

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

7:00 P.M. -- MAY 12, 1992

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 Fowler to lead the pledge of allegiance.

Deputy Recorder Martinez called the roll.

PRESENT: Bui, Cox, Fowler, Schmunk, Thalhofer,

STAFF: Berrest, Christian, Jennings, Martinez, Norris, Ortega

PRESS: Dave Anderson, Gresham Outlook

GUESTS: Karen Burger-Kimber, Kris Desylvia

AGENDA UPDATE: Christian stated that agenda item #4, the proposed gaming center within the City of Troutdale, would not be discussed at this time due to the fact that the Siletz Indian Tribe has decided to pursue a site in Salem.

ITEM 2. CONSENT AGENDA:

Mayor Cox called this agenda item.

Motion: Councilor Bui moved to adopt the consent agenda as presented. Councilor Schmunk seconded the motion.

YEAS: 4

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

Mayor Cox called this agenda item.

Karen Burger-Kimber 1675 SW Cherry Park Rd. stated that she had spoken earlier to Scott Cline and Sue Baker in regards to the Columbia Park Property and she would like to offer her services to coordinate a group of volunteer citizens to put together the funding for the purchase and improvements of Columbia Park. She would like to encourage the council to consider this offer, Columbia Park, in total 20 - 22 acres could be a valuable asset particularly with the development of the County Farm Property and considering that it is adjacent to Reynolds High School she feels that there is a need for that size of park in this area and there has been considerable success in the Gresham area with volunteer citizens getting together and doing park development, for example Sunset Park.

Councilor Thalsofer asked if she and a group of volunteers wanted to develop the park?

Burger-Kimber replied that she wanted to spear head a fund raising drive for development of the park, and once it is developed it would be dedicated to the City of Troutdale, and hopefully there would added financing to provide for ongoing maintenance of the park.

Councilor Schmunk asked if she understood that the land belongs to Multnomah County?

Burger-Kimber stated she understood that, but she also understood that from talking with GSL that there was a possibility of them offering a portion of the property to the city.

Councilor Fowler stated that he understood that this would be a volunteer community effort rather than a city effort to build a park that would satisfy the city.

Burger-Kimber stated that it should be a public / regional effort and that she feels that with the proper marketing and business approach that there are funds out there available that we can tap into, she would also offer to work with staff to try to tap into those resources so that there would be no impact to the time or energy of the staff.

Councilor Schmunk stated that the Reynolds Baseball Association would probably be interested in helping develop the property. As far as getting grant money she believes that we would have to own the property first.

Councilor Thalsofer stated that it sounds like a great idea. He would like to see a written proposal outlining some of the problems that have been discussed and so that there are no legalities overlooked the City Attorney should review the proposal.

Burger-Kimber stated that she would be leaving the country and would not be back until the end of June. The reason she was bring this up now is that the Multnomah County Farm Property issue is going to be coming before the council and she would not be present and she wanted the council to know that she was interested in being involved

in the creation of Columbia Park. She would be more than willing to give a written proposal when she returned.

ITEM 5. RESOLUTION: Regarding the Election of the Mayor and the City Council Terms Expiring the First of the Year 1993. Declarations, Challenges, Ex Parte Contact

Mayor Cox called this agenda item.

Christian stated that this was basically a house keeping measure that we do every year. We have positions becoming vacant on the council and this sets forth the process for filing and we have to do this to open up the petition process. It should be noted that via the City Charter the city requires a filing fee with a petition of signatures of at least twenty-five qualified electors of the city. The petitions will be available after August 7, 1992 and they have to be filed in the City Recorders office by August 19, 1992 for the November election.

MOTION: Councilor Bui made a motion to approve a resolution regarding the Election of the Mayor and City Council terms Expiring the first of thy year 1993. Councilor Schmunk seconded the motion.

YEAS: 4

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 6. RESOLUTION: Adopting the Final Yard Debris Plan for the City of Troutdale
Declarations, Challenges, Ex Parte Contact

Mayor Cox called this agenda item and asked for declarations, challenges or ex parte contact.

