

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
July 17, 2024**

PRESIDING: Traci Hensley

COUNCIL PRESENT: Scott Sasse, Daniel Stearns, James Davis, and Herman Maldonado.

COUNCIL ABSENT: Brian Hodson and Jason Padden

STAFF PRESENT: Eileen Stein, City Administrator; Teresa Ridgley, Deputy City Recorder; Don Hardy, Planning Director; Ryan Potter, Planning Manager; Doug Kitzmiller, Police Captain, Jorge Tro, Police Chief; Todd Wood, Transit/Fleet/IT Director, Monica Stone, Wastewater Treatment Plant Supervisor; Kevin Aguilar, HR Director; Heidi Muller, Transit Coordinator (attended virtually); and David Doughman, Interim City Attorney (attended virtually).

CALL TO ORDER: Council President Hensley called the meeting to order at 7:38 p.m.

NEW EMPLOYEE INTRODUCTIONS: None.

CANBY ADULT CENTER PRESENTATION: Kathy Robinson, Canby Adult Center Director, said the Adult Center had been a private nonprofit for almost 50 years and provided home-delivered meals, transportation, day trips, exercise classes, recreations and games, movies, wellness, and fellowship between older adults. Most of those services were provided in the building they occupied which was owned by the City of Canby, but the land was owned by the School District. There was a need to remodel the building, but as a renter of the building, there were no loan options. Their plans had now changed to buy half of the United Methodist Church property, which would be a great partnership and shared space between the church, the preschool, and the adult center. It would take about two years for them to get out of the building the City owned. Council had approved \$500,000 in ARPA funds for the remodel of the current building, and she asked to keep those funds with the Adult Center to be invested in the new space.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS: Carol Palmer, Canby resident, discussed a plaque that had been found in the old City Hall building. It had the City seal and the name of the first City Administrator, Harold Wyman, who served from 1973-1982. It was symbolic of the transformation from the previous 80 years when the Council was the policy body and operational overseers of the City to a City Administrator running operations. She was giving the plaque to the City and thought it should be put where it could be seen with interpretive signage. She was willing to work with whomever to help.

CONSENT AGENDA: Council President Hensley noted one of the new Traffic Safety Commission Member's names was misspelled in the minutes.

****Councilor Maldonado moved to approve the minutes of the June 19, 2024, Regular City Council Meeting as amended. Motion was seconded by Councilor Davis and passed 5-0.**

PUBLIC HEARINGS:

Adopting the Housing Needs Analysis as part of the City of Canby Comprehensive Plan –

Council President Hensley opened the public hearing and read the hearing statement.

Don Hardy, Planning Director, introduced Todd Chase, Principal and Economist from FCS, and Kelly Reid, Regional Representative from the Department of Land Conservation and Development. Mr. Hardy gave an overview of the purpose of the Housing Needs Analysis. Every jurisdiction needed to plan for growth in the next 20 years, which was estimated to be 6,000 new residents in Canby. The buildable land inventory had to accommodate the forecasted population increase. Urban Growth Boundary expansion was needed if growth could not be accommodated with already available land. It also looked at housing types by income to be able to forecast those needs. It was determined that 73 acres of Urban Growth Boundary expansion would be needed. The Planning Commission recommended approval of the Housing Needs Analysis and recommended yearly monitoring of the consumption of land to make sure there was adequate supply. Staff was seeking approval of the analysis tonight.

Mr. Chase presented an overview of the Housing Needs Analysis. He explained the supply and demand for housing, public outreach, residential buildable land inventory, evolution of BLI findings, median home prices of selected markets, severely rent burdened households, Canby housing needs, UGB sufficiency findings, consultant and staff recommendations, and next steps.

Councilor Stearns asked for clarification if the goal was to increase the Urban Growth Boundary by 73 acres and if the City is locked into this decision for another 20 years.

Mr. Hardy responded the goal was to expand the Urban Growth Boundary. They could repeat the process every year if needed. They would watch the consumption rate of total buildable land supply to be sure it was enough to handle population growth.

There was no public testimony.

Council President Hensley closed the public hearing.

****Councilor Davis moved to approve Ordinance 1627, AN ORDINANCE ADOPTING THE HOUSING NEEDS ANALYSIS AS PART OF THE CITY OF CANBY COMPREHENSIVE PLAN (TA 23-03/CPA 24-01) to come up for second reading on August 7, 2024. Motion was seconded by Councilor Maldonado and passed 5-0 on first reading.**

ORDINANCES AND RESOLUTIONS:

Ordinance 1625 –

Councilor Stearns asked if the City was doing anything to increase their rating to reduce costs.

Kevin Aguilar, HR Director, stated the City already had great rates but was increasing the deductible to bring down premiums for both auto and property insurance.

****Councilor Davis moved to approve Ordinance 1625, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXPEND PAYMENT TO CITY COUNTY INSURANCE SERVICES (CIS) TO NOT EXCEED \$500,000 FOR LIABILITY INSURANCE COVERAGE FOR FISCAL YEAR 2024/2025. Motion was seconded by Councilor Maldonado and passed 5-0 by roll call vote.**

Resolution 1417 – Ryan Potter, Planning Manager, and Cara Hawkins, Parks and Recreation Advisory Board Member, presented the memorial bench and tree program. Previously memorial dedications for trees, benches, or planters had been done on a case-by-case basis. The goal was to memorialize a program that was more consistently implemented and to encourage the practice to enhance park spaces and give people an opportunity to add some personal investment with their dedications. The program and proposed application were in the Council packet. There were placeholders for costs as Public Works would come back with more defined costs and those fees would be added to the Master Fee Schedule.

Council President Hensley asked about the timing for updating the Master Fee Schedule.

Mr. Potter responded it would be included if an amendment was made to the Master Fee Schedule. If an application came in before the Master Fee Schedule amendment, the applicant could work with Public Works and get it done at cost.

Councilor Maldonado asked if the applicants were limited to the types of benches or if there was a uniform style.

Mr. Potter responded they were looking to standardize the items used for memorials with a preferred vendor to bring down costs.

Ms. Hawkins responded quotes were acquired from three different vendors (two in Canby and one in Baker City) for square and rectangular picnic tables and backless and backed benches. Once a vendor was selected, there would be choices available to applicants.

****Councilor Sasse moved to adopt Resolution 1417, A RESOLUTION ESTABLISHING A MEMORIAL TREE AND BENCH PROGRAM. Motion was seconded by Councilor Maldonado and passed 5-0.**

Ordinance 1626 – ****Councilor Maldonado moved to approve Ordinance 1626, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXPEND PAYMENT TO SAIF CORPORATION IN THE AMOUNT NOT TO EXCEED \$114,493.71 FOR WORKERS COMP COVERAGE FOR FISCAL YEAR 2024/2025. Motion was seconded by Councilor Davis and passed 5-0 by roll call vote.**

Ordinance 1628 – Mr. Aguilar said the City would like to enter into an employment agreement with Captain Doug Kitzmiller for two years following his retirement with PERS.

Jorge Tro, Police Chief, shared Captain Kitzmiller had been with the City for 26 years and held almost every position in the Police Department.

****Councilor Davis moved to approve Ordinance 1628, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF CANBY AND CAPTAIN DOUG KITZMILLER to come up for second reading on August 7, 2024. Motion was seconded by Councilor Maldonado and passed 5-0 on first reading.**

Councilor Stearns asked why something like this came to Council instead of going through the normal hiring process. He also asked if Captain Kitzmiller would receive a 1099 as a contractor.

Mr. Aguilar responded other cities didn't have to bring these contracts to Council because of their signing authority. Because Canby's was so low, it had to be approved by Council. Captain Kitzmiller would remain an employee with the same benefits, except for the 6% PERS.

Ordinance 1629 – Mr. Hardy said this ordinance was reflective of the budget that went through the Budget Committee for fiscal year 24/25 scope of work related to the Comprehensive Plan, Transportation System Plan, and Urban Growth Boundary expenditure for \$228,938.

****Councilor Sasse moved to approve Ordinance 1629, AN ORDINANCE ADOPTING THE COMPREHENSIVE PLAN, TRANSPORTATION SYSTEM PLAN, AND URBAN GROWTH BOUNDARY SCOPE OF WORK AND BUDGET FOR FY 24/25 to come up for second reading on August 7, 2024. Motion was seconded by Councilor Maldonado and passed 5-0 on first reading.**

Resolution 1415 – Todd Wood, Fleet, Transit, and IT Director, along with Heidi Muller, Transit Coordinator (attended virtually) shared currently Dial-A-Ride only covered the Urban Growth Boundary for the City of Canby as well as taking people to and from Oregon City per the IGA with Tri-Met. The County had extra State Transportation Improvement Fund dollars, which were not enough to hire more employees to provide that service. They were asking various transportation providers in Clackamas County if they could provide additional service outside of their normal areas. A map of the extended area was shown to Council. The City would receive approximately \$150,000 over the next year, which was a rate negotiated to cover all contractor costs, fuel costs, and maintenance costs. The City would bill the County monthly to cover the costs incurred for each individual ride.

Councilor Stearns clarified this would cost the City nothing.

Mr. Wood responded the City would be billing the County at a rate that covered all of the costs associated with the driver, fuel and maintenance.

Council President Hensley asked if this was just for a year trial basis.

Mr. Wood responded the State Transportation Improvement Fund was every two years, but there was only one year left. If it worked out this year, they would apply for additional funds to continue the program. It would be brought back next year if they wanted to continue.

Ms. Muller added that this would work like the current Dial-A-Ride but would run only Monday to Friday. Participants would apply through the City of Canby to be accepted.

****Councilor Sasse moved to approve Resolution 1415, A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH CLACKAMAS COUNTY FOR DIAL-A-RIDE SERVICE OUTSIDE THE URBAN GROWTH BOUNDARY. Motion was seconded by Councilor Maldonado and passed 5-0.**

Resolution 1416 – Mr. Hardy said they were applying for a Transportation Growth Management (TGM) grant, which required a resolution in support of the application. They would start the Urban Growth Boundary initiation process next year and after that they would do conceptual planning which identified infrastructure, street systems, and how things were going to be paid. The final step was to reincorporate those areas into the Comprehensive Plan. The money from the grant would be used for conceptual planning and would be about \$249,000. The funding would start in FY 25/26 and run through FY 26/27. The City needed to provide a local match in labor. The application was due by July 31.

****Councilor Davis moved to approve Resolution 1416, A RESOLUTION GRANTING SUPPORT FOR AN OREGON DEPARTMENT OF TRANSPORTATION (ODOT) TRANSPORTATION GROWTH MANAGEMENT (TGM) GRANT APPLICATION FOR CONCEPT PLANNING RELATED TO THE URBAN GROWTH BOUNDARY EXPANSION. Motion was seconded by Councilor Maldonado and passed 5-0.**

OLD BUSINESS: City Attorney Recruitment – Eileen Stein, City Administrator, stated they were starting to draft the City Attorney RFP. A chart was presented showing the expenses for the contract attorney compared to having one in house. For FY 23/24, the City spent \$142,000 on legal services where the City would have spent \$251,000 on in-house legal services.

Councilor Davis asked if the RFP was for recruiting an outside agency.

City Administrator Stein concurred it was.

David Doughman, Interim City Attorney, shared information from a memo submitted in the packet regarding the City of Grants Pass vs Johnson ruling regarding camping on public property.

Council President Hensley asked if it precluded the City being able to tighten up the current camping ordinance.

Mr. Doughman responded not necessarily, but the specifics would matter.

Council President Hensley requested this item be a future work session.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS:

Council President Hensley gave a huge shout out to City staff and volunteers for the work done on the Independence Day celebration. Next week she would be attending along with the Traffic Safety Commission Chair and Officer Miller a traffic enforcement devices presentation in Happy Valley. The Traffic Safety Commission offered an appointment to Tina Schimpf to replace Bob

Cambra. She and Ms. Stein met with Brenda Bateman from DLCD to talk about the City's Urban Growth Boundary project and how the City and DLCD could work together.

Councilor Davis said Independence Day was exceptionally busy and thanked the sponsors for the fireworks. Canby PD did a great job getting traffic out after the fireworks as well as helping set up the basketball hoops for the Nothing But Net event. The Maple Street turfing and scoreboards project should wrap up in October. The Auburn Farms design was moving along. The Legacy Park fitness courts had been delayed but should finish by August. The Parks and Recreation Advisory Board wanted to present an idea to Council during a Work Session. The Council also needed to start discussions about what would happen with the Adult Center building once vacated. The Fire Department had been busy with fire calls and medical emergencies. They were in final stages of the employment contract with his replacement, Matt Dale, which should be approved at their next board meeting.

Councilor Stearns attended the Bike and Pedestrian Committee meeting where there was discussion about e-bikes and the possibility of a speed limit for them to ensure safety for all.

Councilor Sasse said the community board at the entry of the Library had been a huge success. The Library was having a Lego building competition on July 30, and signups were required. There would be a mural painted by a famous artist on the teen wall which was funded by the Library Foundation. They were still working on the strategic plan for goals and priorities and donations policies.

CITIZEN INPUT: None.

CITY ADMINISTRATOR'S BUSINESS: Ms. Stein had provided Council the first quarterly report for Council Goals. Bi-Monthly reports would state the Council Goals as well. They met with Clackamas County reps on the city-led homeless initiative, and an Intergovernmental Agreement would need to be adopted in October. Approximately \$336,000 was coming from the County, which portions would go to the Library for employment services and programs, to the Police Department, to enhance infrastructure for public camping areas, and to the Canby Center for programs. Due diligence in examining sites for a sports complex was still in process. Another budget resolution might have to be adopted because the Department of Revenue didn't like the separate resolutions to approve the budget. It would not put the City out of compliance with the Oregon Revised Statutes.

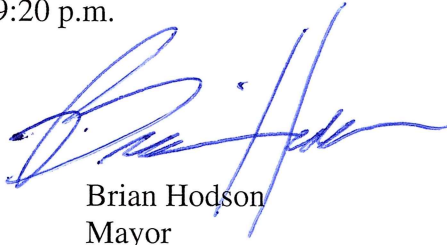
ACTION REVIEW:

1. Approved the consent agenda.
2. Adopted Ordinances 1625 and 1626.
3. Approved Ordinances 1627, 1628, and 1629 to a second reading on August 7, 2024.
4. Approved Resolutions 1415, 1416, and 1417.

Council President Hensley adjourned the meeting at 9:20 p.m.



Maya Benham, CMC
City Recorder



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood