



AMENDED AGENDA

CANBY CITY COUNCIL MEETING

February 18, 2015

7:30 PM

Council Chambers

155 NW 2nd Avenue

Mayor Brian Hodson

Council President Tim Dale

Councilor Clint Coleman

Councilor Tracie Heidt

Councilor Traci Hensley

Councilor Greg Parker

Councilor Todd Rocha

WORK SESSION

6:30 PM

City Hall Conference Room

182 N Holly

The City Council will be meeting in a Work Session to receive elected official risk management training.

CITY COUNCIL MEETING

1. CALL TO ORDER

- A. Invocation
- B. Pledge of Allegiance
- C. Iwo Jima Remembrance Day Proclamation

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2. COMMUNICATIONS

3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter.)

4. MAYOR'S BUSINESS

5. COUNCILOR COMMENTS & LIAISON REPORTS

6. CONSENT AGENDA

(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)

- A. Approval of Minutes of the February 4, 2015 City Council Regular Meeting & Work Session
- B. Annual Liquor License Renewals

Pg. 2

7. PUBLIC HEARING

- A. VAC 14-01 North Juniper Street Vacation (Northern Boundary of NE 2nd Avenue 115 Feet Northerly to the Southerly Boundary of the Alley between NE 2nd and NE 3rd Avenues) Pg. 8

8. RESOLUTIONS & ORDINANCES

- A. Res. 1211, Authorizing an Amendment to the Land Rental Agreement Between the City of Canby and Simmitt Nursery, LLC Pg. 5
- B. Ord. 1412, Vacationing a Portion of North Juniper Street Public Right-of-Way from the Northern Boundary of NE 2nd Avenue 115 Feet Northerly to the Southerly Boundary of the Alley Between NE 2nd Avenue and NE 3rd Avenues Pg. 8

9. NEW BUSINESS

- A. Presentation by Library Board Regarding Facilities Needs Recommendation for Canby Public Library Pg. 15

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

11. CITIZEN INPUT

12. ACTION REVIEW

13. EXECUTIVE SESSION: ORS 192.660(2)(h) Litigation

14. ADJOURN

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.0733. A copy of this Agenda can be found on the City's web page at www.ci.canby.or.us. City Council and Planning Commission Meetings are broadcast live and can be viewed on CTV Channel 5. For a schedule of the playback times, please call 503.263.6287.



Office of the Mayor

Proclamation

Iwo Jima Remembrance Day

WHEREAS, on February 23, 1945, this country's Armed Forces were engaged in one of the most strategic and bloodiest battles of World War II - the battle for Iwo Jima; and

WHEREAS, the Canby-Aurora Veterans of Foreign Wars Post and Auxiliary 6057 of the United States have deemed it fitting to erect a flagpole at the Canby Adult Center in remembrance of those who took part in this great battle; and

WHEREAS, each year the members of the Canby-Aurora Veterans of Foreign Wars Post 6057, their Auxiliary, and their fellow veterans organizations and service organizations i.e. Boy Scouts, Girl Scouts, Campfire, etc. conduct a ceremony to rededicate this memorial and replace the flags on the flagpole; and

WHEREAS, the flagpole located at the Canby Adult Center is the only memorial in the City of Canby dedicated to our veterans who made such significant personal sacrifices during World War II in defense of this great nation; and

WHEREAS, this year will be the 20th anniversary of the annual flag raising ceremony.

NOW, THEREFORE, I, Brian Hodson, by virtue of the authority vested in me as the Mayor of the City of Canby, do hereby proclaim February 21, 2015 as

Iwo Jima Remembrance Day

and call upon individuals, schools, churches, organizations and business establishments in the City of Canby to proudly remember the sacrifices made by servicemen who fought so gallantly in this bloody and decisive battle. I further call upon all members of this community to join in commemorating this great event with the rededication of the flagpole at the Adult Center on February 21 at 10:00 AM to celebrate the 70th anniversary of the end of World War II.

Given unto my hand this 18th day of February 2015 in the City of Canby, Oregon.

Brian Hodson
Mayor



Memo

To: Mayor Brian Hodson & Members of City Council
From: Bret J. Smith, Chief of Police 
CC: Kim Scheafer, General Administration
Date: January 9, 2015
Re: Annual Liquor License Renewals

I have reviewed the OLCC list of businesses located within the City of Canby that are eligible for liquor license renewal. Please see the attached list of businesses that have been identified by OLCC.

I recommend the Canby City Council approve these requests for renewal to the Oregon Liquor Control Commission (OLCC).



Dist. License #	Tradename	Participant	License	Premises Address
Local Government: CANBY				
2	200269	7-ELEVEN STORE #2363-17845C	BAIRD, JOLENE BAIRD, REGENT W	O 109 SE 1ST, CANBY, OR
	200457	76 FOOD MART OF CANBY	VIRK PETROLEUM WEST LINN LLC	O 453 SE 1ST ST, CANBY, OR
	198156	AMERICAN LEGION POST #122 CANBY	AMERICAN LEGION #122 CANBY	F-CLU 424 NW 1ST, CANBY, OR
	198303	BACKSTOP BAR & GRILL	BACKSTOP INC	F-COM 211 N GRANT, CANBY, OR
	201119	BLACKJACK DELI & MORE	BLACKJACK DELI & MORE LLC	L 1110 SW 1ST AVE, CANBY, OR
	200157	CUTSFORTH THRIFTWAY	GEF INC	L 225 NE 2ND, CANBY, OR
	200161	CUTSFORTH THRIFTWAY	GEF INC	O 225 NE 2ND, CANBY, OR
	201492	DENNY'S RESTAURANT	CANBY-DENN INC	F-COM 1369 SE 1ST AVE, CANBY, OR
	200540	EBNER CUSTOM MEATS	EBNER PROPERTIES LLC	O 272 N GRANT ST, CANBY, OR
	201232	EBNER CUSTOM MEATS	EBNER PROPERTIES LLC	L 272 N GRANT ST, CANBY, OR
	198554	FRED MEYER #651	FRED MEYER STORES INC	O 1401 SE 1ST, CANBY, OR
	199981	FULTANO'S PIZZA	ROMINE PIZZA CO	L 715 SE 1ST, CANBY, OR
	199287	GOLD DRAGON	PHAN, TRAM N PHAN, LAM P	F-COM 204 SW 2ND, CANBY, OR
	198696	HWY 99 SOUTH CANBY QUIK MART	HWY 99 SOUTH CANBY QUIK MART LLC	O 1120 SW 1ST, CANBY, OR
	199912	JOY KITCHEN	SHENG YING INC	L 314 NW 1ST AVE, CANBY, OR
	198851	LA CONASUPER	LA CONASUPER INC	O 733 SE 1ST AVE, CANBY, OR
	200048	LA MIXTECA MARKET	ZURITA, RUFINO	O 205 SW 1ST, CANBY, OR
	200576	LONE ELDER PIZZA	CHAPMAN MOORE, JULIE M	L 207 SW 1ST #106, CANBY, OR
	201189	LOS DORADOS MEXICAN RESTAURANT	LOS DORADOS INC	F-COM 1011 SW 1ST AVE, CANBY, OR
	200473	MIKE'S PLACE	CHRS INC	F-COM 404 NW 1ST AVE, CANBY, OR
	200699	MIKE'S PLACE	CHRS INC	O 404 NW 1ST AVE, CANBY, OR
	202091	NUEVO VALLARTA RESTAURANT	PUERTO VALLARTA RESTAURANTS INC	F-COM 1385 SE 1ST AVE #104, CANBY, OR
	199270	PUDDIN RIVER CHOCOLATES & WINE BAR	PUDDIN RIVER CHOCOLATES & CONFECTIONS LLC	O 332 NW 1ST AVE, CANBY, OR
	199276	PUDDIN RIVER CHOCOLATES & WINE BAR	PUDDIN RIVER CHOCOLATES & CONFECTIONS LLC	F-COM 332 NW 1ST AVE, CANBY, OR
	198656	RICE TIME RESTAURANT	HAENGBOK INC	L 356 NW 1ST AVE, CANBY, OR
	199609	RITE AID #5325	THRIFTY PAYLESS INC	O 891 SE 1ST AVE, CANBY, OR
	210481	ROUNDERS CANBY	JTD ENTERPRISES LLC	L 224 NW 1ST AVE, CANBY, OR
	200337	SAFEWAY STORE #2604	SAFEWAY INC	O 1055 SW 1ST AVE, CANBY, OR
	200241	SMOKE 4 LESS	PRABEZ LLC	O 1021 SW 1ST AVE #A, CANBY, OR
	199680	THAI CORNER CUISINE	THAI CORNER CUISINE LLC	L 1109 SW 1ST AVE SUITE A, CANBY, OR
	199650	THAI DISH	THAI DISH INC	L 108 N IVY ST, CANBY, OR
	200610	THE MINI CHEF RESTAURANT & LOUNGE	SAM 1 LLC	F-COM 102 N IVY ST, CANBY, OR
	199412	THE PLACE TO BE CAFE	THE PLACE TO BE CAFE LLC	L 190 NW 2ND AVE, CANBY, OR
	199829	THE WILD HARE SALOON & CAFE	SIDEWINDER INC	F-COM 1190 SW FIRST, CANBY, OR

Local Government Notification: Renewing Licenses

Dist. License #	Tradename	Participant	License	Premises Address
Local Government: CANBY				
2	200128 TNT MARKET	WHK INC	O	164 SE 1ST AVE, CANBY, OR
	200014 WALGREENS #10893	WALGREEN CO	O	1080 SW 1ST AVE, CANBY, OR
	200046 WILLAMETTE VALLEY COUNTRY CLUB	WILLAMETTE VALLEY COUNTRY CLUB INC	O	900 COUNTRY CLUB PL, CANBY, OR
	200047 WILLAMETTE VALLEY COUNTRY CLUB	WILLAMETTE VALLEY COUNTRY CLUB INC	F-CLU	900 COUNTRY CLUB PL, CANBY, OR

MEMORANDUM

DATE: February 18, 2015
TO: CANBY CITY COUNCIL
FROM: Rick Robinson, City Administrator
RE: RESOLUTION NO. 1211: **A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE LAND RENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND SIMNITT NURSERY, LLC.**

Issue: Whether or not to amend the Land Rental Agreement with Simnitt Nursery to continue to allow the renting of City-owned property that is eventually slated to be parkland.

Summary: The City of Canby, Oregon, through Ordinance No. 1281, purchased from Janice, Jerome, and Roberta Simnitt, approximately 2.35 acres of land identified as tax lot 200 of tax map 3-1E-28C, and more particularly described as the North one-half of Lot 25, PRUNELAND, in the County of Clackamas and State of Oregon. This park acquisition was negotiated as part of the Auburn Farms II subdivision in 2005. At that time, the Planning Commission approved a purchase sale agreement for the City to purchase the property within a 3-year window. The purchase was made using Park System Development Fees generated from the subdivision. As the City did not have a plan to develop the property immediately, it was leased back to the original nursery owners, the Simnits, to use to store plants until such time that the City was ready to develop the property.

The initial price for the rental agreement was \$600 a year, but over time, it has been increased to \$900. Lessee has argued that, because a portion of the property is not currently suitable for agricultural use due to the existence of trees on a portion of the property and uncertainty relative to the suitability of the soil on the portion of the leased property that had previously been a residential home site, the land lease should remain at \$600 annually.

Lessee has indicated that Lessee may have an interest in removing the trees and having the soil tested to determine if planting on the unused portion of the leased property is viable. If the unused portion of the leased land is later used for agricultural purposes, lessees have agreed to increase the annual lease payment to \$900.

The agreement also allows for Montecucco Farms to sublease from the Simnitt's some use of this land.

Recommendation:

Adopt the resolution as proposed. After visiting the leased property, staff concurs that a portion of the land is not currently suitable for agricultural use. The proposed lease agreement allows the land to remain in productive use. The City is not currently in a position to consider the addition of new City Parks and absent such an agreement, City staff would be required to periodically address vegetation growth on the property.

Motion: **"I move to adopt RESOLUTION NO. 1211: A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE LAND RENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND SIMNITT NURSERY, LLC.**

RESOLUTION NO. 1211

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE LAND RENTAL AGREEMENT BETWEEN THE CITY OF CANBY AND SIMNITT NURSERY, LLC.

WHEREAS, The City of Canby, Oregon, through Ordinance No. 1281, purchased from Janice, Jerome, and Roberta Simnitt, approximately 2.35 acres of land identified as tax lot 200 of tax map 3-1E-28C, and more particularly described as the North one-half of Lot 25, PRUNELAND, in the County of Clackamas and State of Oregon; and

WHEREAS, since the time of the purchase of said property, the City of Canby and Simnitt Nursery, LLC have been parties to a Land Rental Agreement regarding this land; and

WHEREAS, the City of Canby and Simnitt Nursery, LLC desire to amend the terms of the agreement originally dated June 30, 2011 and amended with Resolution 1201, adopted by the City Council on September 17, 2014; and

WHEREAS, the City of Canby will continue to benefit from modifying the terms of the existing Land Rental Agreement and extending the Land Rental Agreement for an additional two years.

NOW THEREFORE, IT IS HEREBY RESOLVED by the City of Canby Council that the City Administrator shall execute the Amendment to the Land Rental Agreement as set forth in the attached Exhibit "A".

This Resolution shall take effect on February 18, 2015.

ADOPTED this 18th day of February, by the Canby City Council.

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

Exhibit "A"

AMENDMENT TO THE LAND RENTAL AGREEMENT BETWEEN CITY OF CANBY,
OREGON, AND SIMNITT NURSERY, LLC

This amendment to the existing Land Rental Agreement between the CITY OF CANBY (City) and SIMNITT NURSERY, LLC (Simnitt) is to memorialize mutually agreed upon terms of the contract in the following ways:

The Parties, City and Simnitt, agree to extend the Land Rental Agreement through July 31, 2018. Payments are to be \$300 for the period August 1, 2015 – July 31, 2016, \$600 for the period August 1, 2016 – July 31, 2017, and \$600 for the period August 1, 2017 – July 31, 2018.

City and Simnitt acknowledge that a portion of the land that was formerly the site of a residence on the Easterly end of the lease property is not currently suitable for agricultural use, due to the existence of trees, some of which may be diseased, and the uncertainty of the suitability of the soil for use by Simnitt. Simnitt may, at Simnitt's sole expense, elect to test the soils to determine suitability for use, and remove any trees that would hinder agricultural use. Simnitt shall be responsible, at the conclusion of this lease and at Simnitt's sole expense, to replace a like number of trees with trees approved for planting by City, and in locations on leased property selected by City. Should Simnitt elect to use the entire property as described in this paragraph, City and Simnitt agree that the Land Rental Payments shall increase to \$900 for each 12 month period in which the property is in use.

