



**AGENDA  
CANBY CITY COUNCIL  
REGULAR MEETING – 7:30 PM  
EXECUTIVE SESSION – 8:30 PM  
(after the Regular meeting ends but  
not before 8:30 pm)  
December 1, 2021**

**Virtual Meeting/ Council Chambers - 222 NE 2<sup>nd</sup> Avenue, 1<sup>st</sup> Floor**

**Register here to attend the meetings virtually:**

[https://us06web.zoom.us/webinar/register/WN\\_JE5iPi5HRYSBpJT3gVnKkg](https://us06web.zoom.us/webinar/register/WN_JE5iPi5HRYSBpJT3gVnKkg)

***The meetings can be viewed on CTV Channel 5 and YouTube:***

<https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>

Mayor Brian Hodson

Councilor Christopher Bangs  
Councilor David Bajorin  
Council President Traci Hensley

Councilor Sarah Spoon  
Councilor Greg Parker  
Councilor Shawn Varwig

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**REGULAR MEETING – 7:30 PM**

**1. CALL TO ORDER**

**2. PROCLAMATION**

- a. Election results for the Swim Levy.

Pg. 1

- 3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** This is an opportunity for audience members to address the City Council on items not on the agenda. Each person will be given 3 minutes to speak. Staff and the City Council will make every effort to respond to questions raised during citizens input before the meeting ends or as quickly as possible thereafter. **\*\*\*If you would like to speak please email or call the City Recorder by 7:30 pm on December 1, 2021 with your name, the topic you'd like to speak on and contact information: [benhamm@canbyoregon.gov](mailto:benhamm@canbyoregon.gov) or call 503-266-0720. Once your information is received, you will be sent instructions to speak. Please note that Council will be attending this meeting virtually.**

- 4. 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 the Minutes of the October 20, 2021 Regular City Council Meeting.

Pg. 4

- b. Reappointment of James Hieb to the Planning Commission for a term that will expire on December 31, 2024. Pg. 9
- c. Appointment of Bryan Peterson to the Transit Advisory Committee for a term that will expire on March 31, 2024. Pg. 11

**5. ORDINANCE**

- a. Consider **Ordinance No. 1566**: An Ordinance proclaiming annexation into the City Of Canby, Oregon 42.5 acres of real property described as a tract of land located in the Southwest one quarter of Section 3, the Northeast one quarter of Section 4, and the Southeast one quarter of Section 4, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon also identified as Clackamas County Assessor’s Map And Tax Lots 41E03 02300, 41E04D 01200, And 41E04D 01300. This Ordinance also concurrently amends the existing County zoning from Exclusive Farm Use (EFU) to City Low Density Residential (R-1) and Medium Density Residential (R-1.5) for the entire area; and setting the boundaries of the property to be included within the Canby City limits. *(Second Reading)* Pg. 13

**6. UNFINISHED BUSINESS**

- a. Discussion regarding potential Dog Park. Pg. 19

**7. NEW BUSINESS**

- a. Cancellation of December 15, 2021 City Council Meeting.

**8. MAYOR’S BUSINESS**

**9. COUNCILOR COMMENTS & LIAISON REPORTS**

**10. CITY ADMINISTRATOR’S BUSINESS & STAFF REPORTS**

**11. CITIZEN INPUT**

**12. ACTION REVIEW**

**13. ADJOURN**

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**Executive Session – 8:30 PM**

**(Will begin after the City Council Meeting ends but not before 8:30 PM)**

**EXECUTIVE SESSIONS ARE CLOSED TO THE PUBLIC. Representatives of the news media and designated staff may attend Executive Sessions. Representatives of the news media are specifically directed not to report on any of the deliberations during the Executive Session, except to state the general subject of the session as previously announced. No Executive Session may be held for the purpose of taking final action or making any final decision.**

**1. CALL TO ORDER**

2. **EXECUTIVE SESSION:** ORS 192.660(2)(i) Performance Evaluation of Public Officer

3. **ADJOURN**

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\*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 Melissa Bisset at 503.266.0733. A copy of this Agenda can be found on the City's web page at [www.canbyoregon.gov](http://www.canbyoregon.gov). **City Council and Planning Commission Meetings are typically broadcast live and can be viewed on CTV Channel 5.** For a schedule of the playback times, please call 503.263.6287.

**\*\*We are requesting that rather than attending in person you view the meeting on CTV Channel 5 or on YouTube:**

<https://www.youtube.com/channel/UCn8dRr3QzZYXoPUEF4OTP-A>

**If you do not have access virtually, there are a small number of chairs provided inside to allow for distancing.**



# City of Canby

PO Box 930  
222 NE 2nd Ave  
Canby, OR 97013

Phone: 503.266.4021  
Fax: 503.266.7961  
www.canbyoregon.gov

## City Council Staff Report

DATE: December 1, 2021  
TO: Honorable Mayor Hodson and City Council  
THRU: Scott Archer, City Administrator  
FROM: Melissa Bisset, City Recorder/ Elections Official  
ITEM: Canby Swim Center Levy Renewal Election Results

### Summary

The Canby City Council put forth on the November 2021 Ballot a Renewal of The Canby Swim Center’s five year local option Levy at the same rate of \$.49 per \$1,000 assessed property value beginning Fiscal Year 2022-2023. On May 19, 2021, the City Council met during a work session to discuss the renewal of the Levy. There was consensus for staff to move forward with placing the Levy on the November ballot. The Council approved Resolution No. 1356 on July 7<sup>th</sup>, 2021, directing the City Recorder to certify to the Clackamas County Clerk the measure for the November ballot. The election took place on November 2, 2021 and the measure was approved by the voters of Canby.

