

Approval of bills: Kaiser, Mahoney, Cox

CITY OF TROUTDALE

AGENDA

City Council Meeting --- November 9, 1976

1. Roll Call
2. Approval of Minutes, Sept. 28, 1976; Sept. 29, 1976; Oct. 12, 1976; Oct. 19, 1976
3. Approval of Bills
4. Ratification of October Accounts Payable
5. Business License -- Vintage Village Progress
6. Approval for multiple family dwellings - Sweetbriar
7. Comprehensive Plan Interim Land Use Controls -- Resolution # \_\_\_\_\_
8. Improvement Fee Distributions
9. Ratification of Resolution # 129
10. Police Communications Bill
11. State Revenue Sharing -- Resolution # \_\_\_\_\_
12. Park Rules & Regulation -- Ordinance # \_\_\_\_\_ & Resolution # \_\_\_\_\_
13. Mt. Hood C.C. Pool Dedication -- Invitation
14. Department Reports
15. Commissioner Reports
16. Oral Communications
17. Adjournment

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Meeting called to order by Mayor Sturges.

Commissioners present: Althaus, Dix, Cox, Kaiser, Finegan and Mayor Sturges.  
Commissioner Mahoney - absent due to illness.

Guests in audience included Mr. Borst, Executive Vice President of Leavitt NuPacific and Lee Asher, Rod Andersen, Mike Rice, Dave Sherman, and many other residents of Sweetbriar totaling 75 people.

Correction of time stated opening meeting, page 1 on minutes of September 28th to 7:35 PM. Correction of minutes of October page 3 to include definition of multiple units on motion to approve ordinance #235 noted.

Motion to approve minutes of September 28, September 29, October 12 and October 19th with noted corrections made by Commissioner Cox.

Seconded by Commissioner Finegan.

YEAS: 5

NAYS: 0

Motion carried.

AGENDA ITEM #3 - DELAYED

AGENDA ITEM #4 - RATIFICATION OF OCTOBER BILLS AT OCTOBER 19th EXECUTIVE MEETING

Motion to ratify bills inspected at October 19th meeting by Commissioner Finegan.

Seconded by Commissioner Dix.

YEAS: 5

NAYS: 0

Motion carried.

AGENDA ITEM #5 - VINTAGE VILLAGE PROGRESS IN REGARDS TO LICENSE APPLICATION

Compliance items requested by the council. Mr. Jean, City Administrator, discussed approval of Mr. Fowler's license application to operate antique car restoration metal stripping operation. Conditions of compliance by the Council were as follows: (Point #1) All construction to be fully completed before the grand opening. Mr. Fowler has a particular problem with the boundary line on the east side of his property thus hampering compliance until boundary is determined by legal opinion. He is requesting that the Council waive the east end completion of construction compliance from license condition at this time. (Point #2) Guarantee bond as determined by City Engineer, posted by applicant before license issuance. Mr. Jean explained acid damage to sewer system as being a \$10,000 liability cost plus DEQ fines that could be levied against the City caused by licensee (Fowler) negligence at \$2,000 a day for 2 weeks. We recommend 140,000 + 10,000 = 150,000 bond be posted by applicant before issuance of license. Council discussion followed concerning insurance costs to licensee, city protections, and Inspectors opinions. Mr. Sharpe, Inspector, spoke of PH factor machine purchased by applicant. He has yet to see in operational tests which he would like to examine before the license is issued, after which the inspectors final inspection requirements would have to be met and complied with except for east end of construction which Inspector would monitor. Mr. Lee, City Engineer, stated his concern to date is toxic waste to sewer system by bypassing safeguards and dumping directly into City system requires protection thru bond or liability insurance to protect city systems. Accidents appear to be remote. Mr. Sharpe noted back part of building incomplete, no occupancy no final inspection as yet, no test of PH machine, no pulley or strainer that, driveways and curbs not poured and all of these must be met first. Mr. Jean noted applicant requesting license can be issued after inspections, and bond compliance is met? Additional discussion of bond rates insurance rates between audience staff and the Council.