IT IS SO AGREED:

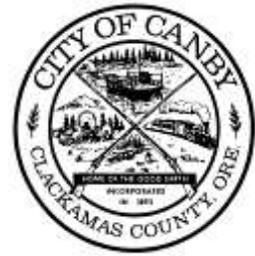
SIMNITT NURSERY, LLC

CITY OF CANBY

By: _____
Title: Simnitt Nursery
Dated: _____

By: Richard Robinson
Title: City Administrator
Dated: _____

MEMORANDUM



TO: *Honorable Mayor Hodson and City Council*
FROM: *Bryan C. Brown, Planning Director*
DATE: *January 30, 2015*
THROUGH: *Rick Robinson, City Administrator*

Issue/Objective:

The City of Canby has initiated the necessary proceedings prescribed by State law to vacate a portion of North Juniper Street located from the northern boundary of NE 2nd Avenue 115 feet northerly to the southerly boundary of the alley between NE 2nd Avenue and NE 3rd Avenue. This portion of the existing street public right-of-way to be vacated is a critical component for land assemblage for a proposed Canby Urban Renewal Agency Civic Center project within the adjacent City block. (See Street Vacation Map Attached)

Synopsis:

The street vacation process for a City initiated vacation is prescribed by ORS 271.130. A city initiated vacation proceeding is allowed without petition or consent from 2/3rds of property owners within the “defined affected area” as described in Statute for property vacations. Consent from the adjacent property owner is necessary but assured since that ownership is the Canby Urban Renewal Agency. The usual “defined affected area” is described as those property owners within 200 lateral feet from the existing street right-of-way on both sides and within 400 feet of the terminus of the existing street right-of-way in each direction. (See Mailing Notification Map Attached)

In the street vacation process, the vacated right-of-way is usually divided equally and attached to the adjacent land owners. In this case, Canby Urban Renewal Agency is the owner of property on either side of the street right-of-way to be vacated. Thus, all the vacated right-of-way would attach to the neighboring property owner – the Canby Urban Renewal Agency. A new combined legal description of all the resulting parcels to then be owned by Canby Urban Renewal Agency with this vacation has been prepared so a deed may be created and recorded if desired and deemed necessary.

Several existing utilities now reside in the street right-of-way requested to be vacated. They include City sanitary sewer service, Canby water service line, NW Natural gas line, and a Canby Telcom communication line. The establishment of new alternative easements and the physical relocation of these existing utility services are necessary as a condition of approval of the Street Vacation. Maintaining the existing utilities in their existing location through the reservation of an easement is not considered suitable by the utility agencies nor likely the city since a building is planned to be constructed over the existing service lines. If relocation is assured and can occur into a suitable alternative legal easement prior to construction disturbance of the existing service lines, the vacation should not be opposed by these agencies. Staff proposes providing assurance to utility agencies by including a condition of approval as part of the vacation which states, “The vacation approval is subject to the City, in agreement with each utility service agency, establishing a suitable alternative easement(s) within the general area between N Ivy Street and

N Knott Street to accommodate agency relocation of their utility services as required for the benefit of the public and abandonment of service lines within the vacation area no longer required”. Consultation with the County Surveyor and City Attorney on a previous City initiated street vacation has led staff to conclude that a condition of approval as indicated above is a satisfactory way to adequately protect utility agency interests and the public from utility service interruptions.

The above condition is proposed as an alternative to a request staff has received in writing from NW Natural for the reservation of a temporary easement over their gas line within the street vacation area which they then indicate could be released through a quick claim deed process once an alternative easement is in place and their line is relocated allowing abandonment of the existing line. Staff would prefer avoiding creating and recording a legal description for a temporary easement and then creating and recording a relocation easement as well. This would need to be done for each utility service line. The condition of approval proposed with the vacation should be suitable if all the necessary service line relocations within new recorded easements will occur prior to construction resulting in the abandonment of the existing lines.

Staff will secure assistance from our consulting City Engineer to follow-up upon Vacation with creating and filing any needed easement documents to assure the condition of approval is met and ownership of the vacated property is properly documented.

This vacation request is accompanied by a legal description of the portion of N Juniper Street to be vacated and a map showing this area, and a map indicating the Statute “defined affected area” and letter notice area sent by staff of this application. We are not able to prepare a map indicating exactly where relocated easement(s) are to be recorded and utility service lines relocated at this time. We are confident that these details can be worked out in the Civic Center building planning process prior to construction beginning.

Recommendation: *Staff recommends Option #1, for the Council to approve this vacation as described within the accompanying legal description and map which accompany this application – including the easement recording and service line relocation condition of approval and to be made a part of the required Ordinance necessary to approve a street Vacation.*

Rationale:

Notice Provided: This application was routed to applicable City departments and agencies for comment in early January, 2015. Mailed letter notice of this Vacation application was provided to all property owners within the State Statute “Defined Affected” area as indicated on the notification map on January 27, 2015. Legal hearing notice was placed in the Canby Herald on two consecutive weeks 14-days prior to the hearing on February 4 and 11, 2015. Two signs prepared by staff were placed on the subject property within 5-days of the 1st Canby Herald notice. The public hearing notice or agenda was posted in 3 of the most public places in Canby prior to this hearing.

