



CITY OF TROUTDALE

AGENDA
CITY COUNCIL MEETING - COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060

7:00 P.M. -- JANUARY 10, 1989

(A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

(A) 2. OATH OF OFFICE:

Sam K. Cox, Mayor
Gene Bui
Harry Fowler
Sharlyn Jacobs

ELECTION OF COUNCIL PRESIDENT - 1989

(A) 3. CONSENT AGENDA:

- 3.1 Accept: Minutes of 12/13/88 - Regular Mtg.
- 3.2 Accept: Business License Report
- 3.3 Accept: Bills for month of December, 1988

(A) 4. PUBLIC COMMENT:

Please restrict comments to non-agenda items at this time.

(A) 5. RESOLUTION: Appointing Leslie A. Hauer as the City of Troutdale Building Official w/limited authority to issue citations Pursuant to ORS Chapter 455.150 - 1987 (Amended from 1986 ORS Chapter 456.800 - 1986)

(A) 6. RESOLUTION: Adopting Community Services Report Creating an LID to be known as the North Harlow Waterline Extension. LID No. 89- and Directing the Community Services Dept. to prepare or have prepared, plans and specifications.

(A) 7. MOTION: Authorize the Mayor to Enter Into A Renegotiated Lease

(A) 8. RESOLUTION: Amending Sideyard Easements From 5' to 3' -- Oakmont Subdivision

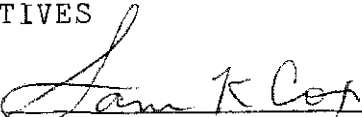
(A) 9. RESOLUTION: Supporting Extension of Light Rail
Glenn Otto

(A) 10. DEPARTMENT REPORTS:
Public Safety
Finance
Community Services
City Attorney
Executive

(A) 11. COUNCIL CONCERNS AND INITIATIVES

(A) 12. ADJOURNMENT.

EX(7.14)


Sam K. Cox, Mayor

M I N U T E S
TROUTDALE CITY COUNCIL MEETING
COUNCIL CHAMBERS
104 SE KIBLING AVENUE
TROUTDALE, OR 97060

JANUARY 10, 1989

ITEM #1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Cox called the meeting to order at 7:03 P.M.

Mayor Cox called on Councillor Schmunk to lead the Pledge of Allegiance.

Valerie Raglione, City Recorder, called the roll.

PRESENT: Bui, Burgin, Fowler, Jacobs, Schmunk, Thalsofer, Cox

STAFF: Christian, Gazewood, Raglione, Wilder, Raglione, Thomas, Jennings, Collier.

PRESS: Webb Reubal, Oregonian
Robin Franzen, Gresham Outlook

GUESTS: Mr. & Mrs. McRoberts, Mr. Claussen, Mr. & Mrs. Wiggins, Glenn Otto, Mrs. Fowler, Fritz Van Gent, Nancy Cox, Tori Cox

AGENDA UPDATE:

Christian stated that there were no updates.

ITEM #2. OATHS OF OFFICE:

Raglione, City Recorder, administered the oath of office to Mayor Sam Cox, Gene Bui, Harry Fowler, and Sharlyn Jacobs.

Mayor Cox asked if there were comments from Council regarding any of the items listed in the Consent Agenda. There were none.

MOTION: Burgin moved to approve the Consent Agenda. (Items 3.1 - Minutes of 12/13/88 regular Council meeting; 3.2 - Business License Report for December 1988; 3.3 - Bills for month of December 1988. Bui seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea, Schmunk - Yea; Thalsofer - Yea

ITEM #4 - PUBLIC COMMENT: None given.

ITEM #5 - RESOLUTION (APPOINTING LESLIE A. HAUER AS BUILDING OFFICIAL):

Mayor Cox read the resolution by title. Christian stated that Leslie Hauer could not be here tonight because she was attending another meeting.

MOTION: Bui Moved to adopt the resolution appointing Leslie A. Hauer as Building Official for the City of Troutdale. Schmunk seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM #6 - RESOLUTION (CREATION OF NORTH HARLOW WATERLINE L.I.D. NO. 89-001):

Mayor Cox read the resolution by title. Wilder introduced this item.

Wilder stated that the prepared report in the Council packet is not much different from the report submitted to the Council two years ago. There are changes due to the differences in dollar values, and there is an additional cost of \$1,000.00 (recently paid by the City) in application for railway crossing. Part of the \$1,000.00 is for construction and a permanent license to use the space under the railroad tracks. The resolution asks that Council set February 14th as the date for the public hearing on the L.I.D.

Mayor Cox called for questions from Council. None were given.

MOTION: Thalsofer moved to adopt the resolution. Bui seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM #7 - MOTION: AUTHORIZING MAYOR TO ENTER INTO A RENEGOTIATED LEASE WITH WASTEWATER MANAGEMENT:

Wilder stated that staff has been renegotiating with Wastewater Management for some time, and has reached the point in which staff is unable to make any more concessions or decisions regarding the

lease. Wilder stated that Wastewater Management had suggested changes to: Section 2 - Use of Premises; Section 3 - Term; Section 7 - Installation of Filtrate Metering & Pump Control; Section 8 - Discharge Limitations; Section 17 - Site Improvements; Section 21 - Insurance; and Section 26 - Assignment of Interest or Rights. (Refer to Wilder to Christian memo 12/28/88). Wilder asked Council to review the conditions set forth in the memo to Christian between now and the next Council meeting, and direct staff to modify the lease accordingly. Wilder stated that a December 31st deadline for design review compliance issues has not been met. Wastewater Management has met with Leslie Hauer to discuss them, but no application for changes has been received.

Schmunk asked Wilder if this means Wastewater Management is in violation of the lease?

Wilder stated that Wastewater Management is already in violation of the lease in regards to design review issues.

Schmunk asked Jennings if he had looked over the lease and if he had any problems with it.

Jennings stated that he had looked it over and stressed that the changes are actual policy statements that have to be made by Council on whether or not the City should give up a particular point in the lease, and they cannot be made at a staff level. Jennings stated that not only are the City's design review requirements part of the original lease as well as the new proposed lease, but they are also part of the conditions of approval of certain zoning changes made long ago.

Christian stated that she included the 12/28/88 memo from Wilder in the packet for clarification on the issues to be reviewed by Council as conditions for renegotiation of the lease. Christian stated that an executive session could be scheduled to further discuss the issues.

Bui voiced his support for an executive session.

Thalhofer asked what Council action is necessary to hold this item over for an executive session.

Wilder stated that no action is necessary as this item is informational only at this point.

Christian stated that the lease in the Council packet is complete with the exception of the items listed in Wilder's 12/28/88 memo, which were Mr. Saylor's response to the original lease. Christian stated that the staff could not make decisions on those items until Council gives directions to follow for negotiation. Christian stated that appropriate content for an executive session would be the discussion of options and the impact that they would have, but Council would still have to make the final decisions known in an open session.

Jennings stated, for clarification, that staff is asking Council to review each section outlined in Wilder's memo, and decide whether or not it should be included in the renegotiated lease, and maybe even prioritize the sections by which one(s) you feel most/least critical to be in the lease.

Mayor Cox set January 24th as the date for the executive session with Council concurrence.

ITEM #8 - RESOLUTION (AMENDING SIDEYARD EASEMENTS IN OAKMONT SUBDIVISION):

Mayor Cox read the resolution by title.

Christian introduced this item. Because of the narrow lot dimensions and the restrictions upon building within an easement, builders have indicated much difficulty in constructing homes in this subdivision. A reduction in the sideyard easements from five feet to three feet will allow for construction of a home of a basic construction width. The Uniform Building Code requires a minimum separation between residential buildings of not less than six feet. The City has no public utilities within these easement boundaries. All utilities are located within rights-of-way or other utility easements. The reduction of these easements will not violate these standards.

Schmunk asked how many lots in the subdivision would be involved?

Christian stated that there are 48 lots in the subdivision and all of the lots would be affected. Part of the subdivision's lots already have single-family houses on them that are less than standard width. The lots were designed to have two houses sharing the lots.

Wilder stated that the new Development Ordinance has removed the easement requirement between each lot on every subdivision plat the City does, and preserves those easements only when they are needed. There are a few easements preserved in Oakmont that either have existing walkways/pedestrian pathways, or program projections for easement needs.

Bui asked if this ordinance, if approved, would cause the City to have to deal with future subdivisions requesting to do something similar?

Wilder - No. Easements at every lot line are not required.

MOTION: Bui moved to adopt the resolution reducing the sideyard easements from five feet to three feet in Oakmont Subdivision. Burgin seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #9 - RESOLUTION (SUPPORTING EXTENSION OF LIGHT RAIL SYSTEM):

Mayor Cox read the resolution by title and called on Senator Glenn Otto to introduce this item.

Senator Otto stated that after receiving numerous comments and requests to have Light Rail extended, he has presented a resolution to Mt. Hood Community College Board, City of Gresham, City of Fairview's City Council, City of Wood Village's Council, Multnomah Kennel Club, and Mt. Hood Medical Center, all of whom have passed the resolution, and hopes to have the City of Troutdale's support of the resolution as well. Senator Otto stated that a route has not been selected as yet, but ideas are being discussed. Senator Otto stressed that acceptance of the resolution does not mean that the City would be committing any money to Light Rail, just an expression of interest in and support of the project. Senator also stated that even with all the support given this project, no construction will be started for six to eight years or more.

Thalhofer expressed his support for the project.

Burgin expressed his opposition of the project.

Schmunk expressed her support for the project.

MOTION: Thalhofer moved to adopt the resolution supporting the extension of Light Rail. Schmunk seconded the motion.

YEAS: 5
(BURGIN) NAYS: 1
ABSTAINED: 0

Bui - Yea; Burgin - Nay; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

Christian announced that Mr. Bill Saylor of Wastewater Management had arrived and that he would like to make a statement.

Mr. Saylor apologised for his lateness. Mr. Saylor stated that the only thing he wanted to address was the application deadline for the site improvements. Mr. Saylor stated that he met with Wilder prior to the deadline and Wilder suggested that he meet with Leslie Hauer. Mr. Saylor stated that Leslie Hauer gave him until January 20th to submit the necessary application.

ITEM #10 - DEPARTMENTAL REPORTS:

Public Safety: Collier had nothing further to add to his report.

Thalhofer asked Chief Collier what, if any, security problems at Edgefield Manor have been experienced at this point?

Chief Collier stated that although there has been continued trespassing activity at Edgefield Manor, an alarm system has been installed which seems to have cut-down on the amount of trespassing citations issued.

Bui stated that since the new police chief has been here he has seen more police cars on patrol.

Finance Department: Gazewood had nothing further to add to his report.

Community Services: Wilder stated that the appraisal on Tax Lot 42, the 5.91 acres next to the sewage treatment plant, is available for review at the City Recorder's office. Wilder stated that at the January 9th East Multnomah County Transportation Committee meeting some discussion involved the I-84/U.S. 26 connection. Also discussed was the use of FAU (Federal Aid Urban) funds, which the City of Troutdale may request the use of. It was decided that the FAU monies would be set aside for a major regional project connecting the new interchange of 207th with Glisan or some other street in that location. Multnomah County is to submit a financial report showing how they planned to connect 207th over the next four years.

Christian stated that notification had been sent out to Reynolds School District regarding the L.I.D. for the CDBG projects (i.e., street improvements, curbs and sidewalks, and drainage in front of Troutdale Grade School). Christian stated that this could become an issue before Council's next meeting. Christian stated that \$70,000.00 to \$100,000.00 (after the City and CDBG contribution) was estimated as the School District's portion of the project.

City Attorney: Jennings stated that prosecutions have taken place in regards to tresspassers at Edgefield Manor. Jennings stressed that not all persons being arrested for trespassing there have bad records. Three current cases are young kids without previous records at all.

Executive Department: Nothing to add to report.

ITEM #11 - COUNCIL CONCERNS AND INITIATIVES:

Schmunk expressed her concern about the denial of McDonald's sign application. Schmunk stated that she would like to have "freeway oriented" section of the sign ordinance reviewed and/or amended.

Christian stated that McDonald's has submitted landscaping and construction plans for the restaurant, and that they intend to make an appeal to Council.

Schmunk stated that she would like to have the sign ordinance to be redone, and in the meantime grant McDonald's temporary approval to go ahead with their plans.

Christian stated that Council has the authority to send the Freeway Oriented Sign portion of the Sign Ordinance back to the Planning Commission with some direction as to how Council would like to re-word that section.

Jennings suggested that Council consider changing legislation without involving McDonald's, as McDonald's is working under some time constraints. If Council gets McDonald's involved in its legislative actions, it will unnecessarily delay the approval or denial of McDonald's request. He suggested that Council consider McDonald's request separately, and at the same time, direct staff to change the Freeway Oriented Sign section of the Sign Ordinance.

Mayor Cox called for any other concerns or comments of Council.

Christian stated that there was a Fire District 10 Board meeting on January 9, 1989. Discussion and clarification on Board's intent to pursue the plan of action. The Task Force presented their concerns to the Fire Board.

Mayor Cox called for a motion to elect a new Council President for 1989. Mayor Cox stated that Gene Bui has been Council President for the last three years.

MOTION: Schmunk moved to re-elect Gene Bui for Council President. Thalhofer seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #12 - ADJOURNMENT:

Burgin moved the adjourn the meeting. Bui seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea.

Meeting adjourned at 8:08 pm.



Sam K. Cox, Mayor

Dated: _____

February 15, 1989

ATTEST:

Christina Thomas

Christina Thomas
Deputy City Recorder

EXEC:5.9