Commissioner Kaiser moved to withdraw any issuance of license until Inspector's conditions waiving east side of construction completion and City Engineer bond protection conditions are met.

Seconded by Commissioner Althaus.

YEAS: 5

NAYS: 0

Motion carried.

AGENDA ITEM #6 - SWEETBRIAR MULTIPLE DWELLING PRELIMINARY PLAT APPROVAL

Report by Ed Murphy, City Planner, stated property south end of undeveloped land on corner of Troutdale Road and Stark Street known as portion tax lot 55, Sec 17IS R3E, W.M. owned by NuPacific Company consisting of 8 duplex lots and 15 4-plex lots totaling 76 units on 8.64 acres parcel presently zoned A-2 PD. (See attached Exhibit B report)

Mr. Murphy outlined area proposed construction on city posted map in the Council Chambers. Rezone was approved March 1972, some question of 4 year deadline of Planning Commission recommendations attached to approval. Planning Commission should review plat and recommend or confirm original recommendations per City Attorney to assure itself plat conditions are in the public interest, however, no expiration date of rezone only plat design should be reviewed. Commissioner Althaus questioned staff on substational condition of platt approval 4 years before. Dr. Packard explained. Commissioner elect Fred Weissenfluh, president of Sweetbriar

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Homeowner's Association, reported he attended Planning Commission hearing where several homeowners in Sweetbriar voiced concern over 8 duplex units proposed for north side of Sweetbriar Lane being across from single family residences and abutting school yard area. Also prospective tenants of duplexes would have no pride of ownership and would be unlikely to keep up yards or residences whereby Homeowner's Association would not have legal authority to enforce, then to do so would result in run down neighborhood on the major feeder street "Sweetbriar Lane". This would be a calamity to entire development area known as Sweetbriar Farms. Those attending meeting suggested duplexes be changed to single family residences fronting Sweetbriar Lane with duplex or 4 plex units backing the new constructed residence yards separated by a vegetation barrier of some sort.

Opponents: Mrs. Alex Hoover (member of Homeowner's board of directors) spoke of duplexes destroying homogeneity of neighborhood existing there now. Land plan should reconsider allowing each neighborhood to complete itself in present mixture of Sweetbriar Farms development. Several rental residences in Sweetbriar now have already shown themselves to be difficult with association rules, fees regulations. These properties effect area as a whole for no pride of ownership shown by them and then attitudes can effect property values of residents who do care.

Dr. Robert Irwin (Resident 511 S.E. Harlow Court) spoke over concerns for safety of children of existing area. Much opposed to higher intensity population use in this area, proposed by duplex units but I favor single family residences on these 8 lots. As a property owner taxpayer, I am concerned over property values. We left a high density area to live in a better environment here at Sweetbriar. We hope you the Council will help us maintain that environment by keeping duplex density use out of this area in question.

Mr. Mike Cheney (Resident 3700 S.E. Pelton) noted this plan approval in 1972 was without approval of people of the area for they did not exist then. Our Construction Company has found that on paper everything looks great but people make the area successful not the designers and the homeowners concerns are vital to the betterment of any neighborhood as well as the whole area. Those of us who are there now feel that this is something very vital to us and we are concerned for ourselves and our children.

Mr. David Sheridan stated he attended Planning Commission meeting. One point then essentially in numbers, we are talking about 8 units for the sake of 360 families. Comparing numbers you will have to agree that 8 sacrificed for 360 families, is minor in comparison. We oppose duplexes facing Sweetbriar Lane the most important feeder street to the entire development.

Mayor asked if audience concurred if 8 lots were not duplexes did they concur with other multiple units of plat. Resounding NO from audience.

Mr. Vance Baxter stated as property owner and member of Homeowners Association, we residents of Sweetbriar do not favor 4 plexes anywhere in that area. Resounding applause. We are proud of Sweetbriar now as it is - a single family development.