### Background

The Canby Swim Center has been operating on a five year levy system for 20 years now and it has made it possible to continue operations and provided the opportunity to keep the facility in good shape and make improvements.

### Fiscal Impact

Estimated total amount of money to be raised by this tax is \$5,005,114 with the estimated amount raised each year as follows:

2022-2023	\$942,931	2025-2026	\$1,030,055
2023-2024	\$971,089	2026-2027	\$1,060,917
2024-2025	\$1,000,122		

### Attachments

Certification  
Proclamation

### Proposed Motion

No motion necessary. Mayor will read proclamation regarding Measure 3-567 Election results.



Canvass Results Report

Clackamas County

Official Results

Official

November 2, 2021 Special Election

Registered Voters  
42231 of 128278 = 32.92%

Run Time 10:18 AM

11/2/2021

Precincts Reporting  
43 of 43 = 100.00%

Run Date 11/22/2021

Page 1

Measure 3-567 City of Canby: Renewal of Five-Year Local Option Levy for Swim Center Operations

Precinct	Yes	No	Cast Votes	Undervotes	Overvotes	Miscellaneous Write-ins	Vote by Mail Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
122	1,273	538	1,811	4	1	0	1,816	1,816	6,931	26.20%
124	965	463	1,428	0	0	0	1,428	1,428	3,920	36.43%
125	310	107	417	0	0	0	417	417	1,553	26.85%
<b>Totals</b>	<b>2,548</b>	<b>1,108</b>	<b>3,656</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>3,661</b>	<b>3,661</b>	<b>12,404</b>	<b>29.51%</b>

CERTIFIED COPY OF THE ORIGINAL  
SHERRY HALL, COUNTY CLERK

BY: Sherry Hall





# PROCLAMATION

## Measure 3-567 Election Results

WHEREAS, the City of Canby, County of Clackamas, Oregon, placed a measure on the General Election ballot on November 2, 2021, to consider the following measure:

### MEASURE NO. 3-567

**SHALL THE CITY IMPOSE \$0.49 PER \$1,000 OF ASSESSED PROPERTY VALUE FOR FIVE YEARS, 2022-2027, FUNDING SWIM CENTER OPERATIONS? THIS MEASURE RENEWS CURRENT LOCAL OPTION TAXES.**

WHEREAS, the Clackamas County Elections Department offers the following as an official count of votes for the General Election on November 2, 2021.

**YES – 2,548**

**NO – 1,108**

**Undervotes – 4**

**Overvotes - 1**

**NOW, THEREFORE**, I, Brian Hodson, Mayor of the City of Canby, Oregon, do hereby proclaim the foregoing to be a true and accurate accounting as presented by the Clackamas County Election Division dated November 22, 2021.

Dated this 1<sup>st</sup> day of December, 2021.

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Brian Hodson  
Mayor

**CANBY CITY COUNCIL  
REGULAR MEETING  
October 20, 2021**

**PRESIDING:** Mayor Brian Hodson

**COUNCIL PRESENT:** Christopher Bangs, Traci Hensley, Sarah Spoon, David Bajorin, and Greg Parker

**COUNCIL ABSENT:** Shawn Varwig

**STAFF PRESENT:** Scott Archer, City Administrator; Joseph Lindsay, City Attorney/Assistant City Administrator; Melissa Bisset, City Recorder/HR Manager; Brianna Addotta, Associate Planner; Jamie Stickel, Economic Development Director.

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

**OATH OF OFFICE FOR APPOINTED CITY COUNCILOR – DAVID BAJORIN:**

Rod Grafe, Municipal Court Judge, swore in David Bajorin as City Councilor.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** None

**PUBLIC HEARING:** ANN/ZC 21-02: Annexation and Zone Change for 1495 S. Fir Street –

Mayor Hodson read the public hearing statement.

**Conflict of Interest**

Councilor Parker – No conflict, plan to participate.

Councilor Spoon – No conflict, plan to participate.

Councilor Bangs – No conflict, plan to participate.

Councilor Bajorin – No conflict, plan to participate.

Councilor Hensley – No conflict, plan to participate.

Mayor Hodson – No conflict, plan to participate.

**Ex Parte Contact**

Councilor Parker – No contact.

Councilor Spoon – The site was on her regular dog walking route.

Councilor Bangs – No contact.

Councilor Bajorin – No contact.

Councilor Hensley – No contact.

Mayor Hodson – No contact.

**STAFF REPORT:** Brianna Addotta, Associate Planner, said this was a request for annexation and a zone change for 1495 S Fir Street. It was a 1.31 acre parcel and an island of County land. The zone change was from County EFU to City R-1.5, medium density residential. She explained the applicable approval criteria. The property was within the Southwest Canby Development Concept Plan. Potential future development scenarios pulled access from the

property to the south. Those property owners appealed the DCP because they felt it limited the development potential of their property. The DCP was upheld by the Council with an additional condition of approval that any future development proposal would be judged on its own merits if and when submitted and would not be bound by any shadow plat that had come before the City. The applicant had provided a conceptual site plan which showed the viability of development without access to the south. Any future subdivision would be subject to planning review. She discussed the comments that were received. Utilities were available in S Fir Street. The capacity was anticipated in the Comprehensive Plan. There were public comments sharing concerns about the utility system, parking, and density. The Planning Commission recommended approval with conditions.

Mayor Hodson opened the public hearing.

APPLICANT: Pat Sisul, Sisul Engineering, was representing the applicant. This was an island of County land surrounded by the City. Provision of services to the property would be a lot cleaner if it were to come into the City. The property was located in an area that was experiencing growth and it was a logical time to bring it into the City and develop it. The property would be developed consistent with the R-1.5 and could provide an additional six lots to the City's inventory which would be a one month supply. The proposed rezone would not have an impact on the transportation system per the analysis that was prepared by the City's traffic engineer. Utilities were available to the site. He asked for approval.

PROPOSERS: Roger and Cheryl Steinke, Canby residents, supported the project. There was a lot of conversation about their property at the Planning Commission meeting, but the concerns had been addressed.

OPPONENTS: None.

REBUTTAL: None.

Mayor Hodson closed the public hearing.

**\*\*Council President Hensley moved to ANN/ZC 21-02: Annexation and Zone Change for 1495 S. Fir Street with conditions. Motion was seconded by Councilor Bangs and passed 5-0.**

**ORDINANCES: Ordinance 1563 – \*\*Council President Hensley moved to approve Ordinance 1563, AN ORDINANCE PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 1.31 ACRES OF REAL PROPERTY DESCRIBED AS LAND SITUATED SOUTHWEST ¼ OF SECTION 4, T.4S, R.1E, W.M. (TAX MAP 41E04CA); AND APPROXIMATELY 0.06 ACRES OF ADJACENT SOUTH FIR STREET RIGHT-OF-WAY; AND AMENDING THE EXISTING COUNTY ZONING FROM EXCLUSIVE FARM USE (EFU) TO CITY MEDIUM DENSITY RESIDENTIAL (R-1.5) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS to come up for second reading on November 3, 2021. Motion was seconded by Councilor Bangs and passed 5-0 on first reading.**

Ordinance 1560 – Mr. Archer said the old front-end loader would be sold through the surplus auction process and the money would go back into the Street Fund.

**\*\*Councilor Bangs moved to approve Ordinance 1560, AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO A PURCHASE AGREEMENT WITH COLUMBIA WESTERN MACHINERY TO BUY A NEW FRONT-END LOADER. Motion was seconded by Councilor Spoon and passed 5-0 by roll call vote.**

Ordinance 1561 – **\*\*Councilor Bangs moved to approve Ordinance 1561, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 220 TO INCLUDE THE LIBRARY ADVISORY BOARD HIGH SCHOOL MEMBER AS A VOTING MEMBER WITH ADDITIONAL CHANGES TO THE LIBRARY BOARD SECRETARY. Motion was seconded by Councilor Spoon and passed 5-0 by roll call vote.**

Ordinance 1562 – Mr. Archer said this purchase was in the current budget. He explained the camera would be used for the storm and sanitary sewer systems and would cost \$107,116.21.

Councilor Bangs wanted to know what the camera looked like. Mr. Archer could bring back that information.

**\*\*Councilor Bangs moved to approve Ordinance 1562, AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO A PURCHASE AGREEMENT WITH WESTERN SYSTEMS TO BUY A SEWER PIPE CRAWLER CAMERA to come up for second reading on November 3, 2021. Motion was seconded by Council President Hensley and passed 5-0 on first reading.**

**CONSENT AGENDA: \*\*Council President Hensley moved to approve the minutes of the September 1, 2021 Regular City Council Meeting. Motion was seconded by Councilor Spoon and passed 5-0.**

**DISCUSSION REGARDING OPEN AIR PROGRAM:** Jamie Stickel, Economic Development Director, said this program would sunset on December 31, 2021. The program was put in place due to Covid restrictions and allowed local businesses to expand seating into the private parking lots. It also suspended certain codes regarding parking requirements and waived some fees. She explained the requirements businesses had to follow. It did not look like the need for this outdoor space would go away anytime soon and she recommended continuing it.

There was discussion regarding the feedback from businesses on how the program helped them, need to clean the language up, whether it was a temporary or permanent program, if it became permanent they needed to create design standards and safety measures, continuing the program and fee waivers through the pandemic, extending it for six months in its current form while working on these other pieces, partnering with the Chamber to discuss the program with downtown businesses, synergy with the food cart pod program, balance in the amount of space used for the program, and adding language to allow the use of public parking areas. There was consensus for staff to bring back an extension of the program for six months.

**MAYOR'S BUSINESS:** Mayor Hodson reported on the C4 Retreat where they discussed transportation and housing. The Region 1 Area Commission on Transportation would be meeting soon to discuss tolling. The Parks and Recreation Advisory Board met last night and discussed preparations for a new park in the Riverside 3/Ivy Ridge development. They also reviewed the Park Pavilion at Locust Street Park. The Pickle Ball Court at Maple Street Park was progressing and trees at Wait Park had been assessed for damage from the ice storm by FEMA who would be providing funding for tree removal and clean up. The Light Up the Night event would be held on December 3. He asked that leaves not be raked into the streets and that parked cars and trucks not hang over into the sidewalks.

### **COUNCILOR COMMENTS & LIAISON REPORTS:**

Councilor Bangs discussed the Library Board who was looking at code revisions to the Library Board's responsibilities. Monday was the deadline to meet the state's mandate for all school personnel to be vaccinated. Nearly all teachers and staff had been vaccinated and those who were not were granted exemptions with the exception of one employee. They were selling the old Harris Grade school building on Highway 213 for \$1 if it could be moved. He thought the bathroom at Community Park needed to be replaced.

Council President Hensley attended the groundbreaking ceremony for the Canby Fire District Northside Station. October was Breast Cancer Awareness Month and Mental Illness Awareness Week was October 3-9. There were resources at the Canby Center for mental illness. October was also Domestic Violence Awareness Month and A Safe Place in Oregon City offered resources. She met with new Councilor Bajorin. The Traffic Safety Commission discussed traffic flow and parking problems on both S 2<sup>nd</sup> and 3<sup>rd</sup> Avenues. Presently vehicles were allowed to park on both sides of the street making the roads too narrow. They encouraged public testimony at the Commission's December 8 meeting to consider no parking on one side of the streets.

Councilor Spoon said the Canby Area Transit circulator was up and running. If the buses were late, she encouraged people to check on social media. The Oregon Film Trail Plaque Dedication would be held on October 29 at Eco Park. She welcomed King's Farm to Table to Canby. She had concerns about the new park in the Riverside 3/Ivy Ridge development.

Mayor Hodson would be talking to staff about those concerns.

Councilor Spoon suggested a discussion regarding the process for appointing Committee members.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Mr. Archer reported on the Park and Recreation Master Plan process. The City had entered into a contract with GreenPlay for the Plan. The Park and Recreation Advisory Board was the citizens steering committee for the project. He explained the first public opinion survey had been sent out to 3,500 citizens and they got a 16% response. The next public opinion survey was going to be an open website link for all citizens. The level of service analysis had been completed. The consultant had been meeting with staff regarding park maintenance and operations. This work would be completed by January/February when a final report would be presented to the Board and Council.

Mayor Hodson said compared to other cities, Canby rated high for developable park land but below average for actual developed park land. There were two sections of the City without parks, north and northeast Canby.

Councilor Parker would like recommendations from the consultants, Board, and Mr. Archer for an action plan to implement this work.

Councilor Spoon suggested a discussion on advancing the dog park project which had been in the process for a long time.

Mr. Archer gave an update on the Quiet Zone/Archway project. Construction was occurring at the railroad crossings. Elm Street would be completed by the end of this month. Footings for the arch were being installed. The arch had already been constructed and would be galvanized. Staff was looking into placing time capsules into the foundation of the arch. He discussed FEMA recovery money for the ice storm and tree removal at Wait Park. He announced the Downtown Trick or Treat event on October 31.

**CITIZEN INPUT:** None

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Approved Ordinance 1562 and 1563 to come up for second reading on November 3, 2021.
3. Adopted Ordinances 1560 and 1561.

Mayor Hodson adjourned the meeting at 9:48 p.m.

Melissa Bisset  
City Recorder

Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood



# City of Canby

PO Box 930  
222 NE 2nd Ave  
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Phone: 503.266.4021  
Fax: 503.266.7961  
www.canbyoregon.gov

## City Council Staff Report

DATE: December 1, 2021  
TO: Honorable Mayor Hodson and City Council  
THRU: Scott Archer, City Administrator  
FROM: Melissa Bisset, HR Director/ City Recorder  
ITEM: Appointment to the Planning Commission

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### Summary

Jason Taylor resigned from the [Planning Commission](#) creating a vacancy. James Hieb was appointed on March 3, 2021 to fill Mr. Taylor's unexpired term. That term expires on December 31, 2021. Mr. Hieb would like to continue to serve on the Planning Commission.

### Background

The Planning Commission was established through Resolution No. 740 and acts as a hearing body for land development applications and recommending body, giving advice to the City Council on a variety of subjects relating to the growth and development of the Canby area. The Commission is made up of seven members who serve three year terms.

### Attachments

Application of James Hieb.

### Fiscal Impact

None.

### Options

1. Appoint James Hieb to the Planning Commission for a term that expires on December 31, 2024.
2. Take no action.

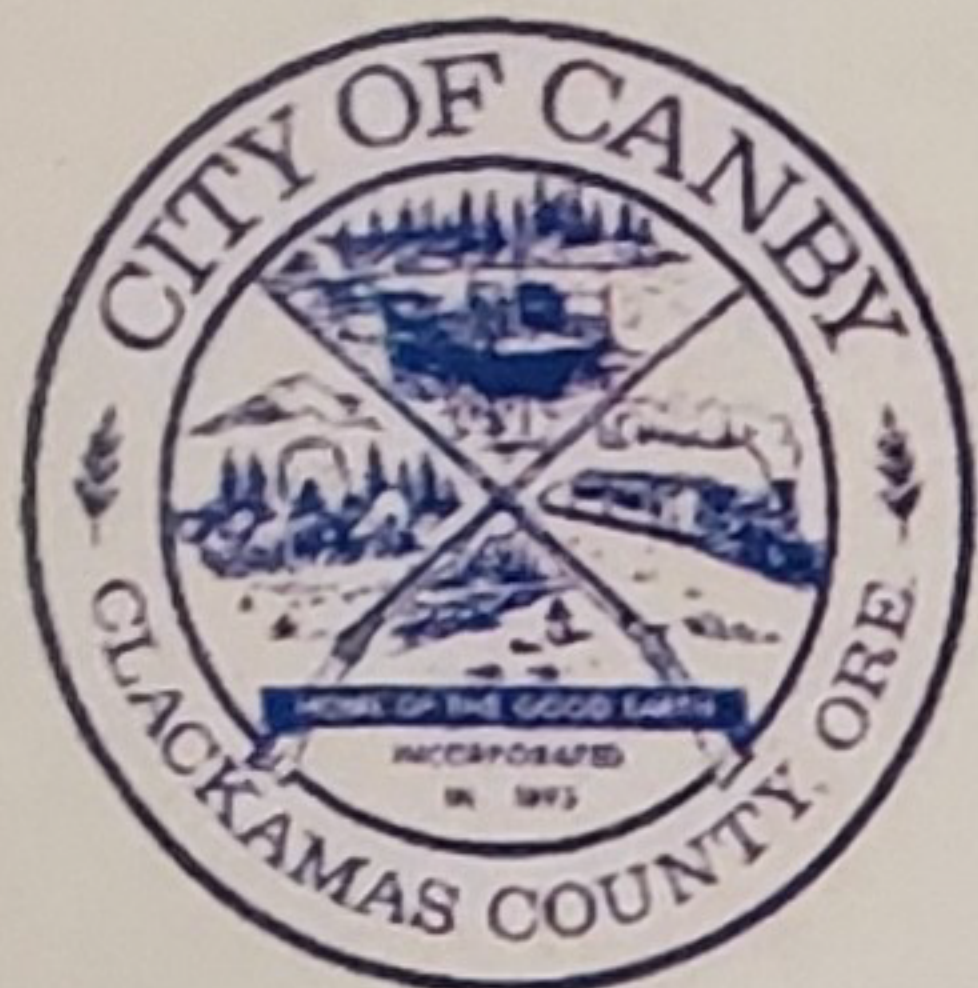
### Recommendation

Appoint James Hieb to the Planning Commission.

### Proposed Motion

This appointment is under the consent agenda and one motion will be made to approve the consent agenda unless this item is moved off of the consent agenda for discussion.





**CITY OF CANBY  
COMMITTEE, BOARD, &  
COUNCIL APPOINTMENT APPLICATION**

Date: 11-9-2020 Position Applying For: Planning Commission  
Name: James Hieb Occupation: Director/teacher  
Home Address: 969 N Birch St  
Employer: Building Blocks ELC Position: Director  
Daytime Phone: [REDACTED] Evening Phone: \_\_\_\_\_  
E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)? \_\_\_\_\_  
Elected Precinct Committee Person #124-NCANBY, HD39 vice chair,  
YRO-treasurer, VFW-trustee

What are your major interests or concerns in the City's programs? Canby is  
growing at a fast rate, I want to  
be able to be part of the planning process

Reason for your interest in this position: I have a desire to  
serve my hometown of Canby

Experience and educational background: I have a background with  
developing property through my Grandfather's Business.  
I have an AAOT & ASOT

List any other City or County positions on which you serve or have served: voter  
Precinct 124 - N Canby.

Referred by (if applicable): \_\_\_\_\_

**Please return to:**

**City of Canby - Attn: City Recorder**  
**PO Box 930, 222 NE 2nd Avenue, Canby, OR 97013**  
**Phone: 503.266.0733 Fax: 503.266.7961 Email: [bissetm@canbyoregon.gov](mailto:bissetm@canbyoregon.gov)**

**Note: Information on this form may be available to anyone upon a Public Records Request and may be viewable on the City's web page.**

10/2019

Date Received: \_\_\_\_\_ Date Appointed: \_\_\_\_\_ Term Expires: \_\_\_\_\_  
Date Resigned: \_\_\_\_\_ Destruction Date: \_\_\_\_\_





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## City Council Staff Report

DATE: December 1, 2021  
TO: Honorable Mayor Hodson and City Council  
THRU: Scott Archer, City Administrator  
FROM: Melissa Bisset, HR Director/ City Recorder  
ITEM: Appointment to the Transit Advisory Committee

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### Summary

There are currently two vacancies on the [Transit Advisory Committee](#). The vacancies have been advertised and one application was received. Chair Carol Luce interviewed the applicant.

### Background

The Transit Advisory Committee was established through Resolution No. 790 in 2002. It assesses transportation needs, acts in an advisory capacity to the Transit Director, promotes and educates the public regarding the acceptance and usage of the transit system and special problems associated with the use of the system by youth, elderly and disabled citizens. The Commission is made up of seven members who serve three year terms.

### Attachments

Application Bryan Peterson.

### Fiscal Impact

None.

### Options

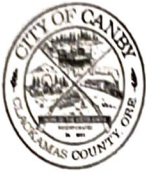
1. Appoint Bryan Peterson to the Transit Advisory Committee.
2. Take no action.

### Recommendation

Chair Carol Luce and Council Liaison Sarah Spoon recommend the appointment Bryan Peterson to the Transit Advisory Committee for a term that will expire on March 31, 2024.

### Proposed Motion

This item is under the consent agenda and one motion will be made to approve the consent agenda unless this item is moved off of the consent agenda for discussion.



**CITY OF CANBY  
COMMITTEE, BOARD, &  
COUNCIL APPOINTMENT APPLICATION**

Date: 10/7/2021 Position Applying For: Transit Advisory Committee  
Name: Bryan H. Peterson Occupation: Corrections  
Home Address: [REDACTED] Canby, Or. 97013  
Employer: Oregon Department of Corrections Position: Correctional Corporal  
Daytime Phone: [REDACTED] Evening Phone: (503) 266-2417  
E-Mail Address: [REDACTED]

What are your community interests (committees, organizations, special activities)? I am a volunteer for Canby BSA Troop 882 for the last seven years.

What are your major interests or concerns in the City's programs? I am concerned about the city of Canby's long term well being as well as the future growth of the city. I am interested in this position because public transit is very important to the short and long term health of our community.

Reason for your interest in this position: To give back to the community and be of public service. Learn more about the city of Canby and help with the long term development of our city. I feel like I think outside of the box and can bring new ideas to the transit advisory committee.

Experience and educational background: I have worked retail and customer service for over 18 years. I currently working for the Oregon Department of Corrections and have been there for the last 14 years. I have an associates degree from CCC and Bachelor of Science from PSU.

List any other City or County positions on which you serve or have served: N/A.

Referred by (if applicable): N/A.

**Please return to:**

*City of Canby - Attn: City Recorder  
PO Box 930, 222 NE 2nd Avenue, Canby, OR 97013  
Phone: 503.266.0733 Fax: 503.266.7961 Email: [bissetm@canbyoregon.gov](mailto:bissetm@canbyoregon.gov)*

**Note: Information on this form may be available to anyone upon a Public Records Request and may be viewable on the City's web page.** 10/2019

Date Received: \_\_\_\_\_ Date Appointed: \_\_\_\_\_ Term Expires: \_\_\_\_\_  
Date Resigned: \_\_\_\_\_ Destruction Date: \_\_\_\_\_



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## City Council Staff Report

DATE: December 1, 2021  
TO: Honorable Mayor Hodson and City Council  
THRU: Scott Archer, City Administrator  
FROM: Erik Forsell, AICP – Associate Planner  
RE: Written Summary and Findings for Annexation and Zone Change; City File ANN 21-01 and ZC 21-02 and Second Reading of Ordinance 1566

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### Summary

The subject property is generally located in the southern portion of the City, bordering the Mollala River and the Urban Growth Boundary to the south and S Ivy Street to the west. The proposed annexation area is a ±42.5 acre tract consisting of three tax lots.

The Planning Commission held a regularly scheduled and duly noticed public hearing on October 11, 2021 to consider an annexation and zone change for a tract of land described in the legal description and survey included as Attachment A to this staff report.

At the public hearing on October 11, 2021, the Planning Commission moved to recommend the City Council approve the annexation and zone change application (City File ANN 21-01 / ZC 21-02) by a unanimous 5/0 vote with one member absent and one position vacant.

At the public hearing on November 17, 2021, the City Council approved this application, which annexes approximately ±42.5 acres of land into the city limits of Canby and concurrently rezones that land as R-1 Low Density Residential and R-1.5 Medium Density Residential consistent with the underlying Comprehensive Plan map designations.

### Discussion and Findings

The City Council at their duly noticed meeting held a public hearing to consider ANN 21-01 and ZC 21-02 which are annexation and rezone requests for the subject property identified below:

REAL PROPERTY DESCRIBED AS A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 3, THE NORTHEAST ONE QUARTER OF SECTION 4, AND THE SOUTHEAST ONE QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON ALSO IDENTIFIED AS CLACKAMAS COUNTY ASSESSOR'S MAP AND TAX LOTS 41E03 02300, 41E04D 01200, AND 41E04D 01300. **[Refer to Attachment A for Legal Description and Ordinance]**

The City Council reviewed the packet, Planning Commission recommendations, and heard testimony from the public, applicant and staff. The City Council deliberated and discussed the

specific components of the project such as the park dedications, sewer system, decision criteria and asked questions of staff and parties providing testimony. Ultimately, the Council found that the proposed Annexation and Zone Change ANN 21-01 and ZC 21-02 met the applicable approval criteria, specifically Chapter 16.54 – Amendments to the Zoning Map and Chapter 16.84 – Annexations of the Canby Municipal Code.

After the conclusion of the public hearing, the City Council moved to approve Ordinance 1566 and to proclaim annexation of the real property into the corporate limits of the City of Canby with a concurrent change of zoning to be consistent with the City of Canby Comprehensive Plan Map.

### **Options**

1. Move to accept the Planning Commission's recommendation and approve the annexation and zone change via the second reading of Ordinance 1566.
2. Move to accept the Planning Commission's recommendation and approve the annexation and zone change via the second reading of Ordinance 1566 and modify the conditions of approval.
3. Move to reject the Planning Commission's recommendation and deny the annexation and zone change.

### **Attachments**

1. Ordinance 1566 and Legal Description of Property to be Annexed

## **ORDINANCE NO. 1566**

**AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 42.5 ACRES OF REAL PROPERTY DESCRIBED AS A TRACT OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 3, THE NORTHEAST ONE QUARTER OF SECTION 4, AND THE SOUTHEAST ONE QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON ALSO IDENTIFIED AS CLACKAMAS COUNTY ASSESSOR'S MAP AND TAX LOTS 41E03 02300, 41E04D 01200, AND 41E04D 01300. THIS ORDINANCE ALSO CONCURRENTLY AMENDS THE EXISTING COUNTY ZONING FROM EXCLUSIVE FARM USE (EFU) TO CITY LOW DENSITY RESIDENTIAL (R-1) AND MEDIUM DENSITY RESIDENTIAL (R-1.5) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS.**

**WHEREAS**, on November 17, 2021, at a public hearing the City Council of the City of Canby approved by a vote of seven to zero, Annexation (ANN 21-01 and ZC 21-02) which called for the annexation of approximately ±42.5 acres of real property and public right-of-way into the City of Canby. A complete legal description and survey map which delineates the property to be annexed is attached hereto as Exhibit A and by this reference is incorporated herein; and

**WHEREAS**, Pursuant to CMC 16.84.080, the City must proclaim by ordinance or resolution, the annexation of said property into the City and set the boundaries of the property by legal description; and

**WHEREAS**, an application was filed by the applicant, Pahlisch Homes, to annex the real property and right-of-way identified in Exhibit A and bring said real property and right-of-way into the City's jurisdiction as previously negotiated with Clackamas County and included in an Inter-Governmental Agreement (IGA) adopted by the Canby City Council on December 5, 2018 as Resolution No. 1306; and

**WHEREAS**, a public hearing was conducted by the Canby Planning Commission on October 11, 2021 after public notices were mailed, posted and published in the Canby Herald, as required by law; and

**WHEREAS**, the Canby Planning Commission heard and considered testimony regarding the annexation as described by Figure 16.84.040 and Chapter 16.84 of the Land Development and Planning Ordinance at the public hearing and at the conclusion of the public hearing; the Planning Commission moved to recommend that the City Council approve the application; and

**WHEREAS**, the Canby City Council considered the matter and the recommendation of the Planning Commission following a public hearing held at its regular meeting on November 17, 2021; and

**WHEREAS**, the Canby City Council, after considering the applicant's submittal, the staff

report, the Planning Commission’s hearing record and their recommendation documented in their written Findings, Conclusions and Order, and after conducting its own public hearing; voted to approve the annexation; and

**WHEREAS**, the written Findings, Conclusions and Order of the Council action is to be approved by the City Council at the next regular Council meeting on December 1, 2021; and

**NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1. It is hereby proclaimed by the City Council of Canby that ±42.5 acres of real property described, set, and shown in Exhibit A and attached hereto, is annexed into the corporate limits of the City of Canby, Oregon.

**SUBMITTED** to the Council and read the first time at a regular meeting thereof on November 17, 2021 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter, and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on December 1, 2021, commencing at the hour of 7:30 PM at the Council Meeting Chambers located at 222 NE 2<sup>nd</sup> Avenue, Canby, Oregon.

\_\_\_\_\_  
Scott Archer, City Administrator

**PASSED** on the second and final reading by the Canby City Council at a regular meeting thereof on December 1, 2021 by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Brian Hodson  
Mayor

\_\_\_\_\_  
Melissa Bisset, CMC  
City Recorder



AKS ENGINEERING & FORESTRY, LLC  
 12965 SW Herman Road, Suite 100, Tualatin, OR 97062  
 P: (503) 563-6151 F: (503) 563-6152

AKS Job #8659

OFFICES IN: TUALATIN, OR - VANCOUVER, WA - KEIZER, OR - BEND, OR

## EXHIBIT A

### City of Canby Annexation

A tract of land located in the Southwest One-Quarter of Section 3, the Northeast One-Quarter of Section 4, and the Southeast One-Quarter of Section 4, Township 4 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, and being more particularly described as follows:

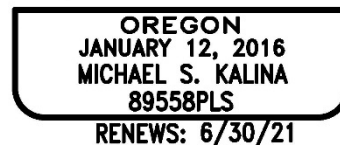
Beginning at the southwest corner of the plat of "Tofte Farms No. 4", also being on the southerly right-of-way line of SE 17<sup>th</sup> Avenue (20.00 feet from centerline) and the City of Canby city limits line; thence along said southerly right-of-way line and along said city limits line, South 88°14'35" East 1338.14 feet to the east line of the Southwest One-Quarter of the Southwest One-Quarter of said Section 3 and the Urban Growth Boundary line; thence leaving said city limits line and along said east line and the Urban Growth Boundary line, South 02°12'27" West 747.37 feet to the bluff line above the Molalla River; thence along said bluff line and continuing along said Urban Growth Boundary line, South 53°58'19" West 24.68 feet; thence continuing along said bluff line and continuing along said Urban Growth Boundary line, South 71°11'47" West 68.53 feet; thence South 75°44'05" West 206.36 feet; thence South 80°33'57" West 89.57 feet; thence North 63°30'17" West 27.56 feet; thence South 80°55'51" West 121.20 feet; thence South 85°28'52" West 69.30 feet; thence South 75°37'52" West 60.93 feet; thence South 78°50'11" West 92.16 feet; thence South 69°27'03" West 75.81 feet; thence South 66°28'24" West 109.14 feet; thence South 71°31'23" West 55.33 feet; thence South 87°47'54" West 128.12 feet; thence South 82°34'09" West 146.78 feet; thence South 80°54'28" West 115.99 feet to the west line of the Southwest One-Quarter of said Section 3; thence along said west line and leaving said Urban Growth Boundary line, North 02°05'46" East 734.71 feet to the northerly line of Document Number 2016-080178; thence along said northerly line, North 87°20'55" West 1257.94 feet to the easterly right-of-way line of S Ivy Street (30.00 feet from centerline) and the City of Canby city limits line; thence along said easterly right-of-way line and said city limits line, North 02°02'31" East 494.26 feet to the southerly right-of-way line of SE 16<sup>th</sup> Ave (variable width right-of-way); thence along said southerly right-of-way line and continuing along said city limits line, South 87°26'37" East 1258.39 feet to the west line of the plat of "Tofte Farms"; thence along said west line and the west line of the plat of "Tofte Farms No. 4" and continuing along said city limits line, South 02°05'46" West 165.19 feet to the Point of Beginning.

The above described tract contains 42.5 acres, more or less.