Public Input:

- NW Natural requested a temporary easement be reserved over their gas line, and

indicated they could quick claim such a temporary easement to the City after the line is relocated in a suitable alternative easement. Staff is proposing a condition of approval with the ordinance to assure them that their gas line will not be disturbed until a suitable alternative easement is provided.

- City Engineer indicated that 3 possible options with costs were provided to the City for evaluation in relocating the City sanitary sewer line. They indicated that other utilities would need to be satisfactorily relocated.

In general, at the public hearing the Council shall:

- Hear any objections to the application
- Determine whether consent of the abutting affected owners has been obtained (the Canby Urban Renewal Agency is the sole abutting property owner)
- Determine that a majority of the area affected have not objected in writing to this street vacation, because if so the vacation shall not be made (ORS 271.130).
- Confirm that notice has been duly given
- Determine whether public interest will be prejudiced by the vacation of the street
- If in favor, make the determination a matter of record to vacate the street by Ordinance
- The vacation ordinance shall be filed of record with the County Clerk within 30-days after passage with a legal description and map
- The vacation ordinance is also sent to the County Assessor and County Surveyor with the necessary survey/deeds and/or easement documents after recordation of ordinance.

Options:

1. Approve this vacation application – including the recommended utility easement condition of approval
2. Grant in part, deny in part or as a whole the vacation, and/or make reservations such as for existing utility easements as appear to be in the public interest.

Attachments:

1. Map of Street Vacation area and Defined Affected Area use for Notice
2. Legal Description of Street Vacation area and Total Urban Renewal Agency Ownership if vacated.

ORDINANCE NO. 1412

AN ORDINANCE VACATING A PORTION OF NORTH JUNIPER STREET PUBLIC RIGHT-OF-WAY FROM THE NORTHERN BOUNDARY OF NE 2ND AVENUE 115 FEET NORTHERLY TO THE SOUTHERLY BOUNDARY OF THE ALLEY BETWEEN NE 2ND AVENUE AND NE 3RD AVENUES.

WHEREAS, the City presently owns and maintains the portion of N Juniper Street public right-of-way to be vacated as shown in Exhibit “A”, and the street vacation more particularly described through legal description in Exhibit “B”, both attached heretofore by this reference incorporated herein; and

WHEREAS, the City initiated this vacation of the aforementioned right-of-way by application on December 23, 2014; and

WHEREAS, the application was reviewed by the Planning Director and found to be complete; and

WHEREAS, the vacation is requested as a critical component for land assemblage for a proposed Canby Urban Renewal Agency Civic Center project; and

WHEREAS, the City Council adopts a condition of approval to create new utility easements for the relocation of existing utility services as required for continuity of services for the benefit of the public; and

WHEREAS, as required by law, a notice of public hearing was published for two (2) consecutive weeks in the Canby Herald newspaper and posted on the property; and

WHEREAS, a public hearing was held on this matter before the Canby City Council on February 18, 2015 and all statutory requirements for the vacation were found to be met; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

1. The public right-of-way as shown in Exhibit “A” and more particularly described by legal description in Exhibit “B” shall be vacated and title to the vacated property shall attach to the neighboring property owner which is the Canby Urban Renewal Agency.
2. The Canby City Council adopts a condition of approval, which states “The vacation approval is subject to the City, in agreement with each utility service agency, to establish a suitable alternative easement(s) within the general area between N Ivy Street and N Knott Street to accommodate agency relocation of their utility services as required for the benefit of the public and abandonment of existing service lines within the vacation area no longer required”.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on February 18, 2015, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on March 4, 2015, commencing at the hour of 7:30 PM in the City Council Chambers located at 155 NW 2nd Avenue, Canby, Oregon

Kimberly Scheafer, MMC
City Recorder

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 4th day of March 2015, by the following vote:

