, the quiet zone and noise sensitive land use. While there was a quiet zone to stop train whistle noise at three railroad crossings, the Council was allowing fireworks in a noise sensitive land use area. Tradition seemed to be the excuse to continue the fireworks, but they were willing to change the tradition of train whistles at three crossings. The City Council and the Canby School District did not see the tradition of explosions in his neighborhood as a behavior that harmful, abusive, and discriminatory. He was petitioning for equity which was freedom from bias or favoritism. The City and School District had core value statements using language such as ethics, accountability, inclusive, quality of life, promote non-discrimination, and an environment free of harassment. He showed a picture of his cat and explained how it was abused by the fireworks. He supported fireworks at graduation because they would be done at a specific time and date at one event and not randomly as with the football games.

Kathlyn Polley, Canby resident, owned property in the Industrial Park. She noted that Haines Road was a County Road; however when her great-grandparents bought the land, Haines Road and First Avenue were Highway 99E. Haines Road was built for 1920s traffic and it didn't have the structure underneath. She noted companies had been told by the Council that trucks were supposed to use the roads that had been built, and not Haines Road. She provided pictures of the

condition of Haines Road which was falling apart. Trucks were using the road regularly. She asked that signage be put up with a weight limit, no truck route, local access only, patrolled, and fines. Haines Road was not going to hold long enough for the Walnut Street extension to be finished.

Mayor Hodson agreed this was an issue and would bring it up with the City Administrator and County to see what could be done.

CONSENT AGENDA: **Councilor President Hensley moved to approve the minutes of the June 2, 2021 Work Session and Regular City Council Meeting and appointment of Gary Bryant to the Traffic Safety Commission for a term to expire on June 30, 2024. Motion was seconded by Councilor Varwig and passed 5-0.

PRESENTATIONS: OC Brewing – Bryce Marrow, owner of OC Brewing Company, explained that this project was a passion project and started when he first visited the building in 2018. The goal was to revitalize downtown with multiple tenants. He displayed the design of the project, noting that there were some constraints with the building. Outdoor seating was critical and they had created a 1,500 square foot outdoor rooftop patio overlooking Wait Park. Transparency would be increased with the roll up glass doors and windows proposed. Facing Third Street would be three different retail tenants. There would be eight total tenants in the building and seven tenants had already submitted letters of intent. There would also be four micro kitchens that would be fully self-contained and different cuisines would be offered that opened into the brewery area. They would also have a large bar and cooler as well as a barrel aging process viewing area. Over 30 skylights would be installed. He also displayed interior renderings. The rents would be competitive. They would not be brewing at the facility, but there would be full cider production. He explained the engineering for the rooftop patio.

The Council expressed support for the design and appreciation for this project.

New City Website – Jamie Stickel, Economic Development Director, said the new City website would go live on August 2. She showed the City’s current website and additional websites for various projects. In January 2020, the City issued an RFP process. Nine proposals were received and three were invited back to present further. Municode, a website development company in Florida, was selected. She then gave a demonstration of the new website including the home, calendar, events, and Mayor and City Council pages. They were seeking volunteers from the public to review, test, and provide feedback on the website through a survey.

The Council was in support of these changes.

ORDINANCES AND RESOLUTION:

Resolution 1357 – Scott Archer, City Administrator, noted this was a renewal of the Swim Center levy and the rate had not changed.

Mayor Hodson asked about the use of the funds.

Eric Laitinen, Aquatic Program Manager, said it would provide staffing and facility maintenance.

Mr. Archer said a portion of the funding was being set aside for a major renovation to the building.

Councilor Varwig asked what would be at stake if the levy did not pass.

Mr. Laitinen said they had some funds available and could remain open for a little while, but eventually it would have to close.

****Council President Hensley moved to adopt Resolution 1357, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE SUBMITTING TO THE ELECTORATE FOR THE NOVEMBER 2, 2021 ELECTION, A PROPOSED RENEWAL OF A FIVE YEAR LOCAL OPTION LEVY FOR THE CANBY SWIM CENTER AT THE RATE OF \$0.49 PER \$1,000 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2022-2023. Motion was seconded by Councilor Varwig and passed 5-0.**

Ordinance 1558 – Joe Lindsay, City Attorney, said the emergency language had been removed that was discussed at the last meeting.

****Council President Hensley moved to approve Ordinance 1558, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 9.48.050(A) REGARDING NOISE VARIANCE EXCEPTIONS. Motion was seconded by Councilor Varwig and passed 4-0-1 by roll call vote with Councilor Bangs abstaining.**

Ordinance 1559 – Mr. Archer showed renderings of the new pickleball courts and gazebo. This was the lowest bid of the four received. The project would be paid for by using a combination of Park Fee, Park SDCs, and private donations.