Norris stated that this is basically the same plan that they had previously approved. This is the Final Yard Debris Plan that would be sent to Metro and DEQ. There is a few changes regarding the spring clean up. The plan also covers the home composter and lawn maintenance exemption program.

MOTION: Councilor Thalsofer made a motion to pass the resolution to adopt the City of Troutdale Yard Debris Plan. Councilor Bui seconded the motion.

YEAS: 4

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 7. ORDINANCE: Amending Troutdale Municipal Code Chapter 5.08.050 [Definitions] Amusement/Vending Machine
Declarations, Challenges, Ex Parte Contact

Mayor Cox called this agenda item.

Christian stated at the time the code was written that apparently Pinball Machines were the only things that were considered amusement devices and since that time we have seen a bloom of electronic and video machines. We conducted a survey in the metropolitan area and this is basically what we have come up with as far as a standard vending machine licensing device in the city. We need to adopt the definitions of machines that would be included as an amendment to the existing code and adopt the annual licensing fees by resolution so we do not have to amend the code every time we review the fees. On second reading we will come back to you with a retyped Ordinance that states fees to be set by resolution, and at that time you would also have the resolution that outlines these fees and you could adopt the resolution separately.

Mayor Cox asked about State Lottery Machines.

Jennings stated he believed that we could not be involved in raising revenue from those machines.

Councilor Schmunk asked how we came with the fees charged on each device?

Christian stated she believed it was the standard for this area.

Councilor Schmunk asked why the fee for a digger or crane machine is so high?

Christian stated that it could be a deterrent, but the council had the option to change any of the fees.

Councilor Bui asked if this would affect those that already have the machines?

It was determined that it would become effective as of January 1, 1993 along with business licenses.

Councilor Bui recommended that we go on to the second reading with the staff looking into reducing the fee for the digger or crane machine by 50% or more to \$60.00 or less.

Mayor Cox read the Ordinance by title and stated it was only the first reading.

ITEM 8. DISCUSSION: Purchase of Property Request, Lot 129, Section 25 [Jackson Park Road]

Mayor Cox called this agenda item.

Christian stated that this is a piece of property that the city acquired because of tax foreclosure. One issue the council should consider declaring it surplus and putting it up for sale is that there is a \$2,483.00 assessment due on that piece of property for an L.I.D. assessment and we should recover that.

Jennings outlined the procedure for declaring this property surplus and arranging for the sale and what should be included in the price of the property.

Jennings stated that what he needed from council tonight is direction that the sale of this property be reasonable and necessary, we will then proceed to prepare for public hearing on the sale of this property.

Councilor Schmunk asked if there is anything that precludes us from giving Mr. Barba a rough estimate of the cost of the property would be before the city spends any money?

Jennings stated that he saw nothing wrong with the staff giving Mr. Barba a very rough estimate of the property before we go any further.

MOTION: Councilor Schmunk made a motion that we proceed with the sale but first the staff should give Mr. Barba a rough estimate of cost of the property before continuing with the process.

Councilor Fowler stated that he thought the property would have very little value to anyone but Mr. Barba.

Councilor Fowler was concerned with widening the road if the property was sold.

Councilor Bui seconded the motion.

Councilor Thalhofer asked if we would have to have a public sale of the property?

Jennings stated that he believed there was no justification for not having a public sale.

Councilor Schmunk called for the Question.

YEAS: 4

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM 9. INTERGOVERNMENTAL AGREEMENT: Legal Services with City of Gresham/Fire Service Withdrawl.

Mayor Cox called this agenda item.

Christian stated this was discussed and budgeted for at a previous budget meeting. We would be paying equal shares with Fairview, Wood Village, and Gresham for legal representation regarding the appeal filed by Fire District #10 related to the decision of the Boundary Commission that allows us to withdrawl from Fire District #10.

MOTION: Councilor Bui moved to adopt the Intergovernmental Agreement to participate in the legal service arena as it relates to our intent to Withdrawl from Fire District #10. Councilor Fowler seconded the motion.

Councilor Schmunk asked if we needed to direct the Mayor to sign the Agreement?

