COMMISSIONERS approving bills: Cox, Mahoney, Kaiser

AGENDA City of Troutdale

Council Meeting April 13, 1976 - 4-26

- 1. Roll Call
- 2. Minutes of March 3, and March 16, 1976 (4-6-76 meeting not typed yet)
- 3. Approval of April bills
- 4. Planning Commission report Dr. Packard LCDC questionnaire
- 5. Business Licenses

Meacher Appeal (atty - Mr. Lock)

- 6. Ord. # 225 Annexation to Metropolitan Boundary Commission (Cason-Sellin)
- 7. Muyskens Rezone application and prelim. plat PC 76-1-3, PC 76-1-4 from F-2 to R-10.
- 8. Contract of City Administrator approval.
- 9. Re-Designate Administrator as Budget Officer-Hearing date-progress
- 10 Possible census (discussion)
- ll Commissioners Reports
- 12 Dept. Reports
- 13 Oral Communications
- 14 Adjourn

City Council Meeting Minutes

April 13, 1976

Mayor Sturges called the meeting to order at 7:33 PM.

AGENDA ITEM #1 - ROLL CALL

Present: Mayor Sturges; Commissioners - Dix, Cox, Mahoney, Althaus, Kaiser

Absent: Commissioner Finegan

Staff Present: B. Bergstrom, G. Phoenix, E. Nauerth, Duane Lee, B. Freeman,

Dr. Packard and Larry Sharpe

No Press Present

Guests: 17

AGENDA ITEM # 2 - MINUTES OF 3-3 and 3-16-76

Motion moved by Commissioner Mahoney to approve corrected minutes of March 3.

Seconded by Commissioner Kaiser Yeas: 5 Nays: 0 Motion Carried

Motion moved by Commissioner Mahoney to approve minutes of March 16.

Seconded by Commissioner Dix Yeas: 5 Nays: 0 Motion carried

AGENDA ITEM #3 - APPROVAL OF APRIL BILLS

Motion moved by Commissioner Kaiser to approve April bills.

Seconded by Commissioner Mahoney Nays: 0

Yeas: 5

AGENDA ITEM #4 - PLANNING COMMISSION REPORT

Planning Commission report given by Dr. Packard. Citizen's involvement committees revised questionnaire to fit our needs and goals. Expansion of questionnaire for further information which might be of assistance to direction and goals of our comprehensive plan urged by Dr. Packard. Distribution discussion and in view of cost of mailing it will be distributed by chairman of committee for each of their areas.

Three planning member's terms expire May 26th of this year, Mra Edwards, Mr. Muyskens and Mr. Rathman, who are all willing to serve again if council so chooses to reappoint them. He announced meeting April 28th at Oregon City urging attendance by council and planning members since issues under discussion will be L.C.D.C. goals and compliance Building Department compliance with State Statues and other pressing municipal problems of this year. Dr. Packard announced grant application of \$10,750 with repres station at hearing when it is set before L.C.D.C. board. Citizen's committee will meet May 1st instead of May 8th (Mother's Day weekend). Ethics reports to be in Salem by April 15th from Planning Commission members.

AGENDA ITEM #5 - CITY LICENSE REVOCATION OF PHIL MEACHER

Mr. Meachers attorney Mr. Loch was down with flu and unable to attend, however, Mr. Meacher was present and desirous of handling issue this evening in spite of lack of counsel.

Mr. Phoenix noted establishment never hooked up to sewer and was reoccupied without sanitary hookup as according to ordiance and City compliance with grant provisions. Re-Notification of necessity to obtain sewer hookup distributed two months ago.

Mayor Sturges read inspectors review of unsightly condition of business establishment. (See attached) Pictures presented by Attorney for council review.

Mr. Meacher explained his efforts to pickup junk or store out of sight behind west side screen fence until picked up by junk dealer. East end of building placing fill as available and some trees in others have to wait until fill obtained. Pictures presented to council for their review of conditions. Has talked to contractor on improving looks of building but financially unable to hire him at this time. Mayor Sturges noted original license application approved by Council with understanding these improvements would be completed and one year has passed. Council asked questions of appeal applicant. Neighborhood complaints of unsightly appearance have have been verbal to council however, council disturbed by their own views of unsightly

Yeas: 4

City Council Meeting April 13, 1976

condition of business location and non-screening of junk cars on vacant lot. Council requested removal of non-operating vehicles, limited parking on outside pad overnight to 4 or 5 vehicles, future screening of car storage area and discarded junk and efforts to improve appearance of building be activated in near future.

