

TROUTDALE CITY COUNCIL
PUBLIC HEARING
August 8, 1978

1. Call to Order and Roll Call, Mayor and Recorder.
2. Consent Agenda, Mayor:
 - 2.1 Approve Minutes of June 13, July 5, and July 11: Motion to accept.
 - 2.2 Monthly Bills: Motion to Approve
 - 2.3 Business License Report: Motion to Accept
 - 2.4 North-South Truck Route: Resolution ¹⁸⁴
 - 2.5 Acceptance of Deeded Property, Sandee Palisades #2, Tract "K": Resolution ¹⁸⁵
 - 2.6 Acceptance of Beaver Creek Estates Park Dedication (Arndt Property): Resolution. ¹⁸⁶
 - 2.7 Appoint Sam Cox Acting Mayor during Mayor Sturges' Vacation: Motion
 - 2.8 Motion Assigning Position Numbers for upcoming City Council Election: Althaus #1, Finegan #3 and Kaiser #5 (Petitions for reelection and from new candidates must be filed with the City Recorder by October 10, 1978)
3. Zone Change, Request for Reconsideration, Staff & Glenn Otto: Motion.
4. Zone Change, Johnson (Tax Lot #37, Sec. 26), Planning Director: Motion.
5. Airport Annexation, Administrator: Memorandum of Understanding Resol. ¹⁸⁷ and Emergency Ordinance: Adopt Resolution & discuss Ordinance. ^{188, 189 + 190}
6. Halsey Storm Drainage Moratorium and LID Hearing, Administrator and Engineer: Motion
7. Blanchard Off-Site Sewer, Hearing, Administrator and Engineer: Motion.
8. Engineer's Report:
 - Priority Projects: Airport LID's, Halsey Drainage, STP and Water Loan
 - Water
 - Sewage Treatment Plant
 - Monthly Report
9. Obrist and Drinker Landfill and Recontouring Permits, Planning Director: Report and Discussion.
10. Zoning Ordinance, Planning Director: Adopt
11. Subdivision Ordinance, Planning Director: Adopt.
12. Comprehensive Plan Review and Amendment Ordinance, Planning Director: First Reading.
13. Street Names and Numbers Ordinance, Planning Director: First Reading.
14. Waste Water Ordinance, Administrator: First Reading.
15. Late-Comers Ordinance, Administrator: First Reading.
16. Oral Communications and Adjournment.

COMING MEETINGS:

- | | |
|--------------|-----------------------------|
| August 22 | - Special Meeting on LID's. |
| September 5 | - Work Session |
| September 12 | - Public Hearing |
| September 21 | - Special LID Hearing |
| October 3 | - Work Session |
| October 10 | - Public Hearing |

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The meeting was called to order by Mayor Sturges at 7:08p.m.

PRESENT: Councilors: F. Kaiser, D. Lowe, E. Finegan,
Mayor Sturges.

ABSENT: H. Althaus, S. Cox, F. Weissenfluh.

STAFF: B. Jean, City Administrator; E. Murphy, CDD,
B. Freeman, City Attorney; B. Bivin, Admini-
strative Intern, D. Lee, Engineer; J. Davis,
Planner, J. Widner, Fin. Dir./City Recorder;
N. DiCarlo, Secretary.

Guest LIST ATTACHED.

B. Jean added to agenda Item 2.9.
Subject: Downtown Traffic and Circulation.

Item #2 Consent Agenda

- 2.1 Approval of minutes including August 1, 1978 minutes.
- 2.2 Monthly Bills
- 2.3 Business License Report
- 2.4 North-South Truck Route Resolution #184
- 2.5 Acceptance of Deeded Property, Sandee Palisades
#2 Resolution # 185
- 2.6 Acceptance of Beaver Creek Estates Park Dedication
Resolution #186
- 2.7 Sam Cox acting as Mayor during Mayor's vacation
- 2.8 Council Position Numbers for Election
Althaus #1, Finegan #3, Kaiser #5
- 2.9 Downtown Traffic and Circulation

Comm. Finegan made a motion to approve the
consent agenda. Comm. Lowe seconded.

YEAS: 3

NAYS: 0

Item #3 Zone Change: Glen Otto

Staff reconsidered zone change request from
Glen Otto. Three options are available:

1. Leave the condition on the
zone change as already ap-
proved;
2. delete the words "specific
use proposed" back to the
Planning Commission under-
stands that they cannot deny
a use that meets the stan-
dards outlined in the Comp-
rehensive Plan and the Zon-
ing Ordinance.

Comm. Cox arrived at 7:17 p.m.

Comm. Weissenfluh arrived at 7:18 p.m.

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3. would not have to go before Planning Commission but would be subject to a review by the Design Review Board.

Staff recommends option #3.

Glenn said he was satisfied with option #3.

Comm. Lowe made a motion to accept staff's recommendation to allow a zone change to Glen Otto subject to review by the Design Review board. Cox seconded.

YEAS: 4

NAYS: 1

Item #4 Zone Change (Johnson)

The applicant here is Eldon Johnson, requesting a zone change from F2 to M2 out on Marine Drive.

No services are available except for road access, there is no sewer or water there yet. At this point no water is needed.

Comm. Cox made a motion to approve with the approved conditions of the Planning Commission. Comm. Finegan seconded.

YEAS: 5

NAYS: 0

Item #5 Airport Annexation

First order of business is the memorandum of understanding, outlining Port of Portland responsibilities and City of Troutdale responsibilities.

Mayor read Resolution #187 by title.

Comm. Kaiser moved to adopt the resolution authorizing the signing of a memorandum of understanding with the City of Troutdale and the Port of Portland. Comm. Weissenfluh seconded.

YEAS: 5

NAYS: 0

B. Freeman reviewed both sewer and water LID's for annexation.

Mayor read the Annexation Resolution #190 by title.

Comm. Finegan asked if we had any fiscal responsibility in this.

B. Jean said that we have no financial responsibility in the sewer LID other than those properties of our own, of which there are none.

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The water approach the Port has guaranteed the front end engineering cost, so there is no risk to the City there.

The Port will have it's option in Sept. or Oct. whether it wants to go ahead, depending on the nature of the bond market at that point with it's participation in forming an LID for water. At that point if the Port says no on water there may be other properties that want to go ahead with water, in which case they also at that time would have to come to Council and either guarantee the financial security of the capital construction and at that time if bonds can't be sold again if the Council wanted to go ahead they would have to carry that indebtedness with the Enterprise Fund. The agreement provides for future agreements that could provide some risk for the City. which we would have to address as a contractional nature at that time.

Comm. Finegan made a motion to direct staff to inform Port LID property owners that the Council will consider applications for deferred assessments in hardship cases. The City Attorney is directed to prepare a final draft program for Council action at the time of the LID hearing, August 22, 1978. Comm. Cox seconded.

YEAS: 5

NAYS: 0

B. Bivin asked for a motion which will authorize the Mayor to approve the Engineer's Report.

Comm. Kaiser made a motion to allow the Mayor to approve the Engineer's Report on the LID. Comm. Finegan seconded.

YEAS: 5

NAYS: 0

The LID hearing will be August 22, 1978.

Kaiser made a motion to approve sewer Resolution #188. Comm. Weissenfluh seconded.

YEAS: 5

NAYS: 0

Mayor read resolution by title.

Comm. Kaiser made a motion to approve water Resolution #189. Comm. Weissenfluh seconded.

YEAS: 5

NAYS: 0

Memo of understanding on deferred assessment is subject to future financial review.

Comm. Finegan and Weissenfluh do not agree with added part "change of ownership".

Dalton Williams was also in opposition to this matter.

Comm. Finegan moved to direct staff to inform participants that the Council intends to explore a deferred assessment program. Direct City Attorney to revise the specific wording and submit along with the LID proposal itself. Comm. Weissenfluh seconded.

YEAS: 5

NAYS: 0

The Mayor opened to remonstrances from the public.

No comments were heard.

B. Freeman said that there will be a hearing carried on by the Boundary Commission and that notices will be published at least 10 days in advance.

#6 Halsey Storm Drainage Moratorium and LID Hearing

D. Lee reviewed Engineer's Report. (attached)

The primary changes were to get costs down from previous estimates.

With option A, the estimated cost is \$886 thousand.

With option B, the estimated cost is about \$665 thousand.

The unit cost would be option A-\$2,042 per acre and option B-\$2,166 per acre.

A letter from Al Mauck about the Storm Drainage System in Troutdale was submitted.

Re: Cherry Park LID

B. Jean said that the meeting is not to form an LID, but to admit facts for a possible forming of an LID. If facts are satisfactory then Council will set a formal hearing for August 22, 1978.

There are five options to resolve the problem Option B is recommended for consideration.

B. Jean summarized the whole Halsey Drainage Basin discussion options.

C- City would pick up assessments for those properties which had already been sold and occupied before the LID was formed. Would limit CI Capital Improvement Funds available to the City for other purpose.

G - Anyone who has developed pays nothing, the burden is put on growth. Indefensible if forced. Is most costly per acre.

M - Moratorium is defensible if reasonable.

B - Is legally very defensible because it re-

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B - duces the total cost of the project by exempting substantial parts of properties. Does pose a potential of being more costly for the County Farm when they do eventually develop, because they will have to do it alone. It is compatible with the Comprehensive Plan and it also supports the Parks Plan effort. It does not involve the County.

Ways to soften impact on Option B:
Deferment and Late-Comers 4 options are:

1. Uncommitted Undeveloped
2. Committed
3. Sold (as of 7/12/78) developed
4. Unsold "

From a very rough stand point approximately 75% to 80% of the property is expected to be in favor of this LID. However, the balance of that property, the other 25% to 30% probably represent about 75 to 80% of the residents in the area.

Comm. Lowe asked how the County felt about this?

The answer was that they have not gone either way.

Comm. Althaus arrived at 8:43 p.m.

Option B solves the private property in the Northwest portion of our community.
Option A includes the whole basin.

Glen Oakes brought up a question on drywells.

D. Lee said that drywells have historically created considerable maintenance and operating problems for the Public Works staff in the Counties and Cities in East Multnomah County. They tend to plug up.

Dan Skerritt asked that if you have to go forward with LID period, is it possible to go ahead and form the LID at the time the hearing adopts some alternatives which incorporate some suggestions for engineering the proposal so that it will be less expense?

B. Jean said there is considerable flexibility in it if we come up with an improved engineering design.

If Council wishes to make a motion, staff would recommend the option B and call for a hearing on the LID August 22, 1978 and direct engineer to prepare a feasibility report on this option B, also look at the possibility of the drywell option further. He also asked that such feasibility report include the options on long term maintenance, which would ultimately be paid for in some sort of a users fee.

The Mayor called for a motion to accept an engineering report with option B.

Comm. Althaus made a motion to accept the whole engineer's report. Comm. Weissenfluh seconded.

YEAS: 5
NAYS: 0

The Mayor read the resolution by title. (#191)

Comm. Kaiser made a motion to accept the resolution declaring intentions to make storm sewer improvements along Halsey St. and Cherry Park Road and calling for a local improvement district hearing. Comm. Weissenfluh seconded.

YEAS: 6
NAYS: 0

Comm. Althaus moved to have D. Lee draft a letter summarizing his position on the dry-wells alternatives. Comm. Finegan seconded.

YEAS: 5
NAYS: 1 Comm. Kaiser

Adjourned for break at 9:30. Called back to order at 9:35 p.m.
Comm. Finegan left.

Item #7 Blanchard Off- Site Sewer

A contract was introduced. The suggestion that the City would enter into a contract with Mr. Blanchard. Here by the City would handle the construction and delay of bids, engineering, etc. and that Mr. Blanchard would guarantee the financing on a front end against the late-comers agreement whenever properties along the sewer connected to the sewer line.

Mr. Blanchard would like to agree to put in, to City standard, two man holes designed to eventually serve this property. We would propose that the Mayor be authorized to enter into an agreement on behalf of the City, where by a system would be constructed to City specifications. The progress payment would be sent to Mr. Blanchard.

Any properties adjacent to this, who would at a later date be required to connect to it and receive a benefit from it, then would pay their late-comers charge and their fair for the use of that sewer line.

B. Jean said that does not bind Mr. Blanchard to sign the contract, nor does it necessarily impose on anyone else a requirement to connect.

B. Freeman has prepared an addendum to Ordinance #159 and can be adopted at the Sept. Council meeting.

Comm. Cox moved to sign the Off-Site Agreement between Blanchard and the City. Comm. Kaiser seconded.

YEAS: 6
NAYS: 0

Comm. Cox left at 9:55 p. m.

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Item #8 Engineer's Report (attached)

D. Lee reviewed the report.
They will receive bids for sewage treatment
plant August 10th.

The name of the Engineering Co. is now Lee
Engineering, Inc.

Comm. Kaiser made a motion to accept Engin-
eer's Report and make application to FHA.
Comm. Lowe seconded.

YEAS: 4

NAYS: 0

Item #9 Obrist and Drinker Landfill and Recontouring

B. Jean gave a brief report.

We have continued to work with Obrist and
Drinker and suggest Drinker be given an
extension on his conditional use permit to
recontour his property.

Comm. Kaiser moved to extend Franz Drinker's
conditional use permit until Sept. 12, 1978.
Comm. Lowe seconded.

YEAS: 4

NAYS: 0

Item #10 Zoning Ordinance

E. Murphy submitted changes to The Zoning
Ordinance to Council.

The Mayor feels that there should be more
time to study the changes. The ordinance
was asked to be tabled to Aug. 22, 1978 meet-
ing.

Comm. Lowe moved to table the adoption of the
Zoning Ordinance and Subdivision Ordinances
until August 22, 1978. Comm. Weissenfluh
seconded.

YEAS: 4

NAYS: 0

Item #11 Subdivision Ordinance

Tabled with Item #10.

Item #12 Comprehensive Plan Review and Amendment Ordinance.

E. Murphy briefed the map, suggesting that
the piece of area discussed to be included
in Policy area #3.

Dalton Williams feels that the public has
not been informed enough on this topic.

Ed Murphy and Bob Jean assured him that all
legal requirements for notification to the
public had been met.

Mayor read ordinance by title.

#13 Street Names and Numbers Ordinance
Scratched from agenda.

Item #14 Waste Water Ordinance

The Mayor read ordinance by title.

Item # 16 Oral Communications

The MSD boundary map was passed to the Council for review.

An ordinance allowing Multnomah County animal control to act within the City on livestock problems was introduced.

The MAYOR read the ordinance by title.

Comm. Althaus abstained from voting on the ordinance. No decision was made.

B. Jean read a letter from James Sours, who is requesting the City to reduce the speed on Sandy Street from 25 mph to 15 mph. Council decided to include this in the traffic pattern study.

Comm. Weissenfluh asked why a light was not put in yet at the corner of Stark and Evans?

Ed said that Leavitt NuPacific is responsible for the cost of it and they ordered it months ago.

Discussion of meeting is to be continued on August 10, 1978 at 12:00.

Kaiser made a motion to reconvene Aug. 10, 1978 at 12:00. Weissenfluh seconded.

Meeting was adjourned at 10:58 p.m.

Continuation of 8/8/78 meeting.

PRESENT: S. Cox, F. Weissenfluh, D. Lowe, Mayor Sturges, B. Jean, B. Bivin, J. Widner.

The Port has signed the Resolution proposing annexation to the City.

Sam Cox moved to adopt this resolution of annexation. Comm. Lowe seconded.

YEAS: 3
NAYS: 0

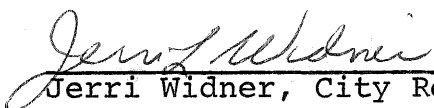
Comm. Weissenfluh moved to adjourned at 12:20 p.m. Comm. Lowe seconded.

Signed by the Mayor this 14th day of August, 1978.



R. M. Sturges, Mayor

ATTEST:



Jerri Widner, City Recorder