

AGENDA

TROUTDALE CITY COUNCIL REGULAR SESSION AND PUBLIC HEARING MARCH 13, 1979, 7:00 P.M., CITY HALL

1. Call-to-Order, Agenda, and Roll Call: Mayor and Recorder
2. Consent Agenda, City Administrator: Motion to Adopt
 - 2.1 Adopt minutes of Special Work Session on February 3, 1979; Work Session on February 6, 1979; and Public Hearing on February 13, 1979.
 - 2.2 Authorize Payment of Bills - February
 - 2.3 Accept Business License Report
 - 2.4 Accept Deeded Property - Eldon Snider Farms Estates: Resolution
 - 2.5 Accept Utility Easement - Dr. Faulkner Short: Resolution
 - 2.6 Accept Utility Easement - Dietz: Resolution.
 - 2.7 Accept Deeded Property - Sandee Palisades: Resolution
 - 2.8 Ratify Final Draft of FY 1979-80 Salary & Classification Plan.
 - 2.9 Authorize Mayor to execute contract regarding East County Transportation Grant, Straam Engineers, Inc.
3. Void delinquent sewer pre-payment and direct allocation via lottery, Administrator: Motion.
4. Windust Zone Change, Community Development Director: Motion.
5. Code Review for West Columbia, Community Development Director: Report.
6. Engineer's Report
 - 6.1 Drinker Assessment Split: Report
 - 6.2 Monthly Report
7. Street Map Ordinance, Community Development Director: Adoption.
8. 257th Boulevard Design, Community Development Director: Report.
9. Personnel
 - 9.1 Personnel Rules: Pass Resolution
 - 9.2 Job Descriptions: Pass Resolution
10. Surplus Property Ordinance, City Attorney: Adoption.
11. Fence Ordinance, Community Development Director: Adoption.
12. Non-Conforming Use Ordinance Amendment, Community Development Director: First Reading.
13. Oral Communications & Adjourn

MINUTES
COUNCIL MEETING
March 13, 1979

The meeting was called to order at 7:25 P.M. by Mayor Sturges.

The Mayor asked if there were any additional agenda items to be added. Bob Jean stated that the addition of ratification by Council of the hiring of George Haddock as the City's new Police Chief should be added to the agenda. There were no further additions. The Mayor made the addition and closed the agenda.

PRESENT: D. Williams, F. Kaiser, S. Cox, D. Lowe, H. Althaus, and
Mayor Sturges
(F. Weissenfluh was absent)
STAFF : B. Jean, J. Widner, B. Bivin, Duane Lee, E. Murphy, B. Freeman,
and L. Murphy.
PRESS : Jamie MacMillan, Outlook; and Joyce Wydrzynski, Oregonian
GUESTS : Marge Schmunk, Jo Callister, N. J. Callister, Phil Meacher,
Larry McCarty, Betty McCarty, E. W. Cereghino, Robert M.
Johnson, Frank Windust, James Snidder, and John Windust

AGENDA ITEM #2, CONSENT AGENDA:

- 2.1 Minutes of February Council meetings
- 2.2 February bills
- 2.3 Business License Report for February
- 2.4 Acceptance of Deeded Property, Eldon Snider Farms Estates, Resolution No. 240
- 2.5 Acceptance of Utility Easement, Dr. Faulkner Short, Resolution No. 241
- 2.6 Acceptance of Utility Easement, Dietz, Resolution No. 242
- 2.7 Acceptance of Deeded Property, Sandee Palisades, Resolution No. 243
- 2.8 Final Draft of FY 1979-80 Salary & Classification Plan.
Bob Jean noted the addition of an entry "Start" step.
- 2.9 East County Transportation Grant, Straam Engineers, Inc. -
authorize Mayor to execute Contract.
- 2.10 Joint 3-Cities Annexation Resolution No. 244
- 2.11 Executive Session Disciplinary Hearing regarding Larry Raglione
- 2.12 Additional Building Permits - Kiku Heights
Removed from Consent Agenda
- 2.13 Closure of 4th Street.
Bob Jean explained that this action was necessitated by difficulties down by the Public Works Shop. He explained that the adjoining property owners have requested the City to take down our fence and it is Bob's opinion that this would create a public hazard. The closure of the street will be a temporary measure until the concerns

of the adjacent property owners can be resolved. Bob further explained that this action will not deny access to anyone to their property and that the alternative would be to condemn the adjacent property.

