

AGENDA
TROUTDALE CITY COUNCIL
REGULAR MEETING
OCTOBER 13, 1981 - 7:00 P.M.
TROUTDALE CITY HALL

- (A) 1. Call-to-Order, Roll Call and Agenda Update: Mayor
- (A) 2. Consent Agenda:
 - 2.1 : Accept minutes of 9-28-81 council meeting and 9-28-81 Executive Session
 - 2.2 : Accept bills for the month of September
 - 2.3 : Accept business license report
 - 2.4 : Accept request to dispose of Surplus Property
 - 2.5 : Accept Resolution to authorize certain officials to acquire Federal Surplus Property
- (A) 3. Ordinance declaring approval of Special