Council President Hensley suggested wayfinding signage directing people downtown.

****Council President Hensley moved to approve Ordinance 1559, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH R.L. REIMERS COMPANY FOR THE MAPLE STREET PARK PICKLEBALL COURT AND GAZEBO IMPROVEMENT PROJECT to come up for second reading on August 4, 2021. Motion was seconded by Councilor Spoon and passed 5-0 on first reading.**

NEW BUSINESS:

Letter of Support for DLCD Grant – Mr. Archer said they were applying for a grant to do a Housing Needs Analysis and Housing Production Strategy. They were asking for Council's support. There would be robust public involvement in the process.

Mayor Hodson said the County was also working on a Housing Needs Analysis and that work would fold into the City's HNA. It was labor intensive work and this grant would be used for consultants.

****Councilor Bangs moved to approve the letter of support associated with the DLCD HNA and HPS grant funding. Motion was seconded by Councilor Spoon and passed 5-0.**

Letter of Support for CAPRD – Mr. Archer said the Canby Area Park and Recreation District (CAPRD) was requesting a letter of support for reducing the boundary of the District to the City’s Urban Growth Boundary.

Mayor Hodson asked if the County Commission had to approve the boundary, not the voters.

Andrew Hale, CAPRD, said it was possible for the County Commission to vote on behalf of their constituents. It did not have to go to the voters.

Mayor Hodson said he had received feedback from the Council on some changes to the letter and holding a Work Session on this topic.

Councilor Parker thought it was straight forward and they should move ahead with the letter.

Councilor Spoon would still like a Work Session on CAPRD and the possible tax. She could support the letter to shrink the boundaries with the caveat of removing the line about how they hoped CAPRD would get a voter approved tax base.

Councilor Bangs suggested changing the wording to “It was understood that CAPRD might obtain a voter approved tax base.”

Councilor Spoon suggested removing the second paragraph entirely.

Council President Hensley was not in favor of the letter. She did not see the need for another layer of government.

There was discussion regarding the timing of the letter. Mr. Hale said they would like to shrink the district by the end of the year and to do that they needed letters of support.

****Councilor Bangs moved to approve the letter of support for CAPRD with the second paragraph removed. Motion was seconded by Councilor Varwig and passed 4-1 with Council President Hensley opposed.**

MAYOR’S BUSINESS: Mayor Hodson said the Council had a Work Session earlier that night to discuss the new transit building. They also discussed the Street Maintenance Fee. He noted the current website showed the wrong start time for Council meetings. The Parks and Recreation Advisory Board met last night and discussed the pickleball court, poles for the netting for the softball fields, injuries at the splash pad at Maple Street Park, signage project at Legacy Park, Community Park, and Maple Street Park, and the Park Master Plan.

COUNCILOR COMMENTS & LIAISON REPORTS:

Councilor Spoon said Canby Area Transit would start taking fares again in September.

Councilor Parker said the Bicycle and Pedestrian Committee was a stakeholder working on the Park Master Plan. The Heritage and Landmarks Commission would be reviewing the plans for the remodel of the old City Hall building.

Council President Hensley said the Traffic Safety Commission was planning a site visit to Enterprise Rent a Car. There would be a left turn lane going on to Fir Street from 13th.

Councilor Varwig reported on the last Planning Commission meeting where they discussed the 13th and Ivy project.

Jim Davis, Fire Chief, said there were few incidents on the 4th of July. Last week there was a fire on Highway 99E and they were able to contain it before it spread too far up the hillside. Nearby homeowners and PGE were notified and firefighters and dispatchers did a great job. They also had helped with the Bootleg Fire. He also discussed trains stopped on the tracks and how it blocked the south and north sides of town. Every time it happened, he called the railroad to investigate it.

Councilor Bangs reported on the Library Board meeting. The library had fully reopened and average weekly visits were 1,100 since reopening. The Friends of the Library bookstore was also opened. There would be interviews next week for Library Board vacancies. The library redistricting issue was put on hold until the LDAC could review it in two years. The new School Superintendent had started work. There would be normal school operations this fall. The School Board had voted in new officers.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Archer said the bi-monthly department reports were in the Council's packet. The first public forum for the Park Master Plan would be held on July 29. City events were back and the annual Big Night Out would be on August 27 followed by Canby's Big Weekend.

Melissa Bisset, City Recorder/ HR Manager, gave a demonstration of the new online recruiting tool.

CITIZEN INPUT: None

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Resolution 1357.
3. Adopted Ordinance 1558.
4. Passed Ordinance 1559 to a second reading on August 4.
5. Approved a letter of support for a DLCD grant.
6. Approved a letter of support for CAPRD.

Mayor Hodson adjourned the meeting at 10:01 p.m.

Melissa Bisset
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood