



CITY OF TROUTDALE

AGENDA
TROUTDALE CITY COUNCIL MEETING
COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099

EXECUTIVE SESSION: 6:30 P.M.
CITY ADMINISTRATOR'S OFFICE

REGULAR MEETING
7:00 P.M. -- APRIL 24, 1990

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
2.1 Accept: Minutes of April 10, 1990
- (A) 3. PUBLIC COMMENT:
Please restrict comments to non-agenda items at this time.

Sharron Kelley: Presentation/County Farm Property
- (A) 4. APPROVE: FY 1990-91 Multnomah Cable Regulatory Commission Budget
- (A) 5. APPROVE Request For Proposals: Food Concessionaire Agreement - Community Park Christian
- (A) 6. APPROVE: Request For Proposals: Parking Concessionaire Agreement - Community Park Christian
- (A) 7. REPORT: Consideration of request by the Troutdale Historical Society for the City of Troutdale to Acquire the Troutdale Methodist Evangelical Church building and property (lots 1 and 3, Block 11, Troutdale 1st Addition, 302 SE Harlow St.) for Use by the Historical Society Cline
- (A) 8. MOTION: Awarding Engineering Agreement for Cereghino Farms
- (A) 9. MOTION: Additional Predesign Authorization/WWTP Expansion (Chlorine Stabilization)
- (A) 10. COUNCIL CONCERNS AND INITIATIVES
- (A) 11. ADJOURNMENT.



SAM K. COX, MAYOR

LEGAL2[48]

MINUTES
REGULAR CITY COUNCIL MEETING
TROUTDALE CITY HALL
COUNCIL CHAMBERS
104 SE KIBLING AVENUE
TROUTDALE, OR 97060

7:00 P.M. --- APRIL 24, 1990

ITEM #1 - PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE:

Mayor Cox called the meeting to order at 7:00 p.m. Mayor Cox called on Councilor Bui to lead the Pledge of Allegiance.

Mayor Cox called on City Recorder, Valerie Raglione to call the roll.

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

STAFF: Christian, Cline, Raglione, Chief Collier, Gazewood, Wilder

PRESS: Gresham Outlook - Dave Pinson
Oregonian - Eric Goransen Web Reubal

GUESTS: Robert Johnson, Ron Sherwood, Stephen Burgin, Sharon Nesbit, Robert Trachtenberg, Sally Wakeman, James Wakeman, C. Crocker, Kris DeSylvia, Don LaBarr, Herbert Wilson, Len Waggoner, John Ellingson, Rick Jones, Eric Sankey, Martha McBrayer, Bill Bradley, Alan & Jeana Marks

AGENDA UPDATE: Mayor Cox asked City Administrator, Christian if there were any agenda updates. Christian stated she had a couple of items she would cover at the end of the meeting.

ITEM #2 - CONSENT AGENDA: [Tape 1, Side 1 00:29]

Mayor Cox read the Consent Agenda items -- 2.1 Accept: Minutes of April 0, 990.

MOTION: Councilor Bui moved to approve the Consent Agenda. Councilor Burgin seconded the motion.

YEAS: 6 NAYS: 0 ABSTAINED: 0

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

ITEM #3 - PUBLIC COMMENT:

Mayor Cox called for public comment on non-agenda items.

Sharron Kelley: Presentation County Farm Property

Commissioner Kelley testified on clarifications on reasons of Multnomah County Board of Commissioners preference to use a request for offers procedure for the sale of the remaining Edgefield property rather than auction the property to the highest bidder. [Copy of testimony available-April 10, 1990 City Council packet.]

Mayor Cox thanked Commissioner Kelley for coming and speaking to the Council.

Commissioner Kelley stated that she would leave a copy of two reports that she used prior to making her decision. Robert Charles Lesser & Co. - Norris, Beggs & Simpson - Economic Overview of the Portland Metropolitan Area and Single Family Residential Demand Analysis - 1990; and a 1990 Regional Growth Conference put on by Metro Planning a Livable Future: Growth Strategies for the 21st Century. [Copies available - April 10, 1990 City Council packet.]

Councilor Thalsofer stated that although there may be differences of opinion on the issue, he knew her intentions were well intended. He stated that she had been involved in several issues: control of the library system in the County; promoting the jail levy; working on gun control; getting the PUD to a voting status for the people of mid-county; east county roads and transportation issues; homeless in east county; sophisticated court system in east Multnomah County.

Commissioner Kelley thanked the Council.

Mayor Cox called for additional comments from the audience.

Rod Crocker, 2627 SW Abbott Court. Crocker encouraged the Council and citizens with the leadership to follow the Comprehensive Plan. The ramifications of the County sale, Tri-Met and the County involvement - he wanted to encourage Council to stick to their guns. He stated he resented the County becoming involved in this as Big Brother -- maybe Troutdale is Little Brother in it -- but the community has the opportunity and responsibility to act for themselves. He encouraged Council to go in the direction they have been going on this.

There were no further comments.

ITEM #4: APPROVE Multnomah Cable Regulatory Commission Budget FY 90-91 [Tape 1, Side 1 12:25] Ron Sherwood

Ron Sherwood, Troutdale Representative to Multnomah Cable Regulatory Commission. Requesting approval for Cable Regulatory budget, Cable Access budget, Community Program budget. Sherwood stated that they had all been approved by the Cable Regulatory Commission and he was recommending Council approval.

Councilor Bui asked if there was still discussion of raising rates?

Sherwood stated that discussing it was about all that could be done. There was no regulatory authority over the rates.

Councilor Bui stated that after reading it, it appeared to be coming in actually lower than it did last year. Sherwood stated that it was in part to the way funding was done now. At the time of the sale, there was an upfront payment for a lot which was reduced somewhat from the previous amount they had been getting. Some budgets were lower to reflect that but it had nothing to do with rates.

Councilor Burgin objected to the lack of detail in the budgets presented and wouldn't vote yes for the approval of them. He had voiced his objections to this in prior years. He felt the budget was too slushy for his taste.

Sherwood stated that when projecting what would be spent it was nearly impossible to budget that close. Councilor Burgin said no, it's not. You have to know how.

Julie Omelchuck, Director of Multnomah County Regulatory office, staff to the Commission gave explanation to some specific items.

Councilor Burgin stated that she couldn't give enough explanation, without understanding the City budget process because they probably weren't subject to the same laws the City was. He preferred, as he had mentioned in prior years, to see the detail.

Omelchuck offered to show her notes used in making up the budget documents. Councilor Burgin stated she wouldn't be able to satisfy his objections and stated that it was just his opinion, he suggested that Council go on.

Councilor Bui stated that a recent letter from Rodger Clawson, President, Multnomah Cable Regulatory Commission as it related to an issue of staff. He didn't appreciate it and stated that he supported staff.

Omelchuck stated it had been mostly as a result of the General Manager leaving the company. It was a quick resolution to the problem.

Mayor Cox called for further comments.

Councilor Thalhofer asked who controlled rates? Sherwood stated ultimately the public did in whether or not they continued subscribing.

Councilor Thalhofer asked about what regulatory body controlled the rates - agents of Federal government or what?

Omelchuck stated they were deregulated in 1984 Congress passed the Cable Communications Act which deregulated rates. Staff has been asked to draft a resolution for consideration at the next meeting. The resolution will ask Congress to allow local jurisdictions to regulate rates in a monopoly situation such as exists here.

Councilor Thalsofer thought that was excellent and if they needed any support he thought that the east county cities would welcome the opportunity to be included in the process. He asked what was needed from other bodies to keep the ball rolling.

Sherwood stated once the Regulatory Commission acted on, he could bring it to City Council for additional support. Councilor Thalsofer agreed, as well as other cities having the opportunity to act on it.

Omelchuck stated that the Senate subcommittee on communications was considering a staff draft which included rate regulation by the FCC rather than local jurisdictions. There were other provisions that would take the shift from local authorities and would put it in the FCC hands that the Commission was concerned about. Inducing competition through telephone companies and transmission market place was one way to control rates. That bill was introduced with the provision that the telephone companies can do so without local franchise agreements. The Commission was drafting letters to Senator Hatfield, serving on that sub committee regarding their concerns of that bill. Omelchuck stated that a copy could be provided to Christian if the City would be interested in acting on that in their behalf.

Councilor Thalsofer supported that idea and stated that the rates are going to go sky high if something wasn't done.

Christian asked if a significant amount of subscriptions had been lost due to the rate increase April 1?

Omelchuck stated that was a good questions, Paragon hadn't gotten the activity report for March/April to the Commission yet.

MOTION: Councilor Thalsofer moved to approve the budgets for FY 90-91. Councilor Bui seconded the motion.

YEAS: 5 NAYS: 1 ABSTAINED: 0

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

ITEM #5: APPROVE: Request for Proposals: Food Concessionaire Agreement - Community Park

ITEM #6: APPROVE: Request for Proposals: Parking Concessionaire Agreement - Community Park [Tape 1, Side 2 0:00]

Mayor Cox called these items and asked for declarations, challenges, ex parte contact. There was none.

Christian stated that these two items should be considered together. She would respond to questions. She stated that Gazewood would respond to revenue generated concerns from last year. The food concessionaire was never really operated during the past summer.

While revenue was shown from the parking concession it was significantly down from two years prior. The weather had a lot to do with the amount of activity.

Christian stated the agreements are the same as they had been in the past. The Community Services position, however, had changed into two positions. The changes before Council were reflecting those word changes to City Administrator unless designated elsewhere. She stated that the Parks Superintendent, Public Works Director and Community Development Director would all take part at some point. This would enable the City Administrator to designate the responsibility out at the appropriate time as it arises. If Council desired to change the responsibilities or designate specific persons that would be done.

Councilor Thalsofer asked if the food concession had been popular in the summer?

Christian stated that, in her opinion, it was a waste of time. Every year they find out that by the time they get their insurance [required proof of insurance] and set up in business...there aren't enough days of good warm weather with attendance that it really generates the revenue to pay for them to get into it. The attorney had suggested this because of operating on City property. We have a liability in that case. It has been a waste of time to advertise it, we have had to bring it back to Council to end an agreement and start another. There has been problems with where they are to operate. The original deposit has been the only revenue generated by the food concession.

Councilor Burgin stated that it might be better to put it off until there is enough traffic generated to make this worthwhile.

Councilor Thalsofer stated that it wasn't worth the liability. Councilor Schmunk agreed.

City Attorney stated that he had asked that the insurance limits be included to reflect the City's exposure and his experience had been that when asked to provide \$300,000 liability and \$500,000 other circumstances for a short term [3-4 months]...that is a load for a small business to carry for a short time. It is an expensive process. It probably wasn't cost effective.

Mayor Cox called for this to be in form of a motion.

MOTION: Councilor Thalsofer moved to not have the food concessionaire in the Troutdale City Park at least for 1990. Councilor Burgin seconded the motion.

YEAS: 6 NAYS: 0 ABSTAINED: 0

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

Councilor Burgin moved to direct staff not to waste time preparing

food concession agreements for 1991 until they get direction from Council.

Christian stated that the only changes on the parking concessionaire agreement was that four days be designated free City days rather than the three specified [due to the Windjam].

MOTION: Councilor Bui moved to approve the parking concessionaire RFP agreement, including the four (4) days on page 3. Councilor Burgin seconded the motion.

YEAS: 6 NAYS: 0 ABSTAINED: 0

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

ITEM #7: REPORT: Troutdale Historical Society Request to Acquire Troutdale Methodist Evangelical Church building [Lots 1 and 3, Block 11-302 SE Harlow St] [Tape 1, Side 2 8:14]

Mayor Cox called this agenda item and asked for declarations, challenges, ex parte contact. There were none voiced.

Sharon Nesbit, Director Troutdale Historical Society, reported on this item. She stated that it was Troutdale's oldest public building constructed in 1905. It was Troutdale's first church. It had fallen into indifferent ownership and the County was going to put it up for back taxes. The order of abandonment was issued April 20. By May 20th if the owner doesn't step forward the building will be auctioned off for back taxes. The Historical Society's concern is that this had been in the hands of yah who's for a number of years and the building hasn't benefited.

The options requested for Council consideration were: (1) Historical Society take over the building. This option, Nesbit stated, was not possible. The Historical Society would be spreading themselves too thin to take on a project of this type.

(2) The City could take the building. There is a process whereby the County could just turn it over to the City. Nesbit stated that Scott Cline was more familiar with this process. If the City took ownership of the building it would have to remain in public use. The only way to get it into private use would be if the City bought it for back taxes (\$6,600) and then sold it, at cost, for restoration. That would put it back on the tax rolls and make it a viable building in Troutdale again.

(3) The County could take over the building. Let it go to auction. Yah who's could again have the building and there would be the possibility of going before Planning Commission and maybe have the battle similar to the Manor in trying to protect the historic resource from someone who wanted to tear it down.

Nesbit stated that the concerns of the Historical Society were

getting the building put back into use. the interior was gutted, the exterior could be restored and the interior could be used for nearly anything. Nesbit stated that the Historical Society would like the Council to think about it, consider alternatives for discussion, however, no action was expected now.

Councilor Burgin asked what the size was?

Christian stated that 1,168 sq. ft. was what was listed on tax rolls and it was listed as a one story.

Nesbit stated that parking was a problem. It would have to be something that didn't require a lot of spaces for parking. She stated her long term dream would be to make it an art gallery/studio with living quarters below.

Councilor Thalhofer asked if the City took it as a gift to accommodate the Historical Society would the City then lease it to the Society to maintain the building?

Nesbit stated that for the same reason the Historical Society couldn't take it or buy it outright, they didn't have any use for it at this point. An estimate she had heard to restore the building was \$60,000.

Councilor Thalhofer asked how much it would take to maintain the condition so it didn't further deteriorate?

Nesbit didn't know but, that could be a consideration, to give it a band-aid approach.

ITEM #8: MOTION: Awarding Engineering Agreement for Cereghino Farms
[Tape 2, Side 3 00:00]

Mayor Cox called this agenda item and asked for declarations, challenges, ex parte contact. There were none voiced.

Christian stated that in Wilder's absence, staff would respond to Council questions or concerns. This item had previously been discussed and Council was familiar with the processing at this point.

MOTION: Councilor Burgin moved to authorize the Mayor to enter into the agreement with Newton and Associates. Councilor Thalhofer seconded the motion.

YEAS: 6 NAYS: 0 ABSTAINED: 0

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

ITEM #9: MOTION: Additional Predesign Authorization/WWTP Expansion (Chlorine Stabilization) [Tape 2, Side 3 1:37]

Mayor Cox called this agenda item.

Councilor Burgin asked that this item be addressed at a later meeting. Burgin stated he thought comments Wilder would have would benefit if he was present to address this item.

MOTION: Council Burgin moved to table this item to a future meeting when Wilder was present to discuss with Council. Councilor Thalsofer seconded the motion.

YEAS: 6 NAYS: 0 ABSTAINED: 0

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

ITEM #10: COUNCIL CONCERNS AND INITIATIVES [Tape 2, Side 3, 2:49]

Councilor Schmunk had nothing.