Mr. Mike Rice....We pay association fees monthly for our park-like setting. Duplex or 4-plex units, who would pay nothing for upkeep and would want only to use the park areas and not respect or maintain those areas without contributing to revenues to maintain those areas. You are talking of 76 families using our parks and greenways over whom we would have no control for vandalism or damages.

Proponents: Mr. Ed Borst, executive Vice President of Leavitt NuPacific, spoke stating the City Staff review of the situation is essentially correct, in the sense that on October 6, 1976 with approval for preliminary plat of the area in question. The plat calls for 8 duplexes and 15 4-plexes on land adjacent to Sweetbriar on land already zoned A-2 PD and is in conformance with the Comprehensive Plan of the City of Troutdale and approved conceptual plan of Sweetbriar Farms Project and has been so since March 1972. The approved density is 29.5 units per acre but we have voluntarily reduced the density to 8.8 units per acre. (Point #1) There needs to be a buffer somewhere between Sweetbriar family residence and the commercial zone existing along Stark Street. (Point #2) What we are proposing is considered good land use planning. Finally a preliminary plat hearing, it is improper to use that as an engagement to change the zoning. To change any part of approved zone or add condition has the effect to change the zoning. We have not requested a zone change. Mr. Asher will speak also.

City Attorney, Brian Freeman, interjected legal opinion was that this is a subdivision plat hearing not a hearing on zone changes. Density use is not a revelation issue. Council approved a zone change in March 1972. Street widths, location, lot size, engineering and systems construction are the questions of the issue to be legally discussed. Although this is a higher density than these citizens would like to see, it is beyond the scope of the review of the subdivision plat before the Council tonight.

Mr. Asher spoke of 1972 being the year we brought in the entire plan for a planned unit development consisting of a school and park area, single family residences, multi-family area,

and a commercial zone. Four year expiration not applicable to one unit of 4 unit package. We have been working on the project consistently during the last 4 years. I cannot buy the concept that in a land plan without people there is not a successful plan as always it is imperfect. We are proud of what we have done and will continue to carry forward our original plan to complete a successful well-planned development of Sweetbriar Farms. The logical place to break in density use is the neighborhood collector street which is Sweetbriar Lane. We feel people often fear the things that they cannot yet see. We hoped we would be judged on what we have done thus far and not irrationally on what we have yet to finish. We reject additional reduction of our land density use to single family when we have already voluntarily reduced from 29.5 to 8.8 units on this land and dedicated parks, a school and greenway lands on this original parcel of land.

Mr. James Cox, Attorney for Leavitt NuPacific, spoke emphasizing that it is the subdivision plat under discussion this evening not a zoning hearing. Heavier use of the land could result in building apartments on this land rather than duplex or 4-plex units which we would have every right to propose under the A-2 PD zone as it exists. To rethink, replan a half completed development is incongruous and unrealistic with good land use development planning and outside the scope of a plat hearing. The City of Troutdale approved the rezones and the conceptual plan for the entire development. Issues under discussion are not relevant to tonight's Meeting.

Rebuttal opponents: Mrs. Alex Hoover spoke again of Sweetbriar Lane as the natural divider of density use but homes sold under pretences of single family residence neighborhood developers responsibility to his clients.

Mr. Cheney asked if no approval this evening would construction go into motion? Mr. Jean replied no construction until approval on specs and plans.

Mr. Jean explained some construction began without approval and a stop work order issued until plat approved and specs approved.

Mr. Cheney asked if our presence tonight would delay construction if approved by the Council tonight allowing us time to co-ordinate our opposition?

Mr. Jean replied if the Council should approve tonight the plat proposal then specs would be submitted to the City Engineer and after his approval construction would begin on multifamily dwelling sites.

Mr. Cheney asked when issue could be brought before the Council again if denied. Mr. Jean replied 6 months if denied.

Mr. Cox - Leavitt Attorney objected to areas of discussion.