Commissioner Althaus moved that the Business Complex be allowed to continue business under council condition stated and three months review be a condition, also.

Yeas: 5 Seconded by Commissioner Frank Kaiser.
Nays: 0 Motion carried.

Attorney Freeman noted that planning commission might rezone area from C-2 to C-3 zoning or lesser use to improve condition of downtown core area in new comprehensive plan for Troutdale future land use.

AGENDA ITEM #6 - ANNEXATION CASON AND SELLIN

Mayor Sturges presented Ordiance #225 to Boundary Commission. Brian Freeman, City Attorney, read Ordiance in full and once by title.

Mayor asked for comments and questions.

Carl Anderson spoke on his letter of General Testimony. He noted to Council as final record. He would like to go on record as saying phrase "despense with election" disturbs him. City Attorney reviewed statue by State of Oregon as to legal procedure, has been complied with in this proposal. Mr. Anderson is not in favor of additional land being annexed to City. Urban growth "inside - out" petition may be formulating by citizen's group in their efforts to halt growth. These proposals by City, in his opinion, putting cart before the horse.

Mayor noted this area cannot be served but applicants wish to annex to City. Mr. Anderson questioned annexation and staff replied the applicants filed proper requests with City. Mr. Anderson feels council premature in this action. Council feels annexation would be beneficial to City without immediate cost. Mr. Jean noted CRAG line of our development of expansion and that this request is beyond this line. Council noted Boundary Commission has final say in this issue.

Commissioner Kaiser moved Ordiance #225 be adopted and approved.

Seconded by Commissioner Mahoney.

Nays: 0

Abstain: 1 Motion carried.

AGENDA ITEM #7 - REZONE PC 76-1-3, 76-1-4 (Muyskens)

Mr. Phoenix noted this 13.46 acres zoned F2 and SR requesting R-10 (No PD) and proposing 37 single family units. Density 2.75 proposed and well within ordiance restrictions, sewer and water is available. Mayor Sturges questioned sanitary sewer, are they vacating a part of sanitary sewer? Mr. Muyskens addressed question and Mr. Lee spoke that a part of sewer would be plugged and relocated to prevent sewer line from being in private lots. Mr. Freeman questioned existing sewer easements and Mr. Lee noted easements would be relinquished in favor of new line and new easements. Mr. Jean questioned what happens to old line? Mr. Lee explained procedure is removal, fill with sand and leave where it is, and he would inspect final capping of line. Mayor Sturges questioned low area in this section. Mr. Phoenix replied it is close to it but it would not improve that condition. Council questioned possible bike path. Mr. Phoenix said contour line 160 best route for path proposal and discussion with developer in process to provide for path. Council discussion of route preference. Mr. Jean explained we ought to consider possibility of future use by requiring right of way to establish path along canyon rim then east and down to Beaver Creek over Dix property and loop back to Troutdale road as primary loop or drop over rim down to City park and back scenic highway route over to Stark Street in secondary loop in river basin area. Council discussion of future routes, funding and right of ways. Developer commented on paths as one though my subdivision and one through my yard. Commissioner Mahoney discussed Beaver Creek as dedicated greenway for future. Mr. Muyskens commented that on the map, bluff edge to center of creek, be dedicated to City with one access to road planned so future use can be initiated as park recreational area. Asphalt path at 160° may be required at later date when system developed: Mr. Lee noted main street "C" right of way 40 foot street, 54 inch right of way, 5 foot sidewalk and streets A & B court be 50 inch right of way, 32 foot street and 5 foot sidewalk which vary from present ordiance which is rather excessive. Council discussion ensued. Varianc request set back from 30 to 25 from property line noted. Mr. Phoenix noted they are requested not to run sidwalks tight against curb but loop to allow light post, mail boxes and other installations. Attorney noted future comprehensive plan would not be at issue with this rezone. Mr. Jean answered Commissioner Mahoney questions on bikeway policing,

right of way and greenway issues that for factors of safety and recreational uses, lots

City Council Meeting April 13, 1976

would <u>not</u> extend to very edge of bluff area by cities request and this particular greenway of value to city as bikeway, green belt foliage area and free wild area. Mr. Jean discussed parks and policing problems but plan not yet completely developed, however dedications must be obtained now as rezones are approved. Commitment would not be until final plat rather than this evening.

