

APPROVAL OF BILLS: B. Edwards, S. Cox, F. Kaiser

C I T Y C O U N C I L

AGENDA

April 12, 1977

1. Call to Order and Roll Call -- Mayor and Recorder
2. Approval of Minutes -- March 8, 1977 -- Motion
3. Approval of Bills, Recorder -- Motion
4. Planning Reports:
 - Planning Commission - Planner - agenda
 - CAC Report - Chairman
 - Comprehensive Plan - Planner
 - Annexations - Administrator (Cook Property Resolution)
5. Business Licenses:
 - Applications - Recorder
 - Discussion - Glenn Otto
 - Business Regulatory Ordinance - Attorney
6. Sewer Improvement Fee Pre-payment - Administrator, Emergency Ordinance
7. Fujiiama Zone Change - Planner -- Motion
8. Street lighting Standards and Policy - City Administrator, discussion
9. Subdivision Reimbursement requests - Planner: - Latecomers Charge
 - Sandee Palisades
 - Northridge
 - Boyer Park
 - Rainbow Ridge
10. Engineer's Report
11. Sandy Road Acceptance - Administrator -- Resolution and letter
12. 15th Street Pedestrian Ways - Attorney -- Vacation
13. Administrative Hearing: Mauck and Sub-Committee Report
14. City Recorder: Election Results Motion, Drinker LID Resolution, Revenue Sharing Motion...
15. City Administrator: Budget Committee and Contingency Motion
16. Employment Relations Ordinance - Administrator -- Adopt
17. Zone Change Ordinance -- second reading and adopt
18. Building Inspection Agreement -- Attorney
19. Commissioner Reports and Oral Communications letter, Sweetbriar, RS
20. adjournment.

City Council Meeting
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Commissioner Kaiser moved to adopt Resolution #142 annexation petition from Mr. and Mrs. Cook.

YEAS: 5

Seconded by Commissioner Althaus
NAYS: 0 Motion Carried.

Discussion with Council on other annexation inquiries continued.

Commissioner Althaus moved to have staff continue working with those property owners wishing to annex to the City.

YEAS: 5

Seconded by Commissioner Cox
NAYS: 0 Motion Carried.

AGENDA ITEM #5 - LICENSES

No applications, however, Repr. Otto requested permission to address Council. Mr. Otto discussed recent smelt run activities, specifically the matter of issuing licenses to concessionaires parked on City Property, as being unjust and unfair to city established businesses such as his own food and fish business. Objections to current license ordinances allowing those under 2,500 gross no fee and those over 2,500 being allowed access to City property. Gave a concise report on smelt business, past and present. Staff noted current license provisions under study for revision. No action by Council at this time. *

AGENDA ITEM #12 - (15th St. Vacation)

Mr. Jean addressed the Council and drew a map to illustrate area being discussed. The City Administrator stated the staff and he felt the described property no longer was needed by the City for public use or access since greenway area never finished and is presently a weed patch. City Engineer Duane Lee stated drawings show utility line in Area 3 not included for vacation in this petition, and he concurs with staff to vacate areas 1 and 2. Mr. Cecil Dunkin, adjoining one area to be vacated, in favor in order to obtain property and keep it clean and cut down. Mr. Leo Hardy discussed Bradburry property (lot 19) which would create area large enough for building. Mayor asked for those opposed. None. Hearing closed by Mayor. Brian Freeman read Ordinance #243 in full and by title with emergency clause.

Commissioner Cox moved to pass Ordinance #243 Vacation.

YEAS: 5

Seconded by Commissioner Weissenfluh
NAYS: 0 Motion Carried

Attorney noted to City Recorder, Ordinance must be recorded with Multnomah County Records.

*AGENDA ITEM #5 - CONTINUED

Commissioner Kaiser moved to authorize staff to proceed with City license revision study and preparation of new ordinance.

YEAS: 5

Seconded by Commissioner Edwards
NAYS: 0 Motion Carried.

Brian Freeman, City Attorney, reviewed changes for discussion such as \$25 rate fee plus percentage -vs- flat license fee or reduced rate for in-town business. Mrs. Bergstrom, City Recorder, gave history of income limit rate creation of Multnomah County license fees subsequently adopted by all cities within county in 1975. Mr. Jean and Mr. Freeman gave additional history and update to our ordinance evolving to our present need for a good regulatory license ordinance. Discussion ensued over rate fees, limits, greenriver clause, temporary licenses, concession licenses, and requirement to display license. Commissioner Kaiser voiced Council approval that Mayor continue to review applications and approve those or deny. Appeals would be scheduled to appear before Council. Sub-committee to prepare proposals thought most efficient for presentation to Council. Discussion directing attorney and committee to study regulation area of license as well as fees.

Break at 9:10

Reconvene at 9:25 PM.

AGENDA ITEM #6

Guests continued to arrive (approximate total 40).

Mr. Bob Jean, Administrator, gave brief history underlying prepayment ordinance passage and he read ordinance for audience in full.

Floor opened by Mayor for questions to Council or staff.