Mr. Cheney closed urging Council to not approve plat. This is an intangible plan and some 300 people are affected, who have desires and investments equally important as the developers investment. We must be as flexible in 4 year old land use plans as with our daily lives.

Mr. Sherman asked A-2 PD density uses?

Mr. Jean explained A-2 PD prohibits only Commercial uses it does not prohibit lesser uses such as single family residences.

Mr. Sherman replied we have all paid for our so called bonuses of parks and schools and our investments there are for 20 or 30 years not 2 or 5 years such as the developers. And I did not see Leavitt putting in the commercial and duplexes in first before selling these single family residences to buyers who were unaware of his grand plan.

Mr. Lee, City Engineer, cautioned the Council concerning utility easement on plat sidewalk area shown on proposed plat as easement area when a public domain classification more preferable to city to insure adjoining properties not own utility/walk area but the City to have access as public domain. Mr. Asher replied this condition already agreed to at Planning Commission meeting, changed noted.

Commissioner elect Mr. Weissenfluh stated at Planning Commission meeting, they recommended single family residences on 8 lots in place of duplexes called for in applicants proposal. Does this recommendation carry weight to the Council? I feel the more natural barrier created by this recommendation of backyards of single family residence and backyards of duplex residence a more preferable division on intensity uses. Some additional trees along backyards would enhance barrier division of land use.

Mr. Rice and Mr. Cheney spoke stating we have guarantee so called duplex 4 plex units would be under one ownership or Leavitt ownership and could not deliver objections to resident conduct to owners. General feeling tonight objects strenuously to multiple units proposed.

Mayor Sturges asked the Council members for their feelings on the proposal and/or a motion of approval, denial or tabling.

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Commissioner Althaus stated our City legal opinion states this is a subdivision hearing not a zoning hearing. This is a 5 year construction process for this development and I feel opinion of the City Attorney should be viewed with careful consideration.

Mr. Freeman, City Attorney, agreed that a 4 year delay may cloud intent of A-2 PD approval 4 years ago, however, subdivision plat was delayed until single family phase is completed. Our records do not spell out precise scope intended to be reviewed for this phase and there may be room for controversy due to lack of scope 4 years earlier when the Council did not demand a subdivision plat approval of this parcel along with the General Concept approval of the single family residence plat approval.

No further questions.

Commissioner Kaiser moved to refer plat back to Planning Commission for final review.

Seconded by Commissioner Finegan.

YEAS: 5

NAYS: 0 Motion carried.

Dr. Packard spoke that 3 motions rejected at our meeting before 4th motion passed.

Mr. Asher objected to lack of decision by the Council this evening as unjust. Mr. Cox objected motion not legal in spite of difficulties of a decision and I feel the Planning Commission is no better equipped to make that decision.

Mrs. Schmunk spoke that 4 or 5 attended from Sweetbriar at that meeting but I agree the City Council should make a final decision.

Audience questioned if this is a denial: Staff replied no, it is tabled and referred back to the Planning Commission and outlined procedure process.

Mr. Freeman stated in his opinion tabling decision would be unjust without definite reason stated for referral back to the Planning Commission.

Mr. Rice asked what authority does the Planning Commission have?

Mr. Jean explained old authority and new authority per Council action in October.

Mrs. Hoover asked if the Planning Commission has final authority or does the Council? Part or whole thing?

Mr. Jean re-explained procedure and authority that now Planning Commission has final authority but applicant has the right of appeal to the Council.

Mr. Freeman clarified question stating rezone as approved March 1972, with one detail left to be approved - the plat for this multiple area to be filed, and approved at a later date. I recommend that the Planning Commission review unplatted areas for final approval by them to see if public interest is served by this plat proposal.

Dr. Packard asked if zone change can be enacted by anyone other than owner/applicant? Mr. Freeman replied yes the Council may choose to act in public interest on certain area or the entire city areas.

Mr. Robert Johnson noted audience deserted rest of meeting after this issue resolved at the Planning Commission and he requested they stay for the rest of agenda.