Councilor Fowler voiced concerns over bureaucracy taking over private enterprise. He had recently heard about matters relating to a hotel associated with the Oregon Convention Center and the whole Tri Met issue.

Councilor Jacobs had nothing.

Councilor Thalsofer [Tape 2, Side 3 4:13] voiced concern over the agenda. He had concerns with any elected official of a public body being given the opportunity to be on as an agenda item specifically. He expressed his appreciation with the conduct of the Planning Commission at their last meeting.

Councilor Bui had nothing.

Christian brought up a request that was received today from Wastewater Management on property to rent or lease [Carrow House property] to store topsoil for thirty days.

Christian read the request to Council.

Councilor Burgin stated that it would cost more to write a short term lease than would be received in rent and not a good use of taxpayers money.

City Attorney Jennings stated that there would be no legal impediment to leasing the property, however, Councilor Burgin point was well taken in the cost of preparing the lease.

Councilor Schmunk agreed with Councilor Burgin and she didn't want to lease it.

Councilor Fowler stated he had a conflict of interest.

Councilor Jacobs did not favor leasing the property.

Councilor Thalhofer stated that he didn't have enough information before making a decision. He would like to benefit the owner, however if the cost to the City was prohibitive - he like to be able to support businesses but didn't feel he could make a decision.

Councilor Bui would like to have had more information. As Councilor Thalhofer stated, we do like to help the businesses out but, he felt the request could have been more specific.

Christian refreshed Councilors memories regarding the June 2nd Planning Commissioner Training Program offered by Peter K. Watt, University of Oregon. She encourage participation of Council as well as Planning Commission members. She stated that anyone interested could notify her immediately following the meeting.

ITEM #11: ADJOURNMENT [Tape 2, Side 3 19:25]

MOTION: Councilor Bui moved to adjourn. Councilor Fowler seconded the motion.

YEAS: 6 NAYS: 0 ABSTAINED: 0

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

The meeting was adjourned at 8:20 p.m.

Sam K Cox
Sam K. Cox, Mayor
Dated: May 10, 1990

ATTEST:

Valerie J. Raglione, CMC
Valerie J. Raglione, CMC
City Recorder
CC8[7]

THIS IS A PUBLIC ATTENDANCE RECORD. PLEASE LIST THE FOLLOWING INFORMATION:

EASE PRINT NAME	ADDRESS	TELEPHONE
Bob Casewood	City of Troutdale	665-5175
Scott Clise	City of Troutdale	665-5175
Ron Sherwood	Cable Reg. Commission	666-3002
Brent Cowler	Troutdale Police	665-5175
Stephen Burgin		667-8211
Paul Brown	Oregonian	221-4375
Robert Johnson	1933 S.W. LAURA ST CITY	665-4449
Shan Nielist	623 Buxton, Troutdale	665-0423
Robert Trachtenberg	1021 S.W. 4th Room 606 97204	248-5213
James Wakeman	1209 S.W. 26th	
JAMES A. WAKEMAN	1209 S.W. 26 TH	667-5937
C. Robert Crowder	2122 S.W. ABBOTT CT.	665-4961
Kris DeSilva	Troutdale	
Don LaBarn	12915 S.W. GINNIS	661-3883

THIS IS A PUBLIC ATTENDANCE RECORD. PLEASE LIST THE FOLLOWING INFORMATION:

EASE PRINT NAME	ADDRESS	TELEPHONE
Herbert C. Wilson	Multnomah County Property Mgr	278-3322
Lew Waggoner	Development Consultant Scappoose Ore	543-2934
Joan Ellingson	REAL ESTATE BROKER NE PORTLAND	263-5899
Rick Jones	PTLD OR	252-4906
Eric Sankey	Mt Hood Community College	667-7415
Martha McBryde	Portland OR	222-3251
Bill Bradley	139 SE Curtis Dr. Gresham, OR 97019	695-5762
Don & Janie Marks	1380 SW McJannet Ave	661-6178