

TROUTDALE CITY COUNCIL
TUESDAY, MARCH 10, 1981 7:00 P.M.
CITY OF TROUTDALE COUNCIL CHAMBERS

1. Call-to-Order, Roll Call and Agenda Update: Mayor
2. Consent Agenda
 - 2.1 Accept Minutes of 2/3, 2/10 and 2/19/81 Council Meetings
 - 2.2 Accept Bills for the Month of February
 - 2.3 Business License Report
 - 2.4 Federal Surplus Purchasing Authorization Resolution
 - 2.5 Design Review Board Appointments, Applicants Present
 - 2.6 Accept Fleur-de-lis Subdivision
3. Departmental Reports
 - 3.1 Finance and Records
 - 3.2 Police
 - 3.3 Community Development
 - 3.4 Public Works
 - 3.5 Engineer's Report
 - 3.6 Executive Report
4. Cable TV Request for Proposals Resolution
5. State of Emergency Ordinance Adoption
6. Sewer Allocation Ordinance--Second Reading & Adoption
Public Comments Requested: Frank Windust
7. Metro Support Letter--Discussion
8. Ratify Amended Res. #409-R, Ballot Measure Operating Levy
9. Award Bid for 7th Street Reservoir Construction
10. Ordinance Amending Zoning Ordinance: To Allow Exceptions to Height Restrictions for Certain Structures
11. Council Concerns and Initiatives
12. Oral Communications and Adjourn



ROBERT M. STURGES, MAYOR

MINUTES
CITY COUNCIL MEETING
MARCH 10, 1981

The meeting was called to order by Mayor Sturges at 7:00 P.M.

ROLL CALL :

PRESENT : Dan Lowe, Frank Kaiser, Mayor Sturges, Chuck Blanchard, Sam Cox (Dalton Williams arrived at 7:06 and Helen Althaus arrived at 7:08)

STAFF : Jerri Widner, George Haddock, Allen Perkins, Lois Howell, Ed Murphy (Duane Lee arrived at 7:15 and Brian Freeman arrived at 7:50)

PRESS : Tom Fluharty from the Gresham Outlook and Joyce Wydryzinski from the Oregonian

GUESTS : Betty Schedeen, Marilyn Holstrum, Mike Wilson, Bob Spikes, Bob McDougal from Leavitt NuPacific, Frank Windust, Mike Russell, Joan Davis, Rick Gustafson, Ivan Handy, Bob Dix, Bob Burlingame, Don McIntyre, Kathy Maháfy-Dietrich and Marjie Lundell

AGENDA ITEM #2 - CONSENT AGENDA

- 2.1 - Acceptance of Minutes of 2/3, 2/10 and 2/19/81 city council meetings
- 2.2 - Acceptance of February bills
- 2.3 - Acceptance of Business license report
- 2.4 - Acceptance of Federal Surplus Purchasing resolution (412-R)
- 2.5 - Acceptance of Design Review Board Appointments (Mike Russell and Joan Davis)

Mayor Sturges asked Mike Russell to tell the council a little bit about himself. Mr. Russell said that he lived in the Sweetbriar area in Troutdale, had been a resident of the State of Oregon for about 4 years, received a degree from PSU in Geography, worked at International Window, is married with 3 children and has a desire and a willingness to be on the design review board. (Joan Davis was absent so the council moved on to other matters until she arrived)

Dalton Williams arrived at 7:06 P.M.

- 2.6 - Acceptance of Fleur-de-lis subdivision resolution (413-R)
Ed Murphy reported to council that this was the Burlingame development. He also indicated that Phase I had been completed. There were no questions by council.

Chuck Blanchard moved to accept the consent agenda of items 2.1 through 2.6. Sam Cox seconded the motion. Yeas 4 Nays 0 (1 abstention - Dalton Williams)

Mayor Sturges indicated to council that Rick Gustafson would like to talk to council in regards to the Metro Support Letter, agenda item #7, now because he was expected at another meeting later in the evening. Helen Althaus arrived at 7:08 P.M.

AGENDA ITEM #7 - METRO SUPPORT LETTER

Rick Gustafson told council that the responsibility of Metro was to make sure federal requirements were met on behalf of jurisdictions in the Metro area. He went on to say that there were five specific services which they try to help other jurisdictions with:

1. Transportation
2. Maintaining a region plan, in regard to sewer expansions
3. A-95, to inform other governments of grants that would be available
4. Land use plan area, assist local jurisdictions with plans (i.e. our comprehensive plan)
5. Reviewing Federal programs which are coming up

Mr. Gustafson said he would like the support of our area so that Metro could exist and perform the above services. The council at this point asked Mr. Gustafson some questions regarding Metro. A discussion ensued. Mr. Gustafson reiterated that Metro assists local jurisdictions in developing plans to assure that they are in conformance with state rules and that they are communicated to neighboring jurisdictions. It also was brought up that in order to have a plan approved, that it is not necessary for us (Troutdale) to go through Metro, as in the case of our comprehensive plan. Mr. Gustafson informed council that Metro has a period of 45 days to review the plan and form its opinion before sending it on to LCDC for their approval. If at the end of the 45 days, an opinion has not yet been reached, it automatically goes to LCDC who in turn have 90 days to reach an opinion and approve or disapprove a plan. Mr. Gustafson told council that they had asked for legislation that would continue their dues that have been previously afforded them for an additional 4 years. During which time, they would be moving more to a voluntary system. The legislature had asked Metro to go out and seek the opinions of some of the local governments. Mr. Gustafson reported that the consensus was for a voluntary system. Mr. Don McIntyre, a local citizen, spoke to council at this point and voiced his opinion which was against Metro and the fact that they are more of a hindrance than a help. Mr. Gustafson then told the council what had transpired from the other counties and cities in the area. He concluded his discussion about Metro and thanked the council for their time.

The council decided not to give their opinion of support or non-support at this time but to wait until council concerns, agenda item #11.

AGENDA ITEM #2.5 - DESIGN REVIEW BOARD APPOINTMENTS - JOAN DAVIS

Ms. Davis arrived and council asked her a little bit about herself. She indicated she lived in East Gresham and owned a business, J & G Landscaping which designs landscapes. This is a full-time job. She also indicated that she has a desire and willingness to participate on the design review board.

Dan Lowe made a motion to accept the design review board appointments of Mike Russell and Joan Davis. Chuck Blanchard seconded the motion.

Yeas 6 Nays 0.

AGENDA ITEM #3 - DEPARTMENTAL REPORTS

- 3.1 - Jerri Widner told council that she didn't have a report for council but that if there were any questions she would be glad to answer them.
- 3.2 - George Haddock indicated to council that in addition to his written monthly report there had been a rape on Hicklin Court in the Sandee Palisades area which generated quite a bit of public concern. Two meetings were held shortly after the rape and in one meeting 65 people attended and in the other 300 to 325 people attended. The police department is working in conjunction with the Gresham police but at the present time they didn't have too much to go on.
- 3.3 - Ed Murphy reported to council that the development of Sweetbriar Park had been put on hold temporarily. The reason being that the federal parks grants have been eliminated and the state park grants are currently frozen. We will be reapplying for the Sweetbriar Development Grant by March 20, 1981. Ed went on to say that the comprehensive plan is up for review before the LCDC and that two dates have tentatively been set for the Planning Commission and anyone else interested in reviewing the comprehensive plan. The two dates are March 25th and April 22nd. There will be two types of revisions made at these meetings. Type I deals with substantive changes to existing plan, policies and the land use map. Type II deals with changes that are not substantive in nature, merely housekeeping matters. Ed also reported on the Reynolds School Softball Program and the use thereof of the Sandee Palisades Park from April 4th through August 1, 1981 from 4:00 p.m. till dark for the exclusive use of the Troutdale and Sweetbriar communities for their organized baseball program. Also, Mr. Ivan Harshbarger, Athletic Director of Reynolds High School, requested the use of tennis courts for Columbia High School. He would like to use the Kiku Park courts. He devised a schedule that would allow for practice and competition and also let the citizens in the Kiku Parks area use the tennis courts. Ed asked council if there were any problems with letting Columbia High School use the courts. There were no problems.
- 3.4 - Ed Murphy reported on the 7th Street Reservoir Bid. Duane Lee was going to talk further on the awarding of the bid during the Engineer's report. Ed also reported on the possibility that the City could rent a sludge truck and tank. He felt that it would cost approximately \$1,500.00 a month to lease the same. He would put the package together and hopefully bring it before council in April. He also noted that the 208 study was a revised plan not an amended plan as Rick Gustafson indicated.
- 3.5 - Duane Lee reported to council that they had had a problem with water at Columbia Reservoir in switching from the old water system to the reservoir. Evidently, there was a strong odor and taste of chlorine in the water. Several complaints were registered to the public works department. They had to switch back to the old system and are now draining and refilling and flushing the lines so that any old water that might be in the lines may be cleared out. Duane Lee indicated that he would be working with the city's crews in flushing the lines and getting the system to work. The Strebin Road Reservoir is being delayed at the moment because Multnomah County would like some soil

samples taken by a soils engineer. The tests will cost somewhere in the neighborhood of \$4,000. Well no. 6 produced a high yield of 1,2000 gpm. This was better than any of the other wells. Also, Duane mentioned that the 208 study was paid for by the city contrary to what Rick Gustafson indicated.

Sam Cox moved to accept the engineer's report. Dalton Williams seconded the motion. Yeas 6 Nays 0. Dalton Williams also wanted it noted that we paid for the 208 study.

- 3.6 - Allen Perkins reported to council about the Metropolitan yard debris clean up week. He indicated that Ed Murphy and himself had gone out and picked a tentative site for the project. Metro had scheduled another meeting for March 11, 1981, which he would be attending. He asked if council had any questions about the project. He told council that he had tentatively told Metro that we would go along with the project but we weren't held to it if we didn't want to. A discussion followed wherein the council raised many questions and concerns which Allen said he would voice at the March 11, 1981 meeting and report back to council at the next meeting. The council agreed. The next item Allen Perkins talked about was the fact that he felt two city council meetings were needed each month because of the work load. Council voiced that we would need to have Brian Freeman make up a proper ordinance before this could legally take effect. Chuck Blanchard made a motion to change the City Council meetings to the 2nd and 4th weeks in the month. Frank Kaiser seconded the motion. Brian Freeman asked for clarification of the motion. It was clarified that the motion is to include direction to the city attorney to draft an ordinance changing the regular meeting dates. The vote was: Yeas 6 Nays 0. Allen Perkins then asked council if he might borrow one week vacation pay so that he would be able to go back to Virginia and move his family out here. He would be leaving March 19th and back sometime around the 30th. Pam Christian would act as Acting City Administrator while Allen was gone. Frank Kaiser made a motion to allow Allen Perkins to have one weeks vacation pay so he could go back to Virginia. Chuck Blanchard seconded the motion. Yeas 6 Nays 0. Allen asked council if they would hold open two dates. April 18, 1981 for a council retreat and May 16, 1981, for the 1st annual Perkins bus tour. The public works director position has been closed to applications. Interviews have been set for this week. At the first meeting in April Allen should have some recommendations and applicants for the councils review.

AGENDA ITEM #4 - CABLE TV REQUEST FOR PROPOSALS - RESOLUTION (414-R)

Ed Murphy presented to council, Ms. Kathy Mahaffy-Dietrich who gave a short background presentation to the council as to what types of things they could expect from Cable TV. She explained that two items would be covered by the TV networks. One: entertainment and Two: institutional programming. One thing was not covered in the "RFP" - Request for Proposals - and that was: an affirmative action program was not included regarding equal opportunity. This was merely an oversight. The committee has every intention of including it in the RFP.

Frank Kaiser made a motion to accept the Cable TV resolution. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #5 - STATE OF EMERGENCY ORDINANCE

An ordinance entitled State of Emergency Code was read by Mayor Sturges. This was considered the 1st reading. Brian Freeman informed council that he would draw up the ordinance in proper form and it would be resubmitted to the council for their approval at the next meeting. This ordinance gives the staff, council, etc. the authority to act if a disaster would occur in the City of Troutdale.

AGENDA ITEM #6 - SEWER ALLOCATION ORDINANCE (347-0)

Ed Murphy presented to council the sewer allocation ordinance. He indicated that there were a few minor changes and proceeded to explain each of them to council. They were as follows:

Section 1 - Definition - Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be those defined in the wastewater regulations (ordinance no. 280)

Section 8 - System Development Charge - The system development charge and the base prepayment portion thereof may be amended from time to time by the common council. Until changed the system development charges set forth in Ordinance 317-0 shall be in effect. The balance payment on an equivalent residential unit basis shall be due and payable at the time a building permit is issued.

Section 9 - Rights of Certain Property Owners - Any reservation granted pursuant to a previous City reservation system shall not be adversely affected by this ordinance. Any land owner having a "tentative reserve" created pursuant to Ordinance 318-0 and implementing resolutions shall have until 5:00 P.M. April 14, 1981 within which to perfect their application by paying the full amount of the base pre-payment. Those property owners who applied under Ordinance no. 318-0 including those who did not receive a "tentative reserve" under the implementing resolutions, shall be given first opportunity under this ordinance to purchase sewer reservations. These property owners will have been 8:00 A.M. April 15, 1981 and 5:00 P.M. April 21, 1981 to purchase sewer reservations on a "first-come first served" basis. A discussion was held by council and citizens in the audience. Ivan Handy expressed some concern on the preferential treatment of certain people. Namely the 10 people who have first choice at the sewer connections. Frank Windust felt that people were tying up sewer connections and not allowing someone else who could use them right away to reserve any. Bob McDougal of Leavitt NuPacific voiced his opinion by saying that he felt the system was very logical and orderly. A discussion ensued. Mayor Sturges read by title. Dalton Williams moved to adopt the ordinance with the additions. Helen Althaus seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #11 - COUNCIL CONCERNS - A RESOLUTION IN SUPPORT OF OREGON SENATE BILL 327 LIFTING THE ABSOLUTE BAN ON BACKYARD BURNING (415-R)

Mayor Sturges explained that the City of Portland was asking for support on this matter from all other jurisdictions. Sam Cox moved to adopt the resolution. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

Allen Perkins felt that with the passing of this we should send the resolution to the senate committee.

