

CANBY CITY COUNCIL

REGULAR MEETING

APRIL 5, 1989

(Televised live on Channel 5, starting at 7:30 p.m.)

Mayor Nancy Kopelk presiding. Council members present: Scott Taylor, Shawn Carroll, Keith Stiglbauer, Terry Prince, Robert Smith, and Walt Daniels.

Also present: Administrator Michael Jordan, City Attorney John Kelley, Police Chief Jerry Giger, Library Director Beth Saul, Public Works Director Rusty Klem, Swim Center Director Scott Nelson, City Recorder Marilyn Perkett, Marc Cornicchia, Jason Marquis, Jon Landery, Steve Rece, Scott Boyle, Jacob Taasevegin, Alice & Michael Percy, Paul & Carolyn Roth, Earl Oliver, Katherine Holt, R. Salandra, Jim McKibbin, Mitch Lies, Jean Warren, Dale Carter, Anne Braun and others.

Mayor Kopelk called the regular session to order at 7:00 p.m., and immediately recessed to a workshop session regarding citing an area for skateboarders to hold their activities.

Mayor Kopelk reconvened the regular session at 7:30 p.m., followed by the flag salute and meditation.

Roll call of the Council showed a quorum to be present.

**Councilman Daniels moved to approve as distributed the minutes of regular session, March 15, 1989, seconded by Councilman Carroll and approved unanimously.

CITIZEN INPUT ON NON-AGENDA ITEMS: Mayor Kopelk thanked Councilman Stiglbauer for accepting the "honor" of representing the City in the FFA Donkey Basketball game to be held as a fund raiser on Friday, April 7.

PROCLAMATIONS: Mayor Kopelk proclaimed the week of April 2-8, 1989, as Oregon Arbor Week. Administrator Jordan informed the Council that the City had planted about a dozen flowering plum trees in the Zion Memorial Cemetery which were donated by Jackie Beckworth.

Councilman Prince read a proclamation that he had read earlier in the day at Wait Park as Acting Mayor, proclaiming the week of April 2-8, 1989, as Week of the Young Child. Councilor Prince noted that the young children enjoyed the morning activities at Wait Park.

COMMUNICATIONS: Administrator Jordan read a letter from Doug Poppen, informing the City he did not wish to continue on the

City Budget Committee, however, he did thank the City for that opportunity and specifically praised the City Council for their role in making "Canby such a wonderful community to raise a family in".

Councilor's Prince and Carroll thanked everyone for supporting the City Budget and voting for the two year special levy.

NEW BUSINESS: **Councilman Carroll moved to approve payment of accounts payable in the amount of \$43,983.39, seconded by Councilman Daniels and approved 6-0, by roll call vote.

ORDINANCES & RESOLUTIONS: The Council first considered a resolution which is a "housekeeping" annual process for accepting certain taxes. **Councilman Carroll moved to adopt Resolution No. 421, A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET REQUIREMENTS TO RECEIVE REVENUES FROM CIGARETTE, GAS AND LIQUOR TAXES. Motion seconded by Councilman Taylor and approved 6-0.

Ordinance No. 828, another annual "housekeeping" document was introduced for first reading. **Councilman Daniels moved that Ordinance No. 828, AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES FOR 1989-90 FISCAL YEAR, be posted and come up for final action on April 19, 1989. Seconded by Councilman Carroll and approved unanimously.

The next two ordinances were drafted to amend the Municipal Code in regards to sign regulations. Mayor Kopelk suggested dealing with each separately.

**Councilman Prince moved that Ordinance No. 829, AN ORDINANCE AMENDING THE CANBY MUNICIPAL CODE, SECTION 15.04.10, REGARDING THE CONSTRUCTION OF SIGNS, AND DECLARING AN EMERGENCY be posted and come up for second reading on April 19, 1989. Motion seconded by Councilman Carroll and approved 6-0.

Rusty Klem noted that the Ordinance No. 830, amending title 16 of the Municipal Code, had been drafted after several public hearings by the Planning Commission and forwarded to the Council with their recommendations.

