

AGENDA
CITY OF TROUTDALE
CITY COUNCIL SPECIAL MEETING
JUNE 28, 1979 7:30 P.M.

1. Call-to-Order, Roll Call: Mayor and City Recorder
2. Community Park and Depot Paving Bids: Motion,
Public Works Director
3. Water Project Bids: Resolution, Public Works Director
4. Project Easements: Public Works Director
 - 4.1 Halsey LID Easements: Motion
 - 4.2 Finegan Easement: Motion
 - 4.3 Mackey Easement: Resolution
5. Bond Resolution: Finance Director
6. Personnel Benefits Resolution: Administrator 273
7. Adopt Fees and Charges Ordinance: Administrator
8. Declare Watershed as Surplus Property: Administrator
9. Adopt Budget for FY 1979-1980: Administrator
10. Acceptance of Bids and Warrants: Resolution, Finance Director
 - 10.1 Halsey Storm Sewer L.I.D. 4
 - 10.2 Portland-Troutdale Airport Sewer
11. Adjourn: Mayor

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TROUTDALE CITY COUNCIL PUBLIC HEARING AND SPECIAL SESSION
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The Meeting was called to Order at 7:30 P.M., by Acting Mayor, Sam Cox.

COUNCILORS PRESENT: Dan Lowe, Sam Cox, Frank Kaiser and Dalton Williams.
(Fred Weissenfluh was absent; Helen Althaus arrived at 7:37 and Mayor Sturges arrived at 9:07).

STAFF PRESENT : Bill Bivin, Bob Jean, George Haddock, Jerri Widner
and Dori Lewis. Brian Freeman arrived at 7:41 P.M.,
and Dave Lee arrived at 7:56 P.M.

PRESS : Tom Fluhardy, Outlook
Kerry Virtue, Oregon Journal

GUESTS : Bill and Sharon Nesbit , Pam Christian and others.

AGENDA ITEM #2, COMMUNITY PARK AND DEPOT PAVING BIDS:

Bill Bivin pointed out that we had invited twelve different paving contractors to bid on the paving of the Community Park and Tri-Met parking lots. Two contractors replied with bids, and a third person stated they were not interested in bidding. The two bids were in the amounts of \$21,525 and \$17,500. Bill Bivin recommended that the Council authorize the Mayor to award the bid to Will's Asphalt Paving for \$17,500. Bob Jean clarified that this be effective 7/1/79.

Dalton Williams moved to authorize the Mayor to award the bid to Will's Asphalt Paving. Seconded by Frank Kaiser.

YEAS: 4

NAYS: 0

AGENDA ITEM #4, PROJECT EASEMENTS:

4.1 Bob Jean read a Resolution accepting a utility easement and authorizing payment for its purchase from R.M. and Dorothy Sturges for the purpose of relocating certain utility facilities as required by the Halsey Storm Sewer L.I.D. 3-78.

Frank Kaiser moved to adopt Resolution No. 269 accepting a utility easement and authorizing payment of \$92.60. Seconded by Dan Lowe.

YEAS: 4

NAYS; 0

4.2 Tabled

4.3 Bill Bivin explained that the City is obtaining an Easement and Dedication of Property from Walter L. Mackey. There was some Council discussion as to the use of the dedicated property once accepted by the Council. Improvements, restrictions and useage of the public-way was not determined.

Helen Althaus moved to adopt Resolution No. 270 accepting the dedication of property by Walter L. Mackey. Seconded by Frank Kaiser.

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4.3 Helen Althaus moved to adopt Resolution No. 271 accepting a Utility Easement from Walter L. Mackey. Dalton Williams Seconded.

YEAS: 4
NAYS: 0

AGENDA ITEM #3, WATER PROJECT BIDS:

Bob Jean read the engineer's report received from Dave Lee of Lee Engineering, stating the recommendations of the City Engineer regarding the awarding of bids for the project entitled Troutdale Well No. 3 and Water System Improvements. Bill Bivin recommended that the Mayor be authorized to award these bids to the recommended parties on Schedules A, C, D, and E; Schedule B being rejected as project funding is not available. This authorization to be effective July 1, 1979, and for the purpose of finding out if some of this project could be included in the FHA Water Loan. Dan Lowe questioned the fact that only one bid was received for Schedule C and therefore the bid amount could be questionable. Bill Bivin pointed out that the bid received for Schedule C was within approximately \$3,000 of the engineer's estimate. It was determined that the bid received from Stadel Pump and Construction was a responsible bid.

Helen Althaus moved to adopt Resolution No 272 authorizing the Mayor to award bids for the Troutdale Well No. 3 and Water System Improvements, Schedules A, C, D and E in accordance with staff recommendations and upon the mayors verification and the City's ability to fund the various parts of the project. All bids on Schedule B are rejected for the reason that we are not building Schedule B as funding is not available. Seconded by Dalton Williams.

YEAS: 4
NAYS: 0

AGENDA ITEM #5, ADOPTION OF ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BOND

Jerri Widner explained that this resolution authorizes the City to issue the bonds that have already been authorized by the voters.

Helen Althaus moved to waive the reading of the Ordinance No. 291 authorizing the issuance of General Obligation Park Bonds in the amount of \$200,000.00. Seconded by Dalton Williams.

YEAS: 4
NAYS: 0

Helen Althaus moved to adopt Ordinance No. 291 authorizing the issuance of General Obligation Park Bonds in the amount of \$200,000.00. Seconded by Dan Lowe.

YEAS: 4
NAYS: 0

AGENDA ITEM #6. PERSONNEL BENEFITS RESOLUTION:

Bob Jean explained the purpose of the resolution to define the benefits for the different types of employees. Bob Jean recommended that a Section 1.3 be added to this Resolution to define what the benefits consist of.

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Dan Lowe moved to adopt the Employee Benefits Policies and Procedures for the City of Troutdale in the form of Resolution No. 273 with the addition of Section 1.3. Dalton Williams seconded.

YEAS: 4
NAYS: 0

AGENDA ITEM #10, ACCEPTANCE OF WARRANTS AND BIDS:

Warrant bids were opened June 26, 1979 at 4:30 p.m. Two separate banks bid; The Oregon Bank and the First National Bank of Oregon. The apparent low bidder was the First National Bank of Oregon at 6.125% on both the Halsey Storm Sewer L.I.D. project and the Portland-Troutdale Airport Sewer project.

Councilman Lowe moved to accept the First National Bank of Oregon at 6.125% on the Halsey Storm Sewer L.I.D. 3-78. Councilman Williams Seconded.

YEAS: 4
NAYS: 0

Councilman Lowe moved to accept the First National Bank of Oregon at 6.125% on the Portland-Troutdale Airport Sewer L.I.D. 1-78. Councilman Williams seconded.

YEAS: 4
NAYS: 0

AGENDA ITEM #7, FEES AND CHARGES ORDINANCE - 2ND READING:

Bob Jean explained the ordinance format and cross references. Bob Jean suggested that the ordinance be adopted but with direction to staff to see to it that the appropriate cross references are included in the body of the ordinance prior to the Mayor's signing it into effect. Brian Freeman suggested that those ordinances that are for cross reference and are being amended by the Fees and Charges Ordinance be listed in the title of the Fees and Charges Ordinance.

Helen Althause moved to adopt the Ordinance No.294 establishing and revising fees and charges relating to the fiscal year 1979-80 budget subject to administrative particular description. Frank Kaiser seconded.

YEAS: 4
NAYS: 0

AGENDA ITEM #8, DECLARATION OF WATERSHED PROPERTY AS SURPLUS:

Bob Jean provided background information on the property known as City Watershed. A variety of uses for the watershed property had been contemplated as a result of the engineer's recommendation in the Water Plan that the City abandon the springs because of the proportionally increasing cost of treating the spring waters versus the advantages of a well water system. If this land were found to be surplus it is possible to retain the entire 10 acres in one piece and dedicate it as a park; it was discussed with the Planning Commission, the concept of developing six lots and finding a method by which to dedicate the balance of the land as park. The Planning Commission had moved approval of the concept of the useable portions of the land be kept as park and that the lots be redrawn and resubmitted. Preliminary Plat approval was given for five lots. This revised preliminary plat was given to the Council as a proposal consistent with the Planning Commission motion.

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Helen Althaus questioned what the statute would be that would apply to disposition of surplus property and if the sale of the individual lots by the City is legal. Brian Freeman referred to Oregon Revised Statute 271.310 which provides that property not needed for public use can be sold to other political subdivisions or to private individuals or corporations. Brian explained that one of two things must exist before the property can be sold: 1). There must be a finding that there is no longer any public use for that property, or 2). even though there may be a public use for the property, if it is determined that it is still in the best public interest to sell the property it can be disposed of, "if public interest can be furthered", in the words of the statute. Brian Freeman reviewed the Ordinance declaring the watershed property as surplus; and also recommended that all possible land uses be considered before assigning a use to the land. Bob Jean recommended that the remaining land after sale of the five lots be dedicated as City Park. There was further Council discussion as to the history of the park and the uses of the remaining watershed property. Sharon Nesbit provided some background history on the watershed property. Dave Lee provided some history of the property in regard to the spring useage. It was pointed out that the new water reservoir on the watershed property would be covered with a tennis court, provided by the sale of the surplus property. Bob Jean recommended that the Council find the property surplus and realize the opportunity for the General Fund to realize the profits from the sale of the land; and then suggested that the Council call for audience comment. Bill Nesbit of 623 Buxton, Troutdale, Oregon, stated that he attended the Planning Commission meeting referred to by Bob Jean. Stating that the Planning Commission was asked to address themselves to two points: 1).the concept that was presented for the proposed plot, and 2). do you take this as surplus property. Bill pointed out that the Planning Commission made one motion that revised the concept of the plot and did not at all address the question of whether this was surplus property or not. Bob Jean concurred that the question of whether the property was surplus was not thoroughly discussed by the Planning Commission. Bill Nesbit also questioned the legal ramifications involved in the sale of the watershed property. Bill pointed out that for 39 years the citizens have considered the watershed property as a park; and that though the legal technicality has arose that the land was never designated a park it has been used as a park, and that the City should not sell this "park" land to meet operating expenses of the City. There was further Council discussion concerning the definition of "public use", and how the public use factor relates to the selling of the watershed property. Discussion concerning the paving of 7th Street by the State with efforts to widen and put in curbs and sidewalks provided for by the monies received from the sale of the surplus watershed property. Helen Althaus spoke in favor of dedicating the remaining watershed property as City Park. The process of dedication of this property was discussed. Bob Jean supported this idea.

Krank Kaiser moved to accept Resolution No. 276 with the attachment of Exhibit A describing the property to be declared surplus plus the addition of paragraph 5 directing the City Administrator to study alternatives for the disposal of the described surplus property. Dan Lowe seconded.

YEAS: 5
NAYS: 0

Helen Althaus moved to direct the staff to take preliminary steps to the ultimate dedication of the remaining approximate 8 acres of the watershed property as park. This direction to include consultation with the Parks Task Force and City Attorney. Dalton Williams seconded.

YEAS: 5
NAYS: 0

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AGENDA ITEM #9, ADOPTION OF BUDGET FOR FY 1979-80:

Bob Jean explained the alternatives available for budget adoption: 1). budget as recommended by the Budget Committee. It was based on revenues of 400 dwelling units which have declined to 275 dwelling units. 2). the revised budget which substantially achieves the goals and objectives as recommended by the Budget Committee but makes changes in the recommendations on revenue assumptions, which would include the net profits to the General Fund from the sale of the surplus property. 3). The third alternative is the possibility of cutting back entirely to live within the reduced revenue levels. Bob Jean recommended the revised budget acknowledging sale of property.

Helen Althaus moved to waive the reading of the entire ordinance. Frank Kaiser seconded.

YEAS: 5
NAYS: 0

Mayor Sturges read the Ordinance to adopt the 1979-80 budget as revised to include the net profits to the General Fund from the sale of the surplus property. Frank Kaiser moved to adopt Ordinance No.295 accepting the above stated budget. Helen Althaus seconded.

YEAS: 5
NAYS: 0

AGENDA ITEM #12, ORAL COMMUNICATIONS

Bob Jean reported on the status of the SB889 and the SDC's.

AGENDA ITEM #11, ADJOURN

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

YEAS: 5
NAYS: 0


Mayor Sturges adjourned the meeting at 10:12.

Signed by the Mayor of the City of Troutdale this 13th day of July,
1979.



R. M. Sturges, Mayor

ATTEST:



Jerri Widner
City Recorder/
Finance Director