AGENDA ITEM #8 - RATIFY AMENDED RESOLUTION #409-R

Dan Lowe moved to adopt the ratification of resolution 409-R. Helen Althaus seconded the motion. A short discussion followed wherein there was a question regarding what would happen if the "A" levy failed and the "B" levy passed, or vice versa. A clarification of that question was given by Jerri Widner, Allen Perkins and Brian Freeman. Sam Cox left at 10:30 P.M.

The vote was Yeas 3 Nays 2 (Dalton Williams and Frank Kaiser) Dalton Williams went on record to say that he opposed this because there wasn't a clear definition of the benefits of these levies to the police and parks departments.

AGENDA ITEM #9 - AWARDING THE BID OF 7TH STREET RESERVOIR (416-R)

Duane Lee presented to council his report on the 7th Street Reservoir Bid indicating to council that Siuslaw Construction were the low bidders. Mayor Sturges read by title. Frank Kaiser made a motion to accept the awarding of the bid to Siuslaw Construction on the 7th Street Reservoir. Chuck Blanchard seconded the motion. Yeas 5 Nays 0. Duane Lee also reported on the Obrist-Landfill Project. He said that Bill Bartholomew of the Water Resource Department indicated DEQ wanted to require that we install observation wells. The expense of the observation wells would be minimal, somewhere in the neighborhood of \$5,500 to \$6,000. Duane said we could challenge the DEQ or go along with what they're requesting at our expense. Or, we could install the wells and then hope that we get a permit. Nothing is definite. Dan Lowe suggested that we get a letter of commitment from the DEQ stating that they would give us a permit if we put in the observation wells. Allen Perkins told council he wasn't sure we had the \$5,500 to \$6,000 to install the observation wells. Frank Kaiser made a motion to go ahead and get a letter from the DEQ before going ahead with the wells. Chuck Blanchard seconded the motion. Yeas 5 Nays 0. Duane Lee indicated that we won't get the permit until we put in the wells.

AGENDA ITEM #10 - ORDINANCE AMENDING ZONING ORDINANCE (348-0)

Ed Murphy indicated that this was merely a housekeeping matter. Dalton Williams moved to adopt the ordinance amending zoning ordinance to allow exceptions to height restrictions for certain structures. Chuck Blanchard seconded the motion. Yeas 5 Nays 0.

AGENDA ITEM #11 - COUNCIL CONCERNS

The council went back to their discussion on whether to support Metro or not. Mayor Sturges polled the council as to their feelings on the matter.

Dalton Williams - was opposed

Chuck Blanchard - didn't like how they were using their power

Dan Lowe - felt that we should not support them

Frank Kaiser - didn't feel we should support them

A discussion ensued. The outcome was that the council will support the voluntary membership of the city with Metro.

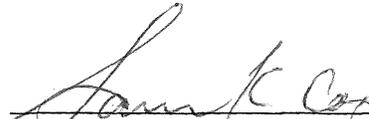
Brian Freeman brought up a matter that he felt council should be aware of.

He said the city has had a suit brought against them on a false arrest charge. One of our police officers was also named in the suit. Brian explained that the insurance company would represent the City but that the officer had no protection. The case involved receiving wrong information from the County to the officer which precipitated the arrest. Brian said this was a policy question, the first time this has happened and he wanted to know how the council felt about protecting the officer in this matter. Helen Althaus made a motion to have the city attorney go ahead and defend the officer on this matter. Frank Kaiser seconded the motion. Yeas 4 Nays 0 (1 abstention - Dalton Williams)

Dan Lowe made a motion to adjourn. Helen Althaus seconded the motion. Yeas 5 Nays 0

The meeting was adjourned at 11:10 P.M.

MINUTES APPROVED 4/14/81



R. M. STURGES / MAYOR
SAM K. COX, PRESIDENT/PRESIDING

April 16, 1981

DATE SIGNED:

ATTEST:



JERRI L. WIDNER
FINANCE DIRECTOR/CITY RECORDER