Helen Althaus moved to adopt the Consent Agenda with the exception of Item 2.12. Frank Kaiser seconded.

YEAS: 5
NAYS: 0

AGENDA ITEM #2.12, KIKU HEIGHTS

Brian Freeman explained that Henderson & McNeely have requested permission to build on three of the last seven remaining lots in the Kiku Heights Subdivision. Brian stated that at the time this subdivision was approved, which was prior to the new Subdivision Ordinance being adopted, the City's policy was to issue no more than 50% of the building permits until all agreed upon improvements to the subdivision had been completed. The position of staff, now that the new Subdivision Ordinance is in effect, is that builders are now allowed to build on 90% of the Subdivision rather than 50% before completing all improvements. Brian stated that it was his opinion that staff does not have the authority to issue the balance of the building permits beyond 90% until the required improvements are completed and, further, that Council does not have the authority either unless they wish to amend the Subdivision Ordinance.

Dalton Williams moved that additional building permits beyond 90% not be approved until improvements are completed as originally agreed upon. Dan Lowe seconded.

YEAS: 5
NAYS: 0

AGENDA ITEM #3

Jerri stated that after reviewing Ordinance No. 244 with Brian she has written letters to the sewer pre-payment holders requesting payment. She requested direction from Council as to procedure to follow for those who do not make payment by April 1, 1979 and whether to grants those hookups to someone else and whether to foreclose on the securities of those in default. Considerable discussion of this matter ensued. Bob Jean stated his concerns relating to not releasing the securities until alternative securities are available. Brian questioned whether it was Council's desire to void the hookup rights of those who have not paid and return to them their pro-rata share and grant those hookups to other people or whether it was Council's desire to proceed against the securities.

Helen Althaus moved that the City Recorder be authorized to void the sewer hookup rights as to those who are in default but not release the security until a substitute purchaser has deposited whatever is necessary. The motion was not seconded.

Further discussion ensued on this subject and it was suggested that Jerri not be directed to foreclose on the first guarantees but rather be directed to not yet release those guarantees until we have alternative credit guarantees.

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Helen questioned how these default sewer hookups would be disbursed. Bob suggested that a second lottery be conducted to establish a priority list after we find out how many we have in default. Discussion ensued as to methods of allocating defaulted sewer hookups.

Frank Kaiser moved that we allocate these defaulted sewer hookups by lottery under the direction of the Mayor. Seconded by Sam Cox.

YEAS: 5
NAYS: 0

Helen moved that the City Recorder be authorized to terminate the sewer hookup rights of those in default under Ordinance No. 244 as of April 1, 1979 and to release the guarantors of said individuals at such time as substitute guarantees have been executed by property owners who are granted hookup rights pursuant to lottery authorized by Resolution No. 239. Seconded by Dan Lowe.

YEAS: 5
NAYS: 0

ADDED AGENDA ITEM - Mr. George Haddock

The Mayor stated that Mr. George Haddock has agreed to accept the position of Police Chief for the City of Troutdale if Council so desires.

Dan Lowe moved that Council ratify the acceptance of George Haddock as Chief of Police. Seconded by Frank Kaiser.

YEAS: 5
NAYS: 0

AGENDA ITEM #4, WINDUST ZONE CHANGE:

Ed Murphy stated that the Planning Commission has recommended denial of this zone change and he explained the Planning Commission's reasons for denial. The primary reason for recommendation of denial was the Planning Commission's concerns relating to alcoholic beverages in such a close proximity to the City Park. Problems concerning parking and access were also concerns.

Frank Windust responded to reasons for recommendation for denial, and Mr. Jim Snidder spoke on behalf of Frank Windust in favor of his application. Mr. Snidder stated that if drinking was a problem on the beach then the City should pass an ordinance prohibiting drinking on the beach and not try to solve the problem by denying zone changes. Mr. Snidder questioned the granting of a C-3 zone to the Glenn Otto property across the street. Mr. Bob Johnson voiced his support of the granting of this zone change. Frank Windust stated that regarding the problems relating to parking, the Troutdale City Ordinance only requires three spaces for a business of this size.

Mayor Sturges stated that he had received a letter with 18 signatures of people objecting to the granting of this zone change. Mr. Callister, of Jackson Park Road, stated that he objected to the granting of this zone change because it would encourage more drinking and littering on the beach and in the parks.

The Mayor stated, for purposes of clarification, that the island in the River is not City property and the City does not have the authority to enforce City ordinances on this property.

Discussion ensued regarding the possibility of granting a C-4 zone instead of a C-3 zone, and Ed Murphy explained the differences between the two zones.

Dalton Williams moved to grant a C-4 Zone with the following conditions:

1. The Design Review Board be directed to look into the problems of access.
2. Direct the Design Review Board to specifically consider parking and traffic circulation, the compatibility of the use with the history and character of the area, and the appropriateness of the structure's design to a "scenic greenway" area;
3. Recommend to the appropriate licensing agencies that a request for a liquor license be denied temporarily; and
4. Carefully review the business license at the time of application regarding hours of operation and clean-up of litter.

Dan Lowe seconded.

YEAS: 4
NAYS: 1 (Frank Kaiser)

BREAK at 8:55 P.M.

Reconvened at 9:06 P.M.

AGENDA ITEM #5, CODE REVIEW FOR WEST COLUMBIA

Ed Murphy outlined the requirements of various zones and discussed the problems concerning code compliance relating to businesses on West Columbia. Ed presented slides for discussion. Dan Lowe suggested that the Design Review Board be used to assist these businesses and that the matter be discussed further at the May Council meeting. Harry Fowler expressed concern that all businesses should be brought up to comply with codes and the City should not be selective in which business they require to comply.

Dalton Williams moved that staff be directed to continue in the direction of bringing these properties into compliance for the zone they are in and that any difficulties be brought back before Council, with the goal being that these businesses be in conformance by the time their business licenses are due. The motion included direction to staff to confer with the Design Review Board to formulate alternative solutions to problems.

Seconded by Sam Cox.

YEAS: 5
NAYS: 0

Dan Lowe moved that the Design Review Board be directed to outline alternatives and report back to Council at their May meeting.

Helen Althaus seconded.

YEAS: 5
NAYS: 0

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AGENDA ITEM #6, ENGINEERS REPORT

Duane Lee presented the Engineer's Report and stated that a further report on the FHA Water Loan would be presented at the April Council meeting.

Frank Kaiser moved to accept the Engineer's Report. Dan Lowe seconded.

YEAS: 5
NAYS: 0

AGENDA ITEM #7, AGENDA ITEM #8, STREET MAP ORDINANCE AND 257th BOULEVARD DESIGN (Ordinance No. 281)

Ed Murphy presented two alternative maps for the 257th extension to be reviewed by Council. It was noted that the map selected as Exhibit "A" was not completely accurate and Duane stated he had some final finishing touches to make. Any amendments to the map will be brought back before Council.

Dalton Williams moved to adopt alternative Map IV for the 257th alignment. Seconded by Sam Cox.

YEAS: 5
NAYS: 0

Brian requested that Item (d) of paragraph 2 of Section 4 of the Street Map Ordinance be added as follows:

- (d) 257th from Cherry Park Road to the Graham overpass as designated on Exhibit "A" a future road (90').

Dalton Williams moved to adopt the Street Map Ordinance with the addition of Item (d), paragraph 2, Section 4, as requested by Brian. Seconded by Sam Cox.

YEAS: 5
NAYS: 0

AGENDA ITEM #9, PERSONNEL

Tabled

AGENDA ITEM #10, SURPLUS PROPERTY ORDINANCE

Tabled

AGENDA ITEM #11, FENCE ORDINANCE

Read once by title by Bob Jean

AGENDA ITEM #12, NON-CONFORMING USE ORDINANCE AMENDMENT, ORDINANCE No. 282

Discussion took place regarding the intent and purpose of this ordinance.

Helen Althaus moved that this Ordinance be adopted with the following change:

Item 11.012.04 be amended to read: Enlargement. A non-conforming use may be permitted to be enlarged (up to 20% in floor area, and/or in those cases not involving structures up to 10% in land area, as existing on

the effective date of this ordinance) only if all the requirements of the zone in which it is located are met and that only one expansion or enlargement be allowed following the adoption of this Ordinance.

Seconded by Dan Lowe.

YEAS: 5
NAYS: 0

AGENDA ITEM #13, ORAL COMMUNICATIONS & ADJOURN

- Resolution No. 245, authorizing the Finance Director to call for bids on General Obligation Warrants for Construction of Improvements Required for the Troutdale Airport Water LID 2-78.

Read in full by Brian Freeman. Read once by title by Mayor Sturges.

Frank Kaiser moved to pass this Resolution. Seconded by Dalton Williams.

YEAS: 5
NAYS: 0

- Ike Handy Assessment Split -

Frank Kaiser moved to authorize Finance Director to allow Ike Handy to pay off that portion of assessment which is involved in the three acres of land he is selling and to execute a new Bancroft for the balance. Dan Lowe seconded.

YEAS: 5
NAYS: 0

- Bob Jean announced that the tentative date set for the Community Development Subcommittee meeting is March 29, 1979, and the tentative date set for the Public Services Subcommittee meeting is April 24, 1979.

- Double-Wall Application -

Brian Freeman is to make application to the State for the City's Double-Wall Ordinance incorporation, by exception, as part of the State Code.

- Transfer of Sewer Connections - Dalton Williams

Dalton Williams declared conflict.

Frank Kaiser moved to authorize staff to allow Dalton Williams to transfer two sewer connections awarded in the last lottery to tax lot #110. Dan Lowe seconded.

YEAS: 4
NAYS: 0
ABSTAIN: 1 (Williams)

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• Payment of Sewer Connections, Spikes -

Dalton Williams is in the process of purchasing property from Bob Spikes, although the escrow is not yet closed. Two sewer connections are involved and Dalton has requested that payment be delayed until escrow is closed. Dalton stated he believes the escrow will be closed by April 1, 1979, which is the deadline for the other holders.

Sam Cox moved to allow Dalton Williams an extension until April 1, 1979 for payment of the sewer guarantees. Helen Althaus seconded.

YEAS: 4
NAYS: 0
ABSTAIN: 1 (Williams)

• Bob Jean noted that March 28, 1979 is the first meeting of the Budget Committee and it will also be necessary to have a short City Council meeting that night.

• Obrist Update -

Ed Murphy gave a brief report and there was discussion with Council.

• Halsey LID -

Brian stated the Halsey Storm Sewer LID requires the purchase of an easement through railroad property. Two ownerships are involved. We have been presented with licenses for the storm sewer rather than easements, and Brian stated it was his opinion that easements were necessary, not just the licenses. Brian stated that since a minimum of 6 months will be needed to acquire the easements, it was his suggestion that the licenses be signed and negotiations to obtain the easements continue.

Dan Lowe moved to authorize the Mayor to sign the license agreements for not more than \$250 for each of those agreements. Seconded by Frank Kaiser.

YEAS: 5
NAYS: 0

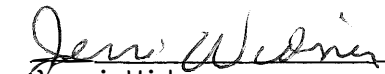
• Frank Kaiser moved to adjourn the meeting. Dan Lowe seconded.

YEAS: 5
NAYS: 0

The meeting was adjourned at 11:04 P.M.

Signed by the Mayor this 15th day of March, 1979

ATTEST:



Jerri Widner
Finance Director/City Recorder



R. M. Sturges, Mayor

