## CITYFEQUNCIL

### 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 April 12, 1977

Meeting called to order by Mayor Sturges at 7:32 PM.

### AGENDA ITEM #1 - ROLL CALL

Commissioners Present: B. Edwards, F. Kaiser, S. Cox, Mayor R.M. Sturges (absent - H. Althaus, E. Finegan)

Staff Present: Ed Murphy, Bob Jean, Brian Freeman, Duane Lee, Leo Cauley,

B. Bergstrom, Sandy Ryun.

Press: Sharon Nesbit of Outlook

Guests: Repr. Otto, B. Johnson, Mr. & Mrs. Burlingame, Al Mauck, Mr. Close, Rod Andersen, Dalton Williams and 16 other guests.

### AGENDA ITEM #2-APPROVAL OF MINUTES

Commissioner Edwards moved to approve minutes of March 8, 1977.

YEAS: 3

Seconded by Commissioner Kaiser NAYS: 0 Motion carried.

### AGENDA ITEM #3 - APPROVAL OF BILLS

Commissioner Kaiser moved to approve March bills.

YEAS: 3

Seconded by Commissioner Cox NAYS: 0 Motion Carried.

### AGENDA ITEM #4 - PLANNING COMMISSION REPORT

Mr. Murphy reported that subdivision charges were discussed again. (Commissioner Weissenfluh entered at 7:34 PM) At April 20, 1977, the Preliminary Plat request off Buxton Street will be on agenda as well as Fujiama Subdivision, Bob Spikes' new project, Mrs. Platt will be resubmitted, Sandee Palisades again, Bill Zendall for Hambro parcel.

### AGENDA ITEM #5 - CAC REPORT

Mr. Rod Andersen not present. Mr. Bob Johnson will substitute. Mr. Murphy reported on a portion of the meeting. He handed out questionnaire results (see enclosed) compiled by efforts of 6 neighborhood committees forming questionnaire, city distribution and tabulation of returns — all in response to state mandates and city's needs to update comprehensive plan. He pointed out interesting comments (enclosed). Mr. Andersen entered chamber and reported CAC progress. He said this questionnaire is valid but it is important to consider what questionnaire tells us. It does not tell you who has greater right to determine land use; the community or people who own the land. Individual rights not addressed by this procedure. They have voted away their own rights or had them usurped by State and County and cities. Mr. Johnson commented we were upset that land owners not the number one opinion and his neighbor the number 2 opinion as to how his land shall be used. (Commissioner Althaus entered at 7:55 PM) Mr. Andersen asked the question "Do concentrated housing areas dictate land use policies of lesser populated areas rightfully?"

Mr. Murphy noted on questionnaire introduction to each question may be objectionable to some but necessary to give history of the question.
Mr. Jean noted citizens, council and staff still striving to address areas of concern and balance of government. We tried to establish committees on technical data gathering, committees on policies of concern within our city and combine into a fair, varied questionnaire. It is now time to bring information together in a proposed plan to present to the Planning Commission and then Council for final approval. The spirit of entire process is to achieve balance between majority, minority concerns and issues of our community. Mr. Andersen noted consultant Steffanoff & Hornings stated they would have to draw up plan on basis of their conscience, not necessarily on individuals preference for Troutdale. Proposed draft to be ready for Planning Commission by May from consultants.

Discussion of annexations such as areas to south of Sweetbriar, the Port of Portland to the north, and land along Scenic 30. A specific area, Mr. and Mrs. Cook's property north of Gresham Pepperidge Development have petitioned Council. Petition consistent with regional, county, and city regulations since services best provided by City of Troutdale.

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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 tonights 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 situtation 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.

> Seconded by Commissioner Edwards NAYS: 50 Motion Carried.

YEAS: 5

AGENDA ITEM #14

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

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

Seconded by Commissioner Kaiser YEAS: 5 NAYS: 0 Motion Carried

(Drinker Payments)

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

Commissioner Kaiser moved to adopt Resolution #139.

Seconded by Commissioner Edwards YEAS: 5 ... 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.

Seconded by Commissioner Althaus YEAS: '5 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 Rasberry 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 Rasberry 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.

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, Seconded Commissioner Edwards 1977.

YEAS: 5

NAYS: 0 Motion Officed

Adjourned at 11:40 PM

City Recorder, Betty J. Bergstrom