

ORDINANCE NO. 165

AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN TERRITORY; DESPENSING WITH CITY ELECTION ON THE QUESTION; FIXING A DAY FOR PUBLIC HEARING; AND DIRECTING THAT NOTICE BE PUBLISHED AND POSTED. DELCARING AN EMERGENCY.

THE PEOPLE OF THE CITY OF TROUTDALE DO ORDAIN:

Whereas, there has been submitted to the City of Troutdale a written proposal for annexation to the City by more than two-thirds of the landowners who also own more than two-thirds of the land in the contiguous territory described below which real property therein represents more than two-thirds of the assessed value of all real property in the contiguous territory to be annexed; and

Whereas, the City charter does not expressly prohibit the City from dispensing with submitting the question of annexation to the registered voters of the City; now therefore,

Section 1. Annexation Area. It appears to be in the best interest of the City of Troutdale that the following described contiguous territory be annexed;

Section 2. ANNEXATION WITHOUT ELECTION. The Common Council of the City of Troutdale does hereby elect to dispense with submitting the question of annexation to an election by the registered voters of the City of Troutdale as authorized by ORS 222.120

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Section 3. PUBLIC HEARING. That a public hearing on the question of annexation shall be held at the City Hall of the City of Troutdale on Tuesday July 13, 1971, at 7:00 P.M. at which time the registered voters of the City of Troutdale may appear and be heard on the question of annexation

Section 4. NOTICE OF HEARING. The City Recorder shall give notice of the hearing by publication once each week for two successive weeks prior to the day of said hearing in the Gresham Outlook, a newspaper of general circulation within the City. The City Recorder shall further cause notice of this hearing to be posted in four public places within the City for a like period of time.

Section 5. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of the people of the City of Troutdale in the judgment of the Common Council, now, therefore, an emergency is hereby declared to exist and this Ordinance shall be in force and effect from and after its passage by the Common Council of the City of Troutdale and its signing by the Mayor.

PASSED BY THE COMMON COUNCIL of the City of Troutdale  
this 15 day of July 1971

YEAS: 5

NAYS: 0

Signed by the Mayor this 15<sup>th</sup> day of June 1971.

G. L. Wright  
Mayor

ATTEST:

Recorder; /s/ Truly V. Wright

Ordinance No. \_\_\_\_\_

June 15, 1971

A special meeting was called by Mayor Otto, June 15, 1971, at 7:30 P.M. in the Council Chambers of the City Hall.

Purpose of the meeting to discuss annexation of the East Sandy River and the Sweet Briar Farm and other City business.

Roll: Mayor Otto, Councilmen, Harold Estes, Alfred Stoeckel, Deane Davis, Frank Simons and Marshall Blackwell. City attorney, Vernon Cook, City employees, George Phoenix, Roy Dooley and Bernadine Semon.

Mayor Otto called the meeting to order at 7:35 P.M.

Mayor Otto read the following letters:

Letter to Environmental Protection Agency from CH2M, stating that the necessary easements for the proposed Beaver Creek Sewer is acquired and that the City is in a position to proceed with the project.

It gave the following schedule for completion.

Complete Design	August 13, 1971
Advertise for Bids	September 1, 1971
Start Construction	October 1971
Finish Construction	April 1972.

Century 21 Homes, Inc. by the President David L. Oringdulph, stating that their Company has ask for a large share of building homes in the Sweet Friar Farm, told of the number of homes they have built in the east Multnomah County and the Gresham Area this past year.

United Homes Corporation sent a letter stating that they felt that the Seweet Briar Farm is ideal place for immediate future development into residential home sites, due to being in the area of the Mt Hood Community College. That they had been in contact with Leavitt Brothers regarding their time schedule as to the availability of lots, since they are interested in being part of this development.

Letter from State of Oregon Department of Environmental Quality, from Fred M. Bolton, in regard to serving the parks of Lewis & Clark and Dalney Park with sewage disposal facilities. He stated that they feel that a sewer system would be beneficial in preventing and alleviating any existing or future problems with septic tanks and drainfield system which they have. He also told of immediate area of concern, Springdale has severe soil limitations, and several existing subsurface disposal systems do not function properly. If a sewer system is designed and constructed along the bank of the Sandy River the inter-ceptor should be designed to handle the Springdale Area. The Corbett area may also be considered as a part of the sewer system.

A new Ordinance No. 165, was introduced and read in full for the first reading and twice by title by Mayor Glenn Otto. An Ordinance providing for the Annexation of Certain territory; dispensing with City election on the question; fixing a day for public hearing; and directing that notice be published and posted. Declaring an emergency.

Motion moved by Marshall Blackwell, That the City adopt Ordinance No. 165 to annex the Sweet Briar Farm. Deane Davis seconded, Motion carried. Yeas: 5 Nays: 0

Frank Simons asked to see the map of the farm. Mayor Otto explained the map to the Council, stated that there is 128 acres in the development.

A New Resolution for Annexation No. 18, was introduced and read by Mayor Otto.

A Resolution hereby respectfully petitions the Metropolitan Boundary Commission for annexation of land East of the Sandy River.

Discussion by the council on the area involved and the map of the area was reviewed. Attorney Cook said that the people had a right to call an election if they did not like the annexation.

Motion moved by Harold Estes, That the Council adopt Resolution No. 18, for annexation of land east of the Sandy River. Alfred Stoeckel seconded. Motion carried. Yeas: 5 Nays: 0

Mayor Otto stated that Ed Burnacci called k and he wants to hook on to the sewer but only had 1/8 inch per foot and this not enough drop to hook up. Stated he had paid Al Mauch for sewer work in the amount of \$60.00 but there was not sufficient drop even though the City did relocate the connection. Attorney Cook said that this was no legal matter for the City. CH2M made the mistake, and he said that they should send their claim to the engineers and have them settle it with their attorney or agent.

Frank Simons asked if 1/8" is enough fall.

Mayor Otto said he would check with CH2M and then they would decide and where they are at.

Mayor Otto said that the new Standard Oil Company station plan to open June 25th., They will have no water or sewer from the City but have a 10' well with drainage.

They have hired Shultz to pump and drain.

Mayor Otto asked the Council if they could pump into our manhole, that nothing but sewage should be dumped, Should the City charge them and they would need a City License, of \$15.00.

Marshall Blackwell said that the City should charge just for license and not for material dumped.

Mayor Otto asked if the Council approved and it was agreed by those present.

George Phoenix asked that a P.H. be run on it. It was agreed that this should be done.

Motion moved by Marshall Blackwell, That Shultz pay only for City License and that no sewer charge be made as there is not sewer to the property yet, provided it makes a P.H. test. That this be allowed until the City can provide sewer, or 3 month ~~xxxx~~ period.

Harold Estes seconded. Motion carried. Yeas: 4 Nays: 0

The easement for a pressure main from Farrella, Titz and Briece ~~and~~ discussed. Farrella does not want to negotiate and Tetz and Briece would charge the City for a 25' wide easement for 3 properties \$4500.00. This was discussed by the Council.

Attorney Cook said that the City could condemn the property and go ahead and hook sewer and discuss price later. That the City could get someone to appraise the property without charging a lot of money and the City has an easement through this property which has a legal ~~xxxxxxx~~ description. Then could offer to pay after appraisal.

Mayor Otto asked the Council what they thought of this.

Deane Dave asked if the City could give them an alternative.

Attorney Cook said that the City could offer him \$200.00, write a letter and give him seven days to reply and a copy of the appraisal, this to be a certified letter.

Marshall Blackwell asked Attorney Cook if there is a way to stop motor vehicles and motor bikes with no licenses and underage drivers.

Attorney Cook said the legislation by the City to prohibit motor cycles on property could be done. City might pass an Ordinance to prohibit them on private or public land unless they are licensed.

Mayor Otto asked Council for approval for time off from his work to take maps to Boundary Commission, to see about press conference and for time with engineers. This was approved by the Council members.

Attorney Cook explained the Preliminary Petition against City-County consolidation. The legal part was discussed, 20 days to appeal, 60 days to get petition in to Attorney General. Must be well organized to get it onto the Ballot.

Mayor Otto told of his meeting with Mr. Honeyman in regard to the Shop on the Bissinger property. He thought a rent of \$150.00 per month on both buildings, an easement on city property and also police patrol. Mayor to talk to Bissinger and ask about trading property.

Recorder to send letter to League of Oregon Cities for sample ordinance on Motor Bikes on private property be prohibited.

Harold Estes said he would like to buy the property from the City where he is living.

Marshall Blackwell Moved motion, That the meeting adjourn. Deane Davis seconded. carried. Meeting adjourned at 9:01 P.M.

*Burton Simon*  
Recorder - Pro Tem

*Glenn C. Otto*  
Mayor