Councilman Prince questioned the "nonconforming sign" section, specifically about paper signs in windows. Bob Godon, Building Official, said that the Uniform Building Code has provisions that govern temporary signs and sets a time limit of not to exceed sixty days. The Council next discussed outside "banners", and it was noted that only signs in windows are considered temporary, and any outside signs, such as banners, will be governed by the new sign permit requirements.

The Council next discussed the scenario of a nonconforming sign being eliminated through no fault of the owner, could it be replaced as a nonconforming sign. Attorney Kelley pointed out that the Planning Commission had an unusual compromise on this, because usually once a nonconforming sign was gone, it could not be replaced as such for any reason. However, Section 15.52.040,

makes provisions for the Planning Commission to review the request and make the decision to replace a nonconforming sign .

Councilman Prince pointed out that the primary reason for making the sign regulation changes to the Municipal Code was for public safety reasons.

****Councilman Daniels moved that Ordinance No. 830, AN ORDINANCE AMENDING PROVISIONS OF TITLE 16 OF THE CANBY MUNICIPAL CODE REGARDING CONSTRUCTION, MAINTENANCE, ENFORCEMENT, AND PENALTIES FOR SIGN REGULATION AND DECLARING AN EMERGENCY, be posted and come up for second reading on April 19, 1989. Seconded by Councilman Taylor and approved 6-0.**

UNFINISHED BUSINESS: The Council next considered appointments for two positions on the City Budget Committee. ****Councilman Daniels moved to re-appoint Sue Cox to another three year term on the City Budget Committee, seconded by Councilman Prince and approved unanimously.**

****Councilman Carroll moved to appoint Rick Kauffman, who lives on S.W. Sixth and is the owner of Kauffman Woodworking, to a three year term on the City Budget Committee. Motion seconded by Councilman Daniels and approved unanimously.**

OTHER REPORTS OR ANNOUNCEMENTS: Councilor Carroll questioned the progress of the Cemetery Committee. Rusty Klem noted that the architect has the rough drafts of the mausoleum about ready for review of the committee.

Chief Giger informed the Council that the City would be on the County Commission agenda for tomorrow regarding a forfeiture in the amount of \$5,000.

Administrator Jordan requested that staff be given permission to proceed with advertising and the selection process for a City Planner, it was approved.

Library Director Saul informed the Council that next week is National Library Week.

ACTION REVIEW: 1. Letters to both past and future City Budget Committee members.

2. Post ordinances for second reading.

****Councilman Taylor moved to go into Executive Session under ORS 192.660 (1)(a), (1)(e) and (1)(h), seconded by Councilman Prince and approved 6-0.**

Mayor Kopelk recessed the regular session at 8:32 p.m., to go into Executive Session. The regular session was reconvened at 10:20 p.m. and immediately adjourned.

EXECUTIVE SESSION

APRIL 5, 1989

April 5, 1989

Mayor Kopelk presiding. Councilors present: Carroll, Prince, Taylor, Smith, Stiglbauer, and Daniels.

Others present: Administrator Jordan, Attorney Kelley, and for the first part of the session, Librarian Saul, Jean Warren, Dale Carter and Anne Braun.

Mayor Kopelk called the regular session to order at 8:50 p.m.

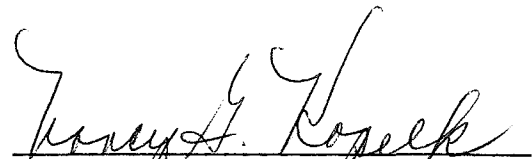
The first part of the session was under ORS 192.660 (1)(e), regarding negotiations on real property. Councilman Daniels excused himself from this portion of the session due to a conflict of interest. The Council discussed a possible future public library site. Following this discussion Saul, Warren, Carter and Braun left the meeting.

The next discussed items was under ORS 192.660 (1)(h), regarding possible litigation on the Torgeson case. Attorney Kelley left the meeting at the end of this discussion.

The final item under ORS 192.660 (1)(a), was the consideration of hiring a consultant, Arnie Winkler, for goal setting purposes.

Mayor Kopelk adjourned the Executive Session at 10:20 p.m.


Marilyn K. Perkett, City Recorder


Nancy G. Kopelk, Mayor