

CITY COUNCIL AGENDA

September 13, 1977

1. Call-to-order and Roll Call: Mayor and Recorder
2. Approval of bills - Motion
3. Approval of minutes.
4. Business Licenses:
 - G.G.'s Game Room: Mayor - Motion
 - Ege Sanitation rate increase request:
 - Administrator - Motion
 - Obrist Incorporated: Administrator - Report
 - Mack Trucking: Administrator - Report
5. Planning:
 - Planning Commission report: Planner
 - Design Review Report: Planner
 - Temporary Trailer Permit, STP: Planner
 - Comprehensive Plan: Planner - Motion
 - CRAG Study Area: Planner
 - LCDC Grant: Planner - Motion
 - Water Study: Administrator - Motion
 - Parks Task Force: Administrator - Motion
 - Cherry Park Land Swap: Administrator - Motion
6. Watanabe & Beaver Creek Sewer Interest - Administrator & Attorney
7. Sewer Pre-payment's Report: Administrator & Attorney
8. Sewage Treatment Plant Study, Federal 201 Grant, Part B
Public Hearing: Engineer
9. Engineer's Report: Engineer
10. Neighborhood Street Lighting petitions: Administrator -
Resolution
11. Neighborhood Petitions: Administrator
 - Stop signs at 262nd & Hensley - Resolution
 - Speed bumps in Autumn Park - Motion
 - Sidewalks in Fraley III - Motion
12. Staten Property purchase: Administrator - Report
13. Letter of Commendation: Administrator - Motion
14. CETA Projects: Administrator
 - City Hall: Budget, Color, Grant and Bids resolution for
concrete, electrical and plumbing work.
 - Letterhead
 - Depot Report and dedication date
 - Metro mobility
15. Departmental Reports
 - Administrator: Reynolds School District, Arndt Suit & GRANTECH
 - Building: Building Official
 - Water: Public Works Supervision
16. Commissioner Reports
 - Port Plan: Mayor
 - Finance and Management: September 15
 - Community Development: October 18?
 - Public Services: November 3?
 - Council Policy Retreat: November 18?
17. Oral Communications
18. Adjourn

City Council Meeting
September 13, 1977

Mayor Sturges called the meeting to order at 7:30 P.M.

AGENDA ITEM #1 - ROLL CALL

Commissioners Present: Althaus, Cox, Finegan, Kaiser, Weissenfluh, and Edwards
(none absent)

Staff Present: Bergstrom, Jean, Lee, Murphy, Cauley

Press: Sharon Nesbitt of Outlook

Guests: 18

AGENDA ITEM #3 - MINUTES

Commissioner Cox moved to approve minutes. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried

AGENDA ITEM #2 - BILLS

Commissioner Kaiser moved to approve July bills paid in August. Seconded by Commissioner Finegan.

YEAS: 6
NAYS: 0 Motion Carried

AGENDA ITEM #4 - BUSINESS LICENSES

G.G.'s Game Room - G. Ring, proprietor, present.

Mr. Jean, City Administrator, reported that the game room will have a variety of electronic games for teens and adults. We wish owner to work with police concerning any drug traffic; be alert to litter or trash outside premises; and finally, parking areas be designated for bicycles to prevent theft and to prevent obstructing sidewalk traffic. Mayor Sturges questioned if any problem existed at this location before? Mr. Jean replied he was not familiar with that. Chief Nauerth concerned over possible problems outlined. Council discussion with applicant followed.

Commissioner Cox moved to approve license with staff recommended conditions observed by applicant. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried

Question of hours by Council. Mrs. Ring stated 10 P.M. closing in winter, midnight on weekends with later hours in summer, such as midnight weekly.

Ege Sanitation franchise rate increase request. Mayor read Resolution 159 outlying fee schedule changes. Mr. Jean reported last rate increase was in March, 1976, and this resolution reflects a 13% increase which is comparable to the cost of living index in our area and consistent with other services of this kind in our area, and staff recommends approval.

Commissioner Finegan moved to adopt Resolution 159. Seconded by Commissioner Weissenfluh.

YEAS: 6
NAYS: 0 Motion Carried.

Brass Rail license - new owner, F. Ventura, not present.

Mr. Jean reported concern over undesirables frequenting tavern and urged compliance with the downtown's remodeling project with an 1880 theme. Council discussion followed.

Commissioner Kaiser moved to issue a temporary license for 30 days to be reviewed at next Council meeting. Commissioner Cox seconded.

YEAS: 6
NAYS: 0 Motion Carried.

Chiropractic Office (cleaners building) - Rody Edwards, not present.

Mr. Jean reported the remodeling is conforming to building codes but suggested a condition to conform the exterior to the downtown 1880 theme be attached to approval before grand opening.

Commissioner Cox moved to approve license with staff condition. Commissioner Kaiser seconded.

YEAS: 6
NAYS: 0 Motion Carried.

Mack Trucking - Cerruti owner - not present.

Mr. Jean reported that the final inspection is not yet completed because sub-contractor needs to return and make corrections, but Mr. Cerruti promised this would be completed by the October Council meeting. Council urged to stand fast on October deadline. He is working with staff toward landscaping completion conditions. Mr. Jean recommended strong council action if Mr. Cerruti has not passed final building inspection by the October meeting.

Obrist Land Fill operation report - not present.

Mr. Jean reported for well over a year we have been working with Don to bring legal and technical compliance of operations. Copy of master plan land fill plan and reports of preliminary investigations, however, shows he has already excavated below his own proposal and two major problems exist: (1) Grade and fill requirements of contract; and (2) legal contract completion. Brian Freeman discussed these problems. Contral obligation of assessment waived by City under condition of new contract, which is yet incomplete and unfiled. They are to pay taxes until property turned over to City. Matter has dragged on for 1 1/2 years; the deed is unrecorded but shall be recorded promptly. Grade and fill not conformed to; we may have to make demand to bond company for penalty payment. A court action would be required and this would shut them down if we demand back taxes and bond assessment payment.

Commissioner Althaus questioned back taxes and assessment condition of deed contract. Brian replied problem remedy is to sue for taxes and/or assessments, citing their failure to comply to conditions of contract agreement as operator of record.

Mr. Jean noted Don is not properly operating fill according to DEQ permit but merely running a tractor over debris. We have supported Don, in part, but our support could be withdrawn in view of lagging lack of compliance by Don. Writ of Man dea mus could be filed with DEQ by City, support withdrawn with DEQ and MSD. Mr. Obrist seems unconcerned and neglectful of his obligations. Hearing should be held by City at community development sub-committee level and committee report to Council for November action.

Duane Lee reported grading plan not really adequate and basically deficient. DEQ permit clearly violated but we would need to dig into this matter to make a full report. Do you want to inherit a dump or City park was Mr. Jean's question. Council supported subcommittee hearing approach to begin with and record deed promptly.

Mr. Johnson (audience) questioned if City would be DEQ violator? Mr. Jean reported no - operator by lease, as it exists, would be violator.

Commissioner Weissenfluh moved to initiate community development subcommittee to hold hearing and report to Council. Seconded by Commissioner Edwards.

YEAS: 6
NAYS: 0 Motion Carried

AGENDA ITEM #5 - P/C REPORT

Ed Murphy reported, as follows: (1) 4-lot subdivision by Windust was approved on Buxton; (2) DeBoise duplex variance approved; (3) Gulde & Son variance approved for fireplace; (4) Planning Commission reviewed Comprehensive Plan summary and work program this year formulated.

Report on Design Review Board by Mr. Murphy:

(1) 80-unit motel next to Husky Station with conditions was approved.

(2) Professional office space to be used by Husky was approved.

The Comprehensive Plan and Design Review Board are working well. They are professional and competent.

Three things to review later will be retail store; restaurant; and Husky dining area extension.

Duplex at Boyer Park, where parking was open, was denied and enclosed car dwellings were made condition of approval. Mr. Jean reported this was an important issue for the board to resolve.

Council motion needed on following: Trailer Permit

Temporary trailer permit at sewer plant reviewed and it would be permissible under grant planning and zoning regulations as reported by Mr. Murphy. Comm. Weissenfluh questioned term of permit. Mr. Murphy replied one year. Mr. Jean noted approval condition that Leo Cauley would be responsible for removal of trailer if agreement permit terminated.

Commissioner Weissenfluh moved to approve temporary trailer permit. Seconded by Commissioner Cox.

YEAS: 6
NAYS: 0 Motion Carried.

Comprehensive Plan Report -

Mr. Murphy handed out artwork to be included in Plan. Mr. Jean suggested a motion by Council to proceed with printing needed at this time. Mr. Murphy stated map correction showing 3 alternatives for 257th that were adopted and transitional area not yet ready. It was suggested the Mayor approve map changes and issue letter of transmittal.

Commissioner Kaiser moved to accept Plan changes and drawings and submit for printing. Seconded by Commissioner Weissenfluh.

YEAS: 6
NAYS: 0 Motion Carried.

CRAG Study Area Report -

Ed Murphy reported that Larry Conrad has recommendations of Troutdale prepared for Planning Commission meeting. Mr. Conrad is a graduate in urban geography and is applying to Portland State for a masters in interim planning.

LCDC Grant -

Mr. Murphy reported additional grant application for \$15,000 plus city match of \$3,000 for ordinance revisions, maps, a land development manual, 5 year capital improvement plan, approved now and needs council acceptance. East Co. Transportation grant with our City to share in \$33,787 with 4 other cities with a match of 10,500 by us and other cities was approved. We will hire consultants as group participants.

Commissioner Cox moved to accept \$18,000 LCDC Grant and \$43,287 East County Transportation Grant. Seconded by Commissioner Edwards.

YEAS: 6
NAYS: 0 Motion Carried.

Water Supply -

Mr. Jean reported that a water study motion was needed to direct City engineers, as authorized in LCDC grant, to begin water study for total funding of \$2,500. Our water needs are not complete and additional solutions must be sought per our engineering firm and staff.

Commissioner Althaus moved to begin Troutdale Water Study with funding to \$2,500 maximum as outlined in LCDC grant as approved previously. Seconded by Commissioner Edwards.

YEAS: 6
nays: 0 Motion Carried

Discussion of East County grant and interagency conflicts in process at this time.

Parks Task Force -

Mr. Jean stated the Comprehensive Plan does not address the park areas and sites. He suggested a Parks Task Force be created to address the study and nominee appointments be listed for next meeting.

Commissioner Cox moved to create a Parks Task Force to study City Park programs. Seconded by Commissioner Finegan.

YEAS: 6
NAYS: 0 Motion Carried

Cherry Park Alignment Swap -

Mr. Jean reported land swap between Mr. Amato and Multnomah County is developing at site location of 242nd and Cherry Park Road, which is called out in our new Comprehensive Plan affecting connection to Glisan Street. Again, Mr. Kaz Fujii's crops are involved as well as his (1) farm produce stand; (2) water irrigation & stand system; (3) parking paving replacement; (4) plant loss estimates of \$1,400 per acre, (approximately \$3,000); (5) 1.6 acres land loss for 60' right of way (4,280 sq. ft.) approximately \$2,100, as well as season's profit farm produce loss (approximately \$10,000), totaling \$12,000 cash items.

I suggest we share on points 1, 2 and 3 losses (\$3,000) and items 4 and 5 be shared by Multnomah County, Wood Village, and Troutdale.

Mayor suggested consulting other farmers such as Burlingame and Dix on plant and berry profit loss for season before finally approving costs as well as contacting Multnomah County and school district to share in points 4 and 5 loss in that

the school created the traffic problems needing street alignment solution.

Commissioner Kaiser moved to contact all agencies involved as well as consultant farm owners and report back to Council in October on loss estimate and share proposals. Seconded by Commissioner Cox.

YEAS: 6
NAYS: 0 Motion Carried

AGENDA ITEM #10 - STREET LIGHTING PETITIONS

Mr. Jean posted maps and demonstrated light layout pattern of City noting receipt of Sweetbriar, Fairfax, and Fraley Heights petitions areas as well as City core petition still in process of obtaining required signatures.

Dave Sheen questioned rate cost per household. Mr. Jean replied the costs would depend on the total poles in district and boundary designation, but the rate is \$16 - \$18.00 a year as opposed to \$24.00 in Multnomah County.

Commissioner Weissenfluh noted Sweetbriar petition near 95% participation.

Dave Sheen questioned petition procedure. Mr. Jean noted number signed important before Council considers the number of lights designated to charge per year.

Commissioner Weissenfluh asked what options are open to us next year. Mr. Jean noted referendum in order for January, 1978. He suggested a task force study solutions to problem.

Commissioner Weissenfluh moved to accept Sweetbriar, Fraley, Fairfax, and downtown petitions forming street lighting districts and that they be given 30 days beyond September 16 to obtain necessary homeowner signatures. Seconded by Commissioner Kaiser.

YEAS: 6
nays: 0 Motion Carried.

Mayor Sturges read Resolution #160 in full and twice by title.

Commissioner Weissenfluh moved to adopt Resolution No. 160. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried.

Commissioner Kaiser moved to create a street lighting task force who shall report to a finance sub-committee on a long term solution to issue. Seconded by Commissioner Weissenfluh.

YEAS: 6
NAYS: 0 Motion Carried.

Break at 8:55 Resumed at 9:05

AGENDA ITEM #6 - WATANABE-BEAVER CREEK INTEREST

Mr. Freeman reported that Mr. Watanabe's letters of May 17, 1971 to Mayor Otto and of February 19, 1974 to Recorder, Truly Wright, noted deferment of principal and requested interest due being waived also. The City has no record of acceptance of this proposal in writing by Mayor Otto or council.

Mr. Wills, attorney for Mr. Watanabe, spoke stating easement agreement provided sewer hookup waiver and assessment deferment as well as interest waiver as per verbal agreement with then Mayor Otto. Mr. Otto's letter noted easement agreement deferring assessment. In 1974, Recorder, Truly Wright, requested interest and by telephone conversation interest was then waived; but in Mr. Wills confirming letter to Mrs. Wright he erred in not clearly including waiver of interest as agreed.

Mr. Jean reported that a City search of such a waiver of interest produced no letters confirming Mr. Will's request. Mr. Otto and Mrs. Wright were contacted and could not confirm or deny such a verbal agreement. Both confirmed lengthy difficulties in obtaining Mr. Watanabe's easement and he was last one to

sign easement documents.

Commissioner Althaus questioned letters and dates of agreement. Mr. Watanabe spoke stating his reluctance to agreement due to effect on ground farm loss. Mr. Freeman spoke also to Dr. Packard, then Chairman of Planning Commission, who could not remember that condition of agreement and Mr. Emerson, former City Administrator, was also contacted but had no involvement in transaction. Mr. Freeman spoke stating no other records available. Council discussed probabilities of agreement and what some involved could remember of transaction.

Council directed City Attorney to contact engineers on Beaver Creek project CH2M, namely Jim Baker and former City Attorney Vern Cook for further recollections or documents.

Commissioner Weissenfluh moved to table issue until other parties contacted. No second. Discussion continued on problem.

Mr. Jean suggested hard bargain sought by Mr. Watanabe was obtained, but mayor's letter of agreement to special condition for last easement necessary to project is missing or was never confirmed in writing. However, the City is standing in a position of trust when accepting Mr. Watanabe's claim to waiver of interest forever rather than having substantiated proof by letter.

Mr. Freeman suggests that escrow amount for interest be released in October to Mr. Watanabe and charge him with pursuing CH2M. Vern Cook and Mr. Freeman will report to Council at next meeting on findings. If no additional information at that time is submitted, Council must make final decision on interest owing - whether due or permanently waived and dispense escrow interest.

Commissioner Althaus moved to direct City Attorney to contact other involved parties and report back to council at next meeting. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried.

AGENDA ITEM #7 - SEWER PREPAYMENT REPORT

Mr. Jean reported status of program (see attached) and suggested process be given extension to September 31 without penalty charge but that all no response participants be sent certified letters of final participation demand for letter of credit or \$500 per lot. He suggested a warning of loss of participation default and loss of preliminary fee of \$75.00 each be clearly stated in letter.

Dalton Williams (audience) objected strongly to extension in that he and many others met the deadline under great difficulties and are paying 30 days extra interest on loans than late comers would pay - not fair in his estimation.

Commissioner Finegan did not support a penalty charge in that obtaining letters of credit is difficult process and interest to be turned over to City eventually anyway.

Mr. Freeman said financial arrangement not a usual one and is confusing to some. Therefore, those not financially aware need time to organize their affairs and some understanding by Council must be given to unusual nature of this program.

Mr. Jean reported to penalize late comers could wreck entire program and force city into a "no go" on financing of project. Hardly seems worthwhile to jeopardize entire project for penalty fees of a very small nature.

Commissioner Weissenfluh moved to extend deadline to September 31 without penalty as staff recommends. Seconded by Commissioner Finegan.

YEAS: 6
NAYS: 0 Motion Carried.

AGENDA ITEM #8 - SEWAGE TREATMENT PLAN FACILITY PLAN

Duane Lee reported formal public hearing tonight. Mayor suggested table item #8 until later. Council concurred.

AGENDA ITEM #11 - NEIGHBORHOOD PETITIONS

City Council Meeting
September 13, 1977
Page 6

Petition for stop sign at corner of Hensley Road and 2032, 2026, and 2018. Staff suggested striping and/or bumps before installing stop sign. Council members objected to bumps as ineffective and we do not have jurisdiction over County Road.

Commissioner Althaus moved to initiate discussion with County on solution to petition request. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried.

Petition requesting bumps in City Street of Autumn Park by 20 homeowners. Council concerned over city liability by installation of bumps. Not recommended by City Engineer. Council discussed lowering speed as more effective means of solving problem.

Commissioner Kaiser moved to lower speed to 15 miles on Autumn Park Rd. Seconded by Commissioner Althaus.

YEAS: 6
NAYS: 0 Motion Carried

Sidewalk request at 503 S.W. 19th Pl. by Mr. Hilsenbeck of 537 S.W. 19th Pl. Only home not having a sidewalk creates an eyesore and traffic difficulties. Staff reported the home was finished by Multnomah Co. Building Department back in 1973 before city had building department and sidewalk requirements. Attorney finds no way our council can legally force completed home to install sidewalk until new building permit is requested. No action recommended by city attorney due to city's legal entanglements. Council concurred. No action available at this time.

AGENDA ITEM #14 - CONCRETE BID, CITY HALL

Mayor Sturges read Resolution 161, Contract Review Board measure on City Hall. Bid advertised in Daily Journal; there was one response and is willing to use CETA labor in contract bid.

Commissioner Kaiser moved to pass Resolution 161. Seconded by Commissioner Cox.

YEAS: 6
NAYS: 0 Motion Carried

Letter of accommodation read by Bob Jean to be awarded by Council to Loren Welton.

Commissioner Cox moved to award accommodation. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried

Letter to be signed September 20 by all present.