04/16/2021



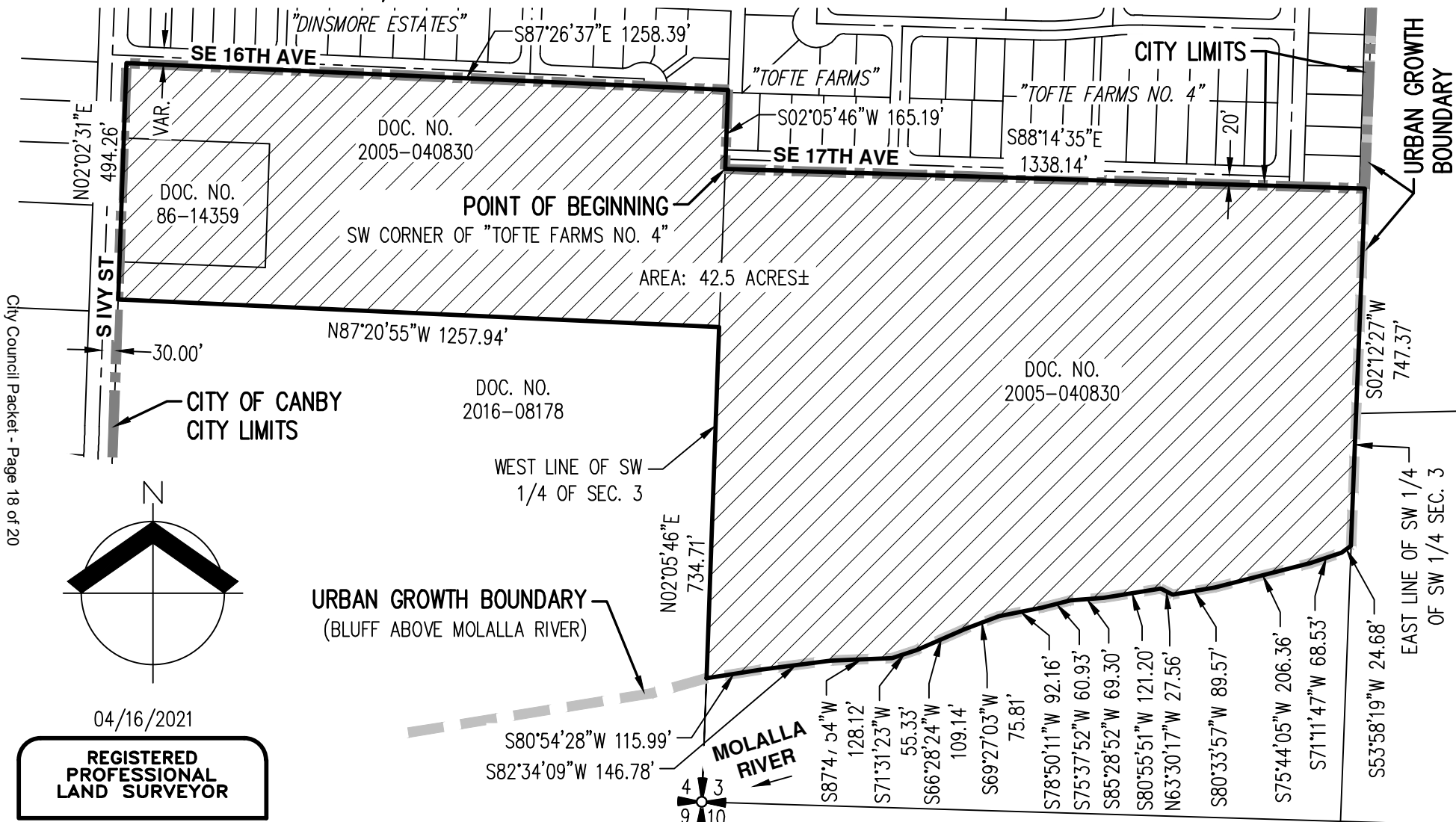
*Michael S. Kalina*



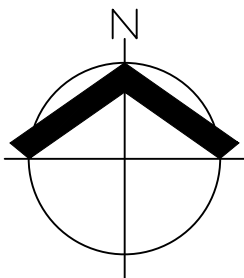


# EXHIBIT B

A TRACT OF LAND LOCATED IN THE SW 1/4 OF SEC. 3, THE NE 1/4 OF SEC. 4, AND THE SE 1/4 OF SEC. 4, T4S, R1E, W.M., CLACKAMAS COUNTY, OREGON



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04/16/2021

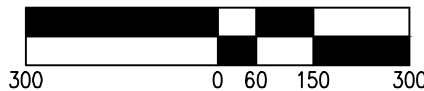
**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**

*M. S. Kalina*

**OREGON  
JANUARY 12, 2016  
MICHAEL S. KALINA  
89558PLS**

**RENEWS: 6/30/21**

SCALE: 1" = 300 FEET



**TOFTE FARMS  
CITY OF CANBY ANNEXATION MAP**

AKS ENGINEERING & FORESTRY, LLC  
12965 SW HERMAN RD, STE 100  
TUALATIN, OR 97062  
503.563.6151 WWW.AKS-ENG.COM




EXHIBIT <b>B</b>
DRWN: MHJ
CHKD: MSK
AKS JOB: 8659



# City of Canby

PO Box 930  
222 NE 2nd Ave  
Canby, OR 97013

Phone: 503.266.4021  
Fax: 503.266.7961  
www.canbyoregon.gov

## City Council Staff Report

DATE: December 1, 2021

TO: Honorable Mayor Hodson and City Council

THRU: Scott Archer, City Administrator

FROM: Jamie Stickel, Economic Development Director + Communications Specialist

ITEM: Canby of Canby Dog Park

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### Summary

City of Canby staff will present information on the proposed Canby Dog Park on N. Territorial Road.

### Background

At the November 3<sup>rd</sup> City Council meeting, the Canby City Council had a robust discussion regarding the formation of a dog park on N. Territorial Road. The City Council discussed previous work that has been used to create the 2013 plan, as well as future funding, volunteer assistance, maintenance, and timelines.

City Council directed staff to prepare information for a discussion regarding the dog park and bring the topic back as an agenda item for a future meeting.

### Discussion

City staff will present information regarding the dog park which will include preliminary thoughts on how to carry out the vision of the dog park from the 2013 plan. The discussion will cover initial topics including land use, funding, maintenance, and design.

### Attachments

None.

### Fiscal Impact

None.

### Options

None.

**Recommendation**

None.

**Proposed Motion**

None.