Mr. Carl Anderson spoke of Mrs. Gory concerning her sheep and no one to look out for her rights. Can't fight City Hall attitudes. Reason for L.C.D.C. is as sensitive response by legislature to address citizen's rights. Urban growth boundaries are coming and request delay until Comprehensive Plan and questionnaires completed.

Commissioner Dix moved to approve rezone requests.

Yeas: 5

Seconded by Commissioner Mahoney. Nays: 0 Motion carried.

Commissioner Kaiser moved to approve preliminary plat design subject to Planning Commission provisions and recommendations.

Yeas: 5

Seconded by Commissioner Mahoney.
Nays: 0 Motion carried.

AGENDA ITEM #8 - CITY ADMINISTRATOR CONTRACT

Attorney Freeman read Resolution 107 in full and reviewed following points: 3 months severance pay after 6 months, 1 month prior to 6 months period, 90 days written notice on termination, accumulated 12 days sick leave, 10 days vacation to start, compensation time off for overtime.

Question Section 3 - correction to City Adminsitrator from City Manager. At any time if performance is not adequate in Council's estimation, termination may be requested by Council. My present hours are 7 AM to 5 or 6 PM, 2 meetings a week, nearly 50-60 hours a week. Compensation time off requires notification to staff and Mayor for several days or full day off.

Commissioner Mahoney moved that City Administrator's contract Resolution 107 be approved.

Yeas: 5

Seconded by Commissioner Cox.
Nays: 0 Motion carried.

Break at 9:00, reconvened at 9:15.

AGENDA ITEM #9 - BUDGET OFFICER, HEARING

Mr. Jean gave report on Budget progress. Councilman Finegan to review financial structure next week. Meeting on budget scheduled for April 26, 1976 8 PM.

Commissioner Mahoney moved to designate Robert Jean as budget officer.

Seconded by Commissioner Althaus.
Nays: 0 Motion carried.

Yeas: 5

AGENDA ITEM #10 - CENSUS

City Administrator Mr. Jean reported population shared revenues calculated on 2500 figure and we feel population is higher. Shared revenues could increase by 1000 to 1500 for cigarette, liquor, highway funds. New census could increase shared revenues by \$24,000 at census cost of \$2,000. Could affect general revenue sharing funds also. If certified census completed prior to July 1, State of Oregon Department of Revenue would use those new figures. Portland State certified now as official federal census unit. City Administrator urges Council to authorize census immediately.

Commissioner Cox made motion to authorize census; he initiated immediately.

Seconded by Commissioner Mahoney
Nays: 0 Motion carried.

Yeas: 5

Mayor Sturges noted Multnomah County has possible plans for jail on County farm land. Carl Anderson interviewed County Chairman couple years ago about jail on county land and he then stated no for the record. Discussion of County Farm in comprehensive plan designated zoning. Mr. Lee noted you have not been contacted in County planning of this large unit of land which has heavy impact on your City. Planning Commission Chairman, Dr. Packard, noted correspondance on record since January 1975 to now requesting County plans for this large unit, to no avail, nor have they sent any representative to our meetings. Commissioner Gordon replied in October 1975 plans for land

City Council Meeting April 13, 1976

would be finalized by 1977 but area still a special study project at that time. Mr. Jean noted question of approved high school site near penal institution raises questions of statue and ordiance regulations.

AGENDA ITEM #11 - COMMISSIONERS REPORTS

Commissioner Mahoney proposed we adopt Resolution 108 that new high school be named Troutdale High School. This would help in providing benefits to school and community as follows:

Community idenity New release would carry Troutdale dateline Student achievements would give credit to our community Team and school achievements would give credit to our community Troutdale a name of historial significance (Lewis and Clark Trail) Troutdale residents would carry the additional tax burden Future majority of students would be Troutdale children

New school already has new principal, Mr. Butterfield. Name selection committee will soon be farmed. School may be named after a president, an indian prominent to this area. But my argument is how many know where Sam Barlow High, Centennial High or Reynolds High School's are located? But we all know where Gresham High School is and we would like the same immediate identification for this new high school within our boundaries.

Commissioner Mahoney moved to pass Resolution #108 designating new high school be named Troutdale High School.

Yeas: 5

Seconded by Commissioner Althaus Nays: 0 Motion carried.

Commissioner Dix: No report.

Commissioner Kaisers report: Appointment of picnic chairman necessary. Possible candidates Wm Fisher and Bill Rice (assistant). Council and administrator to look for Cochairman as this years chairmen. Suggestions by next meeting.

Commissioner Cox: reported meeting forthcoming on depot site and design final alterations on April 15th 4:30 - 5:00 PM at City Hall.