Mayor and staff noted the National Conference of League of Cities in San Francisco is very near and would Council approve our mayor attending?

Commissioner Cox moved to recommend Mayor and spouse attend the National Conference of League of Oregon Cities in San Francisco in December. Seconded by Commissioner Kaiser.

YEAS: 6
NAYS: 0 Motion Carried

Commissioner Kaiser moved to adjourn City Council meeting and open Troutdale Facility Plan Hearing. Seconded by Commissioner Weissenfluh.

YEAS: 6
NAYS: 0 Motion Carried.

City Council meeting adjourned at 10:50 P.M.



R. M. Sturges Mayor



Betty Bergstrom Recorder

September 13, 1977-Minutes
Troutdale Facility Hearing

The meeting was opened at 10:50 P.M. by Mayor Robert Sturges.

Duane Lee, City Engineer, reported on facility plan effort started 1 1/2 years ago and Part A completed last December, 1976. Now that the City Comprehensive Plan process is complete, Lee Engineering would like to complete the Troutdale Facility Plan Process. Review of Plan for Council.

Excluding Reynolds Aluminum (not yet in City) in our projections, you can see the process started with question of expansion or relocation of present sewer plant facility. Phase I was done entirely with City funds due to pressing nature of question and need for plan. Excessive cost of tertiary treatment caused cancellation of that as an alternative, leaving just two alternatives (see page 11). The plan is to comply with State requirements on low water discharge schedules and chemical content regulations.

Alternative I on page 23, Alternative II on page 24, suggested to meet year 2,000 flows projected at 202 GMD. Biggest problem existing is environmental impact on fish life in Sandy River. Therefore, land disposal, although more expensive, would best meet future and present regulations moving toward enforcement of environmental impact of treatment locations for 1980 and beyond. No recommendations at this time suggested but Council should be aware of agency demands and state and federal directions in this issue. Collector systems analyzed in August, new services in Sandee Palisades, Cherry Park LID, other major service areas along Troutdale and Hensley Road, possible areas south of town toward Strebin Rd, the East Sandy River area and Lewis & Clark Park are analyzed and projections made. Airport sewer LID would be financed by Port and land developers of a gravity sewer line discussed on page 100.

East Sandy area discussed pages 106, 107, 108; Lewis & Clark, pages 103, 110. We must note unless density of 5 or 6 people per acre it is not likely you can afford sewer service. Beaver Creek interceptor discussed, page 113-126. A bypass of pump station of a gravity feed major line most logical. Discussion of 19th & 15th Streets on page 130-132.

Audience Questions:

Dalton Williams asked if land surface disposal provides resource of sellable fertilizer. Also, what portion of Beaver Creek line would be replaced?

Duane Lee stated yes, a sellable resource has been considered and figured into his estimates. Replacement parallel line, subject to upper ridge development but from Dix property South through Corbett areas shallow and needs correction.

Tim Moore, CRAG, commented that planning here on local level not completely aligned with current planning by CRAG on 208 project started 2 years ago and some assumptions by us have not been included in their plan. Some of the conclusions conflict with CRAG study but we intend to resolve technical problems by September 23, deadline of your legal.

Council questions - none

Commissioner Althaus moved to continue hearing process until Tuesday, September 20, 1977, at 7:30 P.M. Seconded by Commissioner Kaiser.

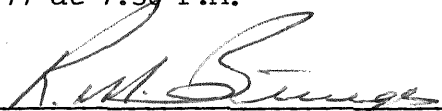
YEAS: 6
NAYS: 0 Motion Carried

Commissioner Kaiser moved to adjourn. Seconded by Commissioner Cox

YEAS: 6
NAYS: 0 Motion Carried

Hearing adjourned at 11:22 P.M.

To be reconvened on Tuesday, September 20, 1977 at 7:30 P.M.


Robert M. Sturges, Mayor

ATTEST:


Betty Bergstrom, City Recorder