Mayor Sturges polled Council if they wished to withdraw their motion. Poll unanimous to refer matter back to the Planning Commission for review of the lot size designation recommendation of single family rather than duplex of 8 lots in question. Full legal assistance to be made available to them if they so desire.

Mayor Sturges read proclamation tribute to Sam Cox honoring his birthday as "over the hill plus 2" night with coffee, cake and refreshments for all in attendance in celebration of this wonderful event.

Break at 9:10 PM. Agenda resumed at 9:35 PM.

AGENDA ITEM #7 - COMPREHENSIVE PLAN, INTERIM LAND USE CONTROLS.

Mr. Jean addressed the Council stating consultant Steffanoff and Horning finding reveals large city area was F-2 or SR zoned. Topic of discussion at neighborhood meeting was to freeze or slow development of 20 new plans, which would have some undeveloped land left to act upon. Map illustration used.

Consultant Tract findings: 1. Soils 1-4 are classified as farmland - small area is not 1-4 class.  
2. Large enough parcels are farmland open space areas.

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Questions asked at neighborhood meetings were:

- |  | (Vote) |                      |
|--|--------|----------------------|
| 1. Should all land be zone frozen?   | ( 7)   |                      |
| 2. Should all green map areas be frozen (farms)?                                 | ( 1)   |                      |
| 3. Should we continue business as usual?   | (13)   | (Many areas served   |
| 4. Should applicant requests meet Comprehensive Plan,<br>as well as future plan? | (10)   | by both water/sewer) |
| 5. Abstain - no suggestion?  | (16)   |                      |

Discussion of public ownership lands known to be 1/2 of area in question.  
Steffanoff letter read to the Council (See Exhibit C).

Council questioned LCDC guidelines and consultant suggestions and risks. Discussion followed.

Consensus at neighborhood meetings recommend delay of rezoning requests during Comprehensive Plan process of parcels, 20 acres or more. Staff recommends applicant show public need by outlining 14 LCDC goals as a must to be met by applicant. Low profile of LCDC may now suddenly change.

Dr. Packard addressed the Council reviewing the high school site issue. Carl Andersen appeal results but possibility of litigation does exist by anyones appeal to LCDC.

Mr. Freeman noted this recommendation as a why not do it proposal with potential benefits for the City and residents.

Mr. Jean stated the City's position is we know land use findings better than LCDC and the applicant knows his land better than we do thus he is the logical person to call out 14 goal compliance regulations and until new plan is adopted we feel this requirement would be advisable to implement in each application. We shall be happy to assist any applicant who asks for help. The council concerned as to overburdening applicant unnecessarily. We feel a cleaner decision would result for the applicant on any zone changes.

Mr. Rod Andersen stated he was unaware the staff would make recommendations to the Council tonight. He questioned recommendations to the Council at this time without more notification. It was not his understanding they would take action immediately.

Dr. Packard was concerned about the Planning Commission actions now in process.

Mayor Sturges addressed lack of prepared information as insufficient to require the Council's action. Mr. Lee, City Engineer, addressed the Council as his feelings that the intent of LCDC goals and guidelines and concurred tabling the matter for further study as preferable.

Motion by Commissioner Althaus to table matter for the staff to supply the Council with additional data and information.

YEAS: 5

Seconded by Commissioner Cox.  
NAYS: 0 Motion carried.

Council directly requests copy of 14 goals and guidelines for review.

City Recorder circulated election results certified by Multnomah County board of Elections and the City Recorder and asks formal adoption of results into the City Records.

Motion by Commissioner Finegan to enter official election results into minutes of the Council.

YEAS: 5

Seconded by Commissioner Cox.  
NAYS: 0 Motion carried.

AGENDA ITEM #9 - RATIFICATION OF COMMITTEE RESOLUTION #129

Resolution reread by Mayor in full and by title for entire Council.

Motion by Commissioner Kaiser to adopt Resolution #129.

YEAS: 5

Seconded by Commissioner Finegan.  
NAYS: 0 Motion carried.