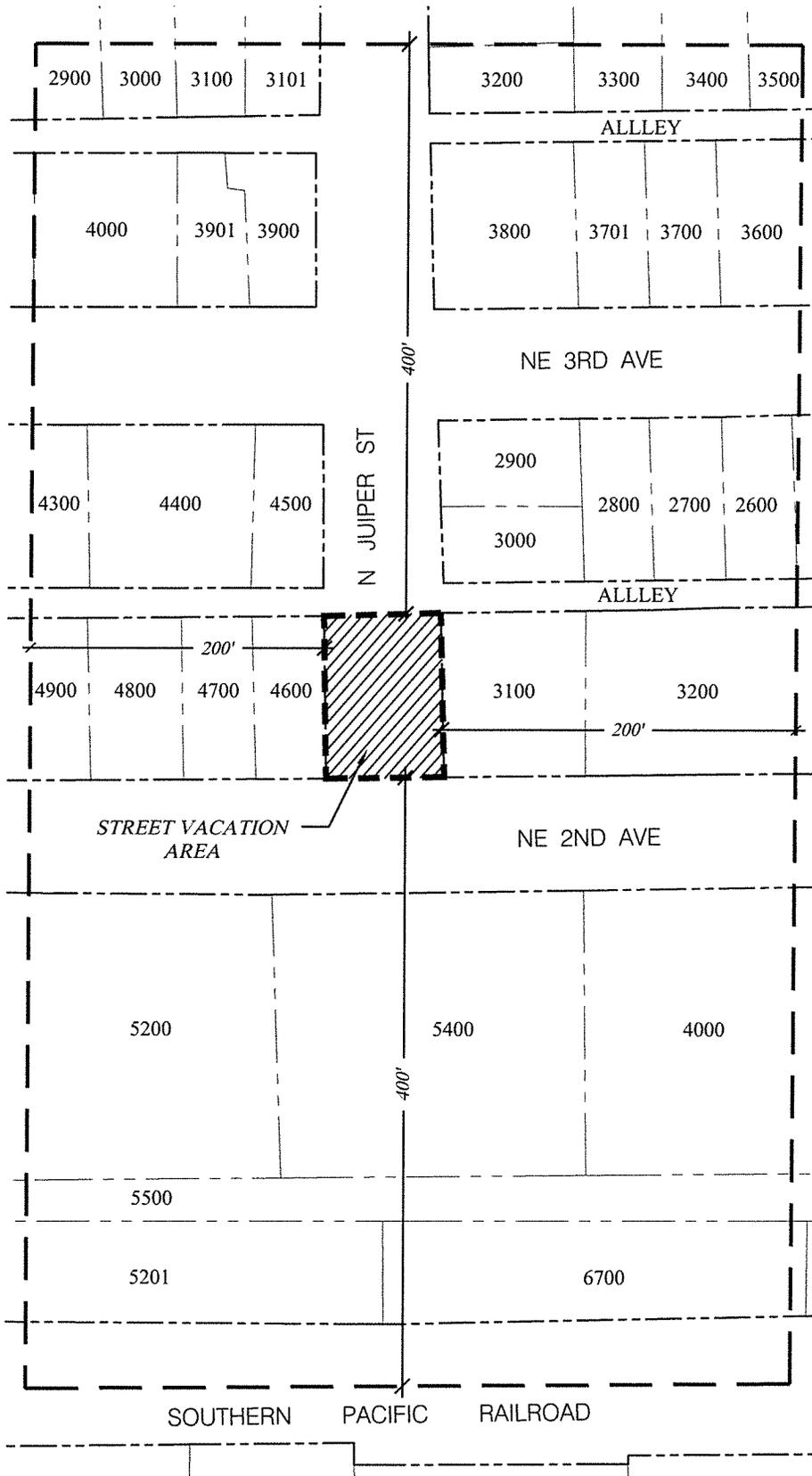
YEAS _____

NAYS _____

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder



MAILING NOTIFICATION AREA

EXHIBIT A

**N. JUNIPER STREET VACATION
T3S, R1E, W.M., 33CA TL #4600 AND
T3S, R1E, W.M., 33CA TL #3100
CANBY URBAN RENEWAL AGENCY**



SCALE: N.T.S.
CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

“EXHIBIT B”

**City of Canby
North Juniper Street Vacation**

Benefitting Property:

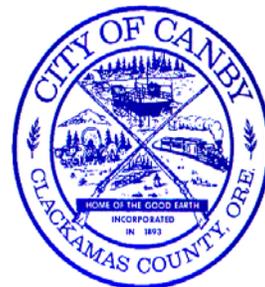
Urban Renewal Agency of Canby
Clackamas County Deed Record 2014-060231
T3S, R1E, W.M., 33CA, TL 4600, and
T3S, R1E, W.M., 33DB TL 3100

Vacated public Right-of-Way description on North Juniper Street: A portion of North Juniper Street situated in the Philander Lee Donation land Claim No. 56 in Township 3 South, Range 1 East of the Willamette Meridian, in the City of Canby, Clackamas County, Oregon, more particularly described as beginning at the southeast corner of Parcel 1 of that tract of land conveyed to the Canby Urban Renewal Agency in Clackamas County Fee Number 2014-060231, thence N 27°00'00” W a distance of 115.00 feet to the northeast corner of said parcel 1, thence N 63°00'00” E a distance of 80.00 feet to the northwest corner of Parcel 2 in said land conveyed to the Canby Urban Renewal Agency, thence S 27°00'00” E a distance of 115.00 feet to the southwest corner of said Parcel 2, thence S 63°00'00” W a distance of 80.00 feet to the point of beginning, said vacation containing 9,200 square feet.

Revised Legal description of Canby Urban Renewal Agency Parcel: A tract of land situated in the Philander Lee Claim No. 56 in Township 3 South, Range 1 East of the Willamette Meridian, in the City of Canby, Clackamas County, Oregon, more particularly described as follows:

Beginning at the southwest corner of Parcel 1 of that tract of land conveyed to the Canby Urban Renewal Agency in Clackamas County Fee Number 2014-060231, said point being on the northerly boundary of NE 2nd Avenue and N 63°00'00” E a distance of 330.00 feet from the most easterly corner of Block 12 Canby, thence N 27°00'00” W a distance of 115.00 feet to the northwest corner of said parcel 1, thence N 63°00'00” E a distance of 230.00 feet to the northeast corner of Parcel B in said land conveyed to the Canby Urban Renewal Agency, thence S 27°00'00” E a distance of 115.00 feet to the southeast corner of said Parcel B, thence S 63°00'00” W a distance of 230.00 feet to the point of beginning.