Mr. David Scott asked fee not transferrable under what conditions?
Mr. Jean answered this is to prevent scalping practices. We envision a property owner could transfer one hookup paid to one of his own lots unpaid if it were developed first. Unused lots on which prepayments were made would be distributed by lottery public drawing. Discussion of other features by Council and audience. Commissioner Weissenfluh questioned tonight's annexation support in view of this apparent shortage of capacity - is this pressure on planning? Mr. Jean referred to Section E exclusions. Delay of letter of credit to August should coincide with Comprehensive Plan adoption. Discussion continued. Bob Burlingame questioned limit total and no guarantee that we will receive any of those hookups. Mr. Jean and Mr. Freeman explained exclusion clause to protect city in case of catastrophe condition -- any city cannot totally guarantee anything in view of State, County and Federal law charges restrictions etc. Mr. Fred Bean asked will you sell more connections than capacity of interim plant? Mr. Jean stated "no". We will sell only capacity numbers which we figure will be available. Mr. Johnson asked if this will be large enough not to repeat situation in 1982. Mr. Jean replied he could not deny we may have to repeat process by 1982, but it takes five years to plan, finance and design in order to build such a project. Jan Wagoner questioned transferrable exclusion pertaining to sale of lots. Discussion explaining exclusion followed and concluded that exclusion refers to transferring prepayment to another land owners lot as not permissible. Land owners could change or prepayment within one land owner's total lots could occur with staff notice of approval.

Commissioner Weissenfluh moved to pass Ordinance No. 244 with corrections: Section E, portion 2, paragraph A, delete phrase from one lot to another, add "on or before 5:00 PM, May 2, 1977"; Paragraph D - substitute in paragraph D permanent for interim plant and delete last half of exclusion clause sentences.

YEAS: 5

Seconded by Commissioner Edwards
NAYS: 0 Motion Carried.

AGENDA ITEM #14

(Election)

Mrs. Bergstrom read Election results as posted and notification of results.

Commissioner Weissenfluh moved to enter Election Results in official minutes of Council proceedings.

YEAS: 5

Seconded by Commissioner Kaiser
NAYS: 0 Motion Carried

(Drinker Payments)

Resolution #139 read in full by Mr. Jean concerning LID payment from reserves.

Commissioner Kaiser moved to adopt Resolution #139.

YEAS: 5

Seconded by Commissioner Edwards
NAYS: 0 Motion Carried

(Revenue Sharing Proposals)

Proposals for Revenue Sharing revenues outlined by Mr. Jean for Council and audience. Some discussion of proposals by those present.

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Commissioner Kaiser moved to present Revenue Sharing proposals as outlined to Budget Committee.

YEAS: 5

Seconded by Commissioner Edwards
NAYS: 0 Motion Carried

AGENDA ITEM #15 - (BUDGET COMMITTEE RATIFICATION)

Mr. Jean read the list of recommended and accepted appointments.

Commissioner Cox moved to approve Budget Committee appointments as read.

YEAS: 5

Seconded by Commissioner Althaus
NAYS: 0 Motion carried

Non-Agenda item (Pinto purchase - Contract Review Bd.)

Mr. Jean gave outline of necessity for purchase and bids reviewed by staff and Mayor.

Commissioner Kaiser moved to appropriate from contingency fund of General Fund up to \$1,500 for late model car from State pool auction.

YEAS: 5

Seconded by Commissioner Althaus
NAYS: 0 Motion carried.

AGENDA ITEM #7 - FUJIAMA ZONE CHANGE

Mr. Murphy presented staff report as circulated. Slides shown of property behind new high school and west of Raspberry Lane Development. Request from SR to R-4 zone. Mr. Murphy pointed property on Troutdale map. Steffanoff does not recommend Glisan Street extension but rather Cherry Park as an arterial street. Don Conrad to meet with City on Glisan Street question. Mr. Close spoke recommending that Glisan extension option be kept open by City. Multnomah County farm property should be kept as open spaces. He said those options would not be jeopardized by development as we have envisioned development.

Mayor asked Council for questions. Commissioner Weissenfluh stated problems evident but answers difficult when considering duplexes around school. Council discussion followed. Duplex issue of great concern whether necessary or advisable in this case rather than single family dwellings near school and wooded area.

Mayor asked for those who oppose zone change:

Bob Johnson stated he opposed duplex use citing questionnaire responses and natural barrier of Raspberry Lane Street place to begin single family westward.

Dalton Williams stated duplexes do not save energy as Mr. Close said because garages commonly divide dwelling, not common living unit wall. High School and duplexes with small children would mix badly in that young couples usually move into duplex units and they have the small children.

Mr. Close countered that the high school exists now and renters of duplexes should take that into consideration or rent elsewhere. Also, the duplexes would back on street across from high school.

Commissioner Kaiser moved to pass R-10 Zone and deny R-4 Zone on this application request.

YEAS: 3

ABSTAIN: 1 (Weissenfluh)

Seconded by Commissioner Edwards
NAYS: 1 (Althaus)
Motion Carried

Council finding objection to denser use of this property due to lack of demand for such denser use at this time. Demand for single family dwellings more evident to Council.

Commissioner Kaiser moved to adjourn and continue agenda items April 19, 1977.

YEAS: 5

Seconded Commissioner Edwards
NAYS: 0 Motion Carried

Adjourned at 11:40 PM

ATTEST:

Betty J. Bergstrom
City Recorder, Betty J. Bergstrom

Robert M. Sturges
Mayor Robert M. Sturges