AGENDA ITEM #10 - POLICE COMMUNICATION BILL

Mr. Jean suggest delay to Finance Committee meeting November 23rd and discuss at the December Council meeting when possible recommendation can be submitted.

Mayor noted we could address class action suit against Multnomah County for proof of services for taxes levied or jointly act with Gresham Council in sitting up our own regional communications center.

Motion by Commissioner Kaiser to table communication bill from Multnomah County until December meeting.

YEAS: 5

Seconded by Commissioner Finegan.  
NAYS: 0 Motion carried.

NON AGENDA ITEM - RATIFICATION OF SANDY PALISADES LETTER OF CREDIT AT 7%

Mr. Jean addressed the Council concerning proposal of Leavitt Nupacific to furnish a letter of credit in assisting with Beaver Creek pumping station and/or gravity line improvements as an obligation of \$35,000 toward this improvement which will be constructed by the City with an interest rate of 7%. Mayor polled the Council on acceptance of proposal earlier in month of November.

Motion by Commissioner Kaiser to accept letter of credit for \$35,000 at 7% interest for 2 years payable in full at that time, as proposed by Leavitt Nupacific to financially aid the City in improving Beaver Creek pump station when funds are requested by the City.

YEAS: 5

Seconded by Commissioner Cox.  
NAYS: 0 Motion carried.

AGENDA ITEM #12 - PARK REGULATIONS ORDINANCE AND RESOLUTION

Motion to table by Commissioner Kaiser.

YEAS: 5

Seconded by Commissioner Althaus.  
NAYS: 0 Motion carried.

AGENDA ITEM #11 - REVENUE SHARING RESOLUTION #131

Resolution read by Mr. Jean in full and by title.

Motion to adopt resolution #131 by Commissioner Cox.

YEAS: 5

Seconded by Commissioner Finegan.  
NAYS: 0 Motion carried.

AGENDA ITEM #13 - MT. HOOD DEDICATION INVITATION

Mt. Hood College invites all residents and representative to dedication of new pool on November 12th at 7:30 PM.

AGENDA ITEM #14 - DEPARTMENTS REPORTS

City Engineer, Duane Lee, gave brief resume of progress on various projects initiated by the Council. We are in high gear on facility plan of sewerage treatment plan system from last summer. A special meeting to discuss Plan A portion will be legally posted separate from Regular Council meeting dates, where we will also discuss grant and progress of storm sewer system progress of plans and construction. Concerning Well #2 we are in process of finalizing a bid document to connect to city system and funding by city along with telemeter improvements at the same time. Standby motor will be used on Well #2. Need resolution for easements around this well site, which committee has not yet presented to me. LID surveys begin next week and work with Mr. Cerruti on location of sewer line. Rainbow ridge specs and construction of systems except for streets and curb problems along a 300 foot stretch. Minor problems in Berry Lane drainage areas that were missed in plan reviews of sump system. We are overcome with plugging of drains. Sweetbriar drainage problem was addressed. Northridge drainage has been resolved. All of these areas will have to connect to storm drains when they are constructed. Pearl Heights created some inspection problems by violation of sub-contractors which we corrected. Public Works application for grant funds sent and we are waiting November 26th decisions. In 3 weeks we begin work on interim sewage treatment plant facility study improvements until new plant is constructed.

Constructing of culvert pipe on Jackson property problem studied but 50% of cost (\$1200) would be lost. Another solution to construct storm sewer system section of a 15" culvert down Dora below 6th to 5th and then west along 5th to Buxton and back up to grade at Buxton which would cost \$21,000 by city crew installing system. The Council questioned properties benefiting from storm system by forming LID necessitating 6 month process. Costs discussed versus grant status and material not reuseable if cheaper method used. Money available only if other projects shortened or dropped, no fat in the budget and revenues are down as reported by recorder to the Council.

Mr. Jean explained projected budget studies by staff showing a shortfall existing now without additional projects.

Mr. Cox questioned alternatives versus effectiveness.