Councilor Bui stated that it was inferred.

YEAS: 4

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 10. DEPARTMENTAL REPORTS:

Finance

Christian stated that Bob Gazewood was scheduled for surgery the next morning and she would try to answer any questions.

Mayor Cox stated that any questions for finance could be directed to city hall.

Public Safety

Christian stated Chief Collier is on vacation but sergeant Berrest was present to answer questions.

Councilor Bui commented that they were busy as anticipated.

Christian stated that Chief Collier requested to begin the Beach Patrol earlier this year, which could cause a budget problem.

Community Development

Councilor Schmunk asked why they weren't undergrounding the utilities at Stuart Ridge?

Christian stated that because it is county right-of-way and the County Lighting District did not have on file our code that requires undergrounding of utilities, it is now on file and phases II & III of Stuart Ridge will be undergrounded, basically it was our mistake, we assumed that because we gave them copies of our codes they would be distributed but they were not. It would have been us and the developer or just us that would have paid for the undergrounding.

Public Works

Ortega stated that the state speed board approved our request to lower the speed limit from 45mph to 35mph at the intersection of Sweetbrier road and Troutdale road.

The Treatment Plant project is going very well Emery & Sons' Construction is doing a very good job.

Councilor Bui asked if he attended the Speed Board hearing?

Ortega stated that Chief Collier was the one that attended the hearing.

Councilor Fowler asked what is happening on the access road on the North side of I-84?

Staff was not positive but would try to find out.

City Attorney

Jennings stated that he was pleased to announce that LUBA dismissed the appeal by Tri-met, 1000 friends of Oregon and Kris Desylvia relating to the Comprehensive Plan for development of the Multnomah County Farm Property. There are still issues pending before DLCD, but those issues were addressed long ago by the planning commission which made changes to the plan. The issue was whether or not the city had addressed what is called goal 12 planning.

Councilor Fowler ask about a portion of the county farm that was being sold for home development.

Christian stated that was what Karen Burger-Kimber was talking about earlier. The sales are not final until Thursday. The Planning Commission has reviewed and basically finalized the zoning. I think they are still tinkering with the EMU requirements. Scott has testified in an executive session at Multnomah county and they felt that they could go ahead with the sale.

Jennings thanked staff for the job they did with preparing the materials for LUBA.

EXECUTIVE

Christian reminded council of two meetings one dealing with cable television options and the other regarding the RGC.

ITEM 11. COUNCIL CONCERNS AND INITIATIVES

Mayor Cox informed everyone of a press conference called by Fire District #10.

Councilor Bui Discussed the upcoming meeting with the City of Gresham concerning cable.

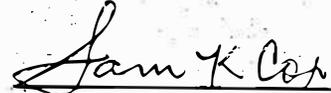
ITEM 12. ADJOURNMENT

MOTION: Councilor Schmunk made a motion to adjourn the meeting.
Councilor Bui seconded the motion.

YEAS: 4
NAYS: 0
ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhofer - Yea

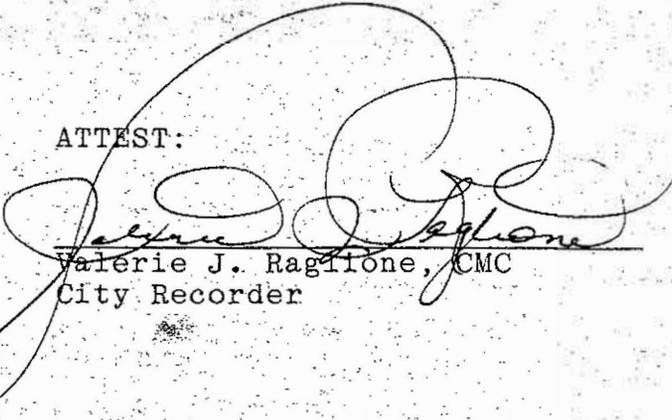
The meeting was adjourned at 8:01 pm.



Sam K. Cox, Mayor

Dated: 5/28/92

ATTEST:



Valerie J. Ragnione, CMC
City Recorder