

**CANBY CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 20, 1991**

Mayor Shawn P. Carroll presiding. Council members present: Keith Stiglbauer, Maureen Miltenberger, Terry Prince, Robert Smith and Walt Daniels. Absent: Scott Taylor.

Also present: Administrator Michael Jordan, Chief of Police Jerry Giger, Librarian Beth Saul, Public Works Director Rusty Klem, City Recorder Marilyn Perkett, Carol Meeuwsen, John Falkenstein, Becky Davis, Arden Eby, Kathy Usher and Carol Beck.

Mayor Carroll called the regular session to order at 7:30 p.m., followed by the flag salute and meditation.

**MINUTES OF PREVIOUS SESSION:** \*\*Councilman Daniels moved to approve as distributed the minutes of regular session February 7, 1991, seconded by Councilman Prince and approved 5-0.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** None presented.

**PROCLAMATION:** Mayor Carroll proclaimed the week of February 17-23, 1991, as PTA Week in the City of Canby and urged the citizens to become involved in this worthwhile organization.

**COMMUNICATIONS:** Community School Request - John Falkenstein addressed the Council regarding the Community School's request to hold their "Slice of Summer" program in Wait Park in July and August and access to City parking, as well as blocking off of Third and Fourth Avenues and Grant Street during performances. Carol Meeuwsen, Community School, reviewed the proposed programs: Curtis Salgado and the Stilettos, Conjunte Alegre, Carousel Theater, Johnny Limbo and the Lugnuts and Woody Hite Big Band.

The City Council gave unanimous approval, by consensus, to hold the Slice of Summer activities and commended the Community School and their proposal.

Walking Connection Club - Administrator Jordan read a letter from Phyllis Stuart of the Walking Connection Volkspport Club, thanking the City for the use of the Wait Park Gazebo and the pleasure they have in touring our City. The organization gave the City a check for \$100.00 to use for Wait Park maintenance.

Councilman Prince commented on the renovations at the Gazebo and what a nice job the Public Works crew did on this project.

**NEW BUSINESS:** Accounts Payable - \*\*Councilman Prince moved to pay accounts payable in the amount of \$120,110.99, motion seconded by Councilman Smith and approved by roll call vote, 5-0.

Administrator Jordan pointed out that the last payment on the 1971 water bonds were reflected on this accounts payable report.

**ORDINANCES & RESOLUTIONS:** Ordinance No. 855 - Administrator Jordan briefly reviewed the reasons for drafting this ordinance. In 1989, the Oregon State Legislature passed a bill requiring cities, as of January 1, 1991, make provisions to allow manufactured homes on residential single lots; the Council passed Ordinance 853 making manufacture

homes a "conditional use" on residential single lots; and staff was requested to draft an ordinance making the manufactured homes an "outright use".

Councilman Prince expressed concern regarding wording in the proposed ordinance referring to the 1976 HUD standards and felt that this would allow older manufactured homes in residential areas and would have an economic impact on lowering the value of homes in those residential area. Mr. Prince referred to the problems that Woodburn had in requesting that only new manufactured homes be allowed. Councilman Prince suggested that we revise Municipal Code Section 16.04.590, change the wording to "NEW STRUCTURES".

Councilman Stiglbauer asked if this would affect "stick built" homes too, and was told it would.

Rusty Klem said the ordinance that adopts the Uniform Building Code would also need to be amended regarding "new" structures. He also pointed out that some manufactured homes could be two years old and never have been lived in prior to purchase.

Councilman Stiglbauer questioned the provision in Ordinance 855, regarding bare metal siding and roofing and pointed out that stick built homes in Canby have metal roofing and siding. Mr. Stiglbauer also noted that the state would probably have to review any proposed changes made and questioned how long this would take and was informed it might be able to be done on the phone.

The general consensus of the Council was to request that staff prepare more information about the questions raised tonight regarding changes to the proposed Ordinance No. 855 and amendments to the zoning ordinance and UBC ordinance, returning to Council with this information.

**UNFINISHED BUSINESS: Pedestrian Bubbles** - Chief Giger requested input from the Council regarding design of pedestrian bubbles. About a year ago, pedestrian bubbles were placed at N.W. Second and Holly as an experiment and drew many comments and concerns before they were removed.

Councilman Stiglbauer said that his citizen contacts were concerned about the City spending money on projects of more priority.

Mayor Carroll said citizens had expressed to him that it was a waste of funds to spend money on the temporary bubbles; there was no need for them; they were too big; and business owners in the area were not contacted for their input, specifically regarding the maintenance of the bubbles.

Administrator Jordan explained that at this time we were requesting information regarding designs and whether they were be implemented or not depended on funding and politics.

Chief Giger felt that the experiment with the previous bubble for the protection of pedestrians and keeping traffic in the proper lanes was successful, however, the aesthetics were not ideal. Mr. Giger will return to Council with proposed designs at a later date.

**Design Review Board Liaison** - The Design Review Board needed the a City Council liaison to comply with the ordinance. \*\*Councilman Daniels moved to appoint Councilman Robert Smith as the liaison to the Design Review Board. Motion seconded by Councilman Stiglbauer and approved 5-0.

**OTHER REPORTS OR ANNOUNCEMENTS:** Administrator Jordan informed the Council of the February 28th Clackamas County Cities meeting in Gladstone and asked

those interested to inform the City Recorder.

Beth Saul reminded the Council that the Library is still taking "food for fines" until the end of the month.

Rusty Klem reported that the Birch Street Project is under way.

**ACTION REVIEW:** 1. Reviewing and amending ordinance regarding manufactured homes on single residential lots.  
2. Review designs for pedestrian bubbles.  
3. Robert Smith appointed liaison to Design Review Board.

Mayor Carroll reminded the Council of the March 2nd, Saturday, workshop at the library.

**\*\*Councilman Prince moved to go into Executive Session under ORS 192.660 (1)(e), to negotiate real property; (1)(h), to consult with counsel regarding pending litigation; and (1)(i), review and evaluate employment-related performance of a public employee. Motion seconded by Smith and approved 5-0.**

Mayor Carroll recessed the regular session at 8:20 p.m., to go into Executive Session. The regular session was reconvened in the Council Chambers at 9:15 p.m.

Councilor Prince inquired about an earlier suggestion of having various department heads appear at the Council meetings and at the end of the meeting give a progress report on their department budgets and projects. Mr. Jordan said he will look into implementing this on a basis of one department head per month.

Councilman Daniels asked what HB2550 referred to and was informed that it was the 232 page document on implementing Measure #5 and noted it was very confusing.

Mayor Carroll reminded Mr. Jordan of the recent OCTS involvement. Mr. Jordan told the Council that a committee meets every Monday, consisting of Jim Scharmota, Jerry Giger, Scott Nelson and Harry LeeKwai to set up some City promotional spots on Channel 5. They plan on producing 30-60 second spots for promotional items; 5-10 minutes departmental or personal profiles; and 20-30 minutes in-depth analysis on various subjects. Another plan is to work on producing a "Video Newsletter" which would play prior to each Council viewing. The newsletter adaptation will be an information program and they hope to have two prepared in advance of each month. Shooting will begin next week for the sample tape and the Council will get to view it sometime in March. Harry LeeKwai feels that the Video Newsletter concept could be a northwest awarding winning program in the cable industry.

Mayor Carroll adjourned the regular session at 9:30 p.m.

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**EXECUTIVE SESSION  
FEBRUARY 20, 1991**

Mayor Carroll presiding. Councilor's present: Stiglbauer, Prince, Smith, Miltenberger and Daniels. Absent: Taylor.

Also present: Administrator Jordan.

Mayor Carroll opened the executive session at 8:25 p.m., in the Police Department conference room.

ORS 192.660 (1)(i) - The Council discussed a personnel issue regarding public employee and setting policy or criteria.

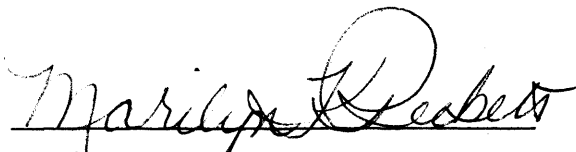
ORS 1192.660 (1)(h) - The Council discussed the litigation case regarding Willamette Green Phase II.

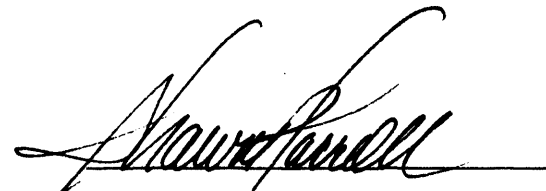
Council also discussed the pending Torgeson litigation case.

The Rinkes vs. City of Canby litigation was discussed by the Council.

ORS 192.660 (10)(h) - The Council discussed possible purchase of real property.

Mayor Carroll adjourned the regular session at 9:15 p.m.

  
Marilyn K. Perkett  
City Recorder

  
Shawn P. Carroll  
Mayor