Commissioner Althaus reported our appeal progressing and we are in final deadline period for brief filing in 45 days.

AGENDA ITEM #12 - DEPARTMENTAL REPORTS

City Administrator Bob Jean reported progress toward interim guidelines for written position available at next Council session. Discussion with Duane Lee today on systems problems we would be looking at situation for written policy statement with written procedure system and general principals. Priority levels:

- 1. Fully L.I.D. lands with water and sewer 2. Partial L.I.D. and present formation. Partial L.I.D. and present formation to obtain full water and sewer
- Those that do not have both water and sewer availability

City Recorder - No report.

Brian Freeman reported on City obligations to provide water and sewer issues. does firmly implant your obligation but with some temperance as to city capacity or financial capacity in the council's judgement, whether they are feasible in best interests of the City.

Duane Lee reported on improvements versus capability of services. Allotments, drawings or random selections of approved development connections. Defining problems, time schedule and those requesting services. Administrative problem is addressing these problems. Heavily assessed areas would have 1st priority but they could relinquish priority to next applicant. Public hearings for input on priority status and waiver may be necessary for Sandee Palisades development. Inventory, analysis long process and we need an interim plan now.

Mr. Robert Johnson expressed a like opinion, assessed properties should have first priority and hearings be advertised in Troutdale's Newletter. Mr. Muyskens expressed feeling applications deluge might result. Mr. Lee expressed feeling we cannot close the door until interim plan extablished. Mr. Jean proposed executive work session immediately. Mayor Sturges expressed concern that core area be top priority.

City Council Meeting April 13, 1976

Council questioned Mr. Lee on air problem in water. He stated next weeks meetings should result in design modifications on Drinker Well and other issue decisions. Chief Nauerth reported on Sweetbriar convents. Brian Freeman commented on enforcement of on street parking that we cannot decide for property owners in Sweetbriar and they must consult City on wants and needs of the area. We are unable to enforce City Ordiances in that area governed by convents. Chief Nauerth announced alternating shifts to curb vandels and thefts.

Mr. Phoenix read John L. Kordosky's letter to Council concerning water connection fees and his request for reduced rate or refund and water charges with no water usuage. Council questioned dates of inquiry and request for service. In view of a year's lapse inquiry and request for connection service the following motion was made by Council. The fact that applicant did not connect to meter installed at his request does not relieve him of minimum charge for service as charged by Public Works Department.

Commissioner Mahoney moved for denial of refund request by Mr. Kordosky.

Yeas: 5

Seconded by Commissioner Kaiser. Nays: 0 Motion carried.

Mr. Phoenix reported L.C.D.C. materials mailed today. April 29, date noted as interview date.

Building Inspector Larry Sharpe reported that Oregon State Building Department of Commerce letter requires form and questionnaire he completed and mailed by May 1, 1976.

They offer services of their department. Option and choices are: certification of inspections by July 1, 1977 or allow state to do inspections.

Schooling offered by state at this time - zero. I have had to attend school in Pulliman, Washington to try to obtain certification by deadline. We collect and send the state 3% fees to provide schooling of which 1% goes for Walt Fridays salary (whom we all met in court during our double wall suit with the state) and 2% goes for schooling but is currently being spent totally on clerical expenses. It has been a year an a half since Oregon has had a school.

- 1. Local enforcement
- Combine city or county
 County enforcement
- 4. State enforcement

and level of inspection

A.B.C.

Levels of inspection required for 2 story home impossible to achieve within time framework, Mr. Jean noted. State is subtly, through administrative process, imposing situation where qualified people like Larry cannot reasonably obtain certification by deadline date. Urge directive by Council that state has shirked responsibility to provide schooling and reasonable time frame to comply for cities to comply with law. Larry stated we have to report staff budgeted positions, as well as total revenue for inspections.

Commissioner Kaiser made the motion that Mayor Sturges will act in their behalf to complete and sign information. Inspector will report to comply.

> Seconded by Commissioner Cox. Nays: 0 Motion carried.

Yeas: 5

AGENDA ITEM #13 - ORAL COMMUNICATION

Mayor announced April 28th regional meeting in Oregon City, by League of Oregon Cities.

Mayor Sturges will be in England this summer and Council Vice President will have to lead meetings during his absence.

Commissioner Cox moved motion to adjourn.

Seconded by Commissioner Kaiser.

Nays: 0 Yeas: 5

Adjourned at 10:20 PM.

Mayor Mayor

ATTEST:

Betty Bushim

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