Mr. Althaus questioned loss of expenditure cost but was cognizant of Mr. Jackson's problem with large ditch.

Mr. Lee noted water back up probable on south side of sixth using gravel/culvert alternative costing \$1,000 - \$1,200. Mr. Lee suggested 60 day wait to receive grant replies and to contact state concerning problem created by their contractor on street improvement program they funded.

Mayor reviewed problem solution as a special policy privilege being granted to Mr. Jackson where other citizens could demand some service where problem would be corrected during storm sewer installation program and he sees no drastic devaluation of property involved.

Mr. Lee explained state granted projects on streets to Council.

Commissioner Dix made a motion to approach State for \$1,000 reimbursement to correct problem created by them on 6th Street project and if unsuccessful that the City fund the \$1,000 cost of repairs.

Seconded by Commissioner Althaus.  
NAYS: 1 (Kaiser) Motion carried.

YEAS: 4

Discussion of East County Transportation Committee Meetings attended by Chuck Pulliam and Walter Mackey where funding of arterial interchange in form of a resolution to the Commission designating 223rd as proper interchange location for East County traffic control. Mr. Murphy presented background. Mr. Jean read resolution #132 in full and by title.

Motion moved by Commissioner Finegan to approve Resolution #132.

Seconded by Commissioner Kaiser.  
NAYS: 0 Motion carried.

YEAS: 5

Mr. Murphy passed out road standards chart to the Council for review for discussion at the next meeting with a short review of chart. Tabled till the next meeting by staff.

Mr. Freeman, City Attorney, reported in his opinion Mr. Jackson's property and ditch problem is on the City's right-of-way and therefore no policy problem to the City and it does appear to be somewhat obnoxious. No legal issues of concern in implementing 14 points of LCDC guidelines in our form application and would provide Planning Commission more information as well as protecting applicants decision from them.

Mr. Freeman reported oral arguments completed on home rule issues of Double Wall Construction Ordinance implementation denied by the State. Decision expected in 60-90 days.

Vern Cook appeal November 8th before Judge Burk.

I am pleased over ordinance and election by position ballot measures that passed.

Leavitt NuPacific letter of credit decision by the Council and Staff deemed wise position for the City in view of obvious delays for careful engineering studies of Palisades and other development impact on systems before renovation on new construction decision is reached.

Law suit initiated by Mr. Ruth against the City and PGE / motion was argued by opposing parties several months ago and Mr. Ruth's Attorney did not pursue the case which will default in another 30 days.

Mr. Jean, City Administrator, reported 1000 dues to CRAG left unpaid and he recommends payment in view of election result.

Invitation to the Council from the Citizens Committee to attend a Saturday meeting at 10:00 AM.

Mr. Jean reviewed the City election results noting tax base defeat by only 40 votes. However, problem of funds not erased for the next budget session where it looks likely we must pursue levy outside 6% limitation. Police system analyst will do study for free of our department organization for suggested improvements and comparison.

League convention at the Hilton Hotel on November 13th, 14th and 15th. Please notify the Staff to make reservation if you wish to attend.

City Recorder - no report.

AGENDA ITEM #15 - COMMISSIONERS REPORTS

NONE

AGENDA ITEM #16 - ORAL COMMUNICATION

Mayor Sturges read letter from Mr. Butterfield of Reynolds School District thanking us for our participation and interest in the new high school name selection.



Motion to adjourn by Commissioner Kaiser.

YEAs: 5

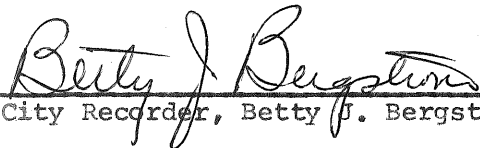
Seconded by Commissioner Cox.  
NAYS: 0 Motion carried.

Adjourned at 11:40 PM.



\_\_\_\_\_  
Mayor, Robert M. Sturges

ATTEST:



\_\_\_\_\_  
City Recorder, Betty J. Bergstrom