FACILITIES NEEDS RECOMMENDATION FOR CANBY PUBLIC LIBRARY



TO: Honorable Mayor Hodson and City Council
FROM: Library Advisory Board, City of Canby Public Library
THROUGH: Melissa Kelly, Library Director
DATE: February 10, 2015

Dear Mayor Hodson and City Council:

As City Code Chapter 2.20 dictates, the Library Board shall advise city government regarding long-range plans for library service and facilities. As the City of Canby moves forward with the design and construction of a new library-civic center, the Library Board hereby submits its facility needs recommendation to the Canby City Council. Library Director Melissa Kelly is authorized to speak on behalf of the Library Board at the February 18 City Council meeting, presenting the library's long-range space programming needs based on a 20-year forecast of population growth and library service trends.

The library's service area includes the City of Canby, population 15,910, as well as an unincorporated population of 7,455, for a **total FY 14/15 service population of 23,365**. Estimating an annual growth factor of 3% within city limits and 1.5% in unincorporated areas, the library's **20-year service population is forecasted to be over 35,000**. It should be noted that this is a conservative estimate of population growth, with some sources (such as the City of Canby Stormwater Master Plan) estimating closer to 5% growth in city limits. Assuming 5% growth in city limits and the same 1.5% in incorporated areas, the library service population could reach 41,500 by 2035.

According to 2010 OLA Standards for library space, public libraries shall provide 0.76 sq ft per capita. Therefore, a population of 35,000 needs a library of at least 26,700 sq ft. A population of 41,500 needs a library of at least 31,500 sq ft.

The Library Board upholds the notion that public buildings be constructed with adequate square footage to meet the needs of the community's 20-year service population. Therefore, **the Library Board recommends that the City of Canby build a library of at least 27,000 sq ft to meet the future needs of our library service district.**

Respectfully submitted by Melissa Kelly, Library Director, on behalf of the Library Board.

The New Canby Public Library **Facilities Needs Report**

Overview

27,000 sq ft (based on 20 year forecast of library service area population growth)

Welcoming, inspiring spaces for community interaction as well as quiet study

Accessible collections with ample display space to inspire curiosity and serendipity

Light, bright, and airy—natural light, high ceilings, sightlines

Modern amenities with a traditional look

Up-to-date computer lab, technology equipped seating areas and meeting rooms

Dynamic, engaging, and age-appropriate areas for children, tweens, teens & adults

Spacious multipurpose meeting room for library programs and events

Energy efficient, low maintenance design

Efficient staff workflows designed for future RFID implementation

Soundproofing against theatre noise as well as children's area noise

Connection to nature via an outdoor courtyard, indoor atrium, rooftop deck, etc.

Estimated Space Needs

- 27,000 total sq ft
- 10,000 sq ft for collections & display
- 4,000 sq ft for general seating
- 2,800 sq ft for staff work area (offices, break room, book drop, storage)
- 2,500 sq ft for public support areas (checkout desk, lobby, restrooms, etc)
- 1,800 sq ft for multipurpose/dividable meeting room with kitchen & storage
- 1,200 sq ft for conference & group study rooms
- 800 sq ft computer area
- 600 sq ft storytime area
- 600 sq ft makerspace
- 500 sq ft teen area
- 200 sq ft digital creation lab
- 200 sq ft business & career center

CHILDREN'S SPACE NEEDS (5,600 sq ft)

COLLECTIONS:

Board books*

Picture books* - possibility of adding a “themed” collection of duplicate titles

Oversize/storytime books

Storytime kits*

Easy readers (nearest teen area)*

Parenting collection

** Collections are in English & Spanish

OTHER FUNCTIONS & NEEDS:

Storytime space

Puppet theatre

Play area

Craft area

Family restroom

Stroller parking

Children's storage

Children's early literacy computers

Areas for parents to hang out near kids play area

Tables/chairs & soft seating (**56 seats**)

Storytime mats (**60 seats**)

TWEEN/TEEN SPACE NEEDS (2,500 sq ft)

COLLECTIONS:

Juvenile fiction* (Tween)

Juvenile non-fiction* (Tween)

Juvenile media DVDs, CDs and audiobooks* (Tween)

Young Adult fiction

Young Adult nonfiction

Graphic novels

** Collections are in English & Spanish

OTHER FUNCTIONS & NEEDS:

Hangout space (**6 seats**)

Homework space (**8 seats**)

Collaborative space for group projects & tutoring—near study rooms

Multimedia gaming area

After-school snacks/sink area

Storage lockers

Teen computer lab

ADULT SPACE NEEDS (10,000 sq ft)

COLLECTIONS:

Adult media DVDs, CDs & audiobooks*
New Book display area (near front desk)
Magazines & Newspapers*
Fiction*
Nonfiction*
Large Print
Paperbacks
Reference
English Language Learning Center
Archival display cabinet
**Collections are in English & Spanish

OTHER FUNCTIONS & NEEDS:

Hearth area with fireplace
Quiet study & reading spaces with soft seating—near fireplace & windows (**20 seats**)
Study tables and carrels (**88 seats**)
Group study rooms
 -4 small group rooms for 3-4 persons (**4x4=16 seats**)
 -2 large group rooms for 6-8 persons (**2x8=16 seats**)
Meeting/conference room—near kitchen & tech-enabled (**12 seats**)
Internet computer lab, glass-enclosed (**14 seats**)
 -12 internet stations
 -2 word processing stations
 -copy center with printers, photocopier, scanner & fax
Digital creation lab (**4 seats**)
 -video & audio recording and editing equipment
 -photo scanning and editing station
 -graphic design station
Makerspace (**12 seats**)
 -walls of secure storage space & ample electrical outlets
 -multi-functional spaces/multi-surface tables
 -could interface with kitchen
Business & Career Center (**4 seats**)
Art display space

PUBLIC SERVICE AREA SPACE NEEDS (4,300 sq ft)

MULTI-PURPOSE ROOM (1,800 sq ft)

Large, configurable space for library programs and events (**100 seats**)

Possibly dividable for added functionality

Ample storage for tables, chairs, and other programming materials

Kitchen area for event catering and potential for cooking classes/food programming

Technology enabled with projector, speaker system, microphones, etc.

Black-out shades for film screenings and slideshows

LOBBY AREA (1,700 sq ft)

Foyer seating

Restrooms

Friends of the Library Bookstore

Information Center (maps, brochures, community bulletin board)

Donor Wall

Walk-up book return (IN ADDITION TO an external drive-up book return in alley)

Art display space

SERVICE AREAS (800 sq ft)

Circulation Desk

Reference/Computer Help Desk (near adult/reference collection & computer lab)

3 Self-check stations

- Ample counter space for people's stuff

- Spaced for future RFID

Hold shelf

- Near circ desk, tucked away for privacy, no low shelves

New Book/Display area

Digital signage display

STAFF AREA SPACE NEEDS (2,800 sq ft)

Workroom

- Check-in stations
- Courier/hold processing spaces
- Sorting area
- Book truck storage
- Processing area
- Phone station

2 offices

8 cubicles (with ample space for book carts for cataloging, processing, etc.)

Mending/volunteer desk

Storage

FOL storage

Break room/lunch room/kitchen

Staff restroom

NOTES:

Exterior and interior book returns directly into workroom

Delivery door in alley for courier, mail, and donations

Space for future RFID equipment

Courier bins integrated

Children's staff near children's room

Offices near circ desk

Garbage/recycling area

BUILDING SUPPORT AREAS (***)additional 5,000 sq ft)

Janitorial closet

IT/Server room

Mechanical

Maintenance

Electrical

Stairwells

Elevator

Pathways

Wall thickness

Management Team Meeting Minutes

February 4, 2015

2:00 PM

City Hall Conference Room

In attendance: Rick Robinson, Kim Scheafer, Bryan Brown, Haley Fish, Julie Wehling, Melissa Kelly, Renate Mengelberg, and Joseph Lindsay.

Kim Scheafer

- Clint Coleman was the only applicant for the Council vacancy. His appointment is on Wednesday's CC Agenda
- Reviewed Agenda for February 18 CC and URA Meetings

Haley Fish

- A Purchasing Committee of city staff is being formed
- Reviewed Budget Calendar and fund balance trend analysis
- No new General Fund positions will be budgeted for next year

Renate Mengelberg

- Getting ready to send out survey to Canby businesses
- Wholesale and Distribution Cluster Meeting will be held on February 25
- Deadline for accepting Expressions of Interest for downtown city owned buildings has been extended
- Spoke at the Kiwanis luncheon

Julie Wehling

- Met with Councilor Heidt
- Working on annual reports and grant applications
- Alternate for C-4 Committee
- Pre-construction meeting went well last week for the Transit parking lot
- Driver had backpack stolen. The Police recovered it.

Melissa Kelly

- Working on new Library website. Will go live by end of June.
- Early Childhood Development grant of \$1,250 was received
- Staff is working on recording the oral history from local farmers
- The second civil rights film and discussion will be held on February 3

Bryan Brown

- Spoke about all the projects going on
- Two traffic studies are underway
- Traffic scoping work is being done on N Maple Street
- Received inquiry regarding Country Club expansion
- Temporary Vendor Permit came in for the Farmers Market
- Pacific Lifestyle Homes turned in a permit for a model home
- Staff did property owner interviews for N Redwood Master Plan
- Still working with Village on the Lochs for Phase 2 and FEMA map amendment

Rick Robinson

- Council retreat will be held on April 10 during the day at the PD. Department Directors need to plan on attending for the full day.
- Meeting with the proposed Civic Center Architect on contract and pricing

Minutes taken by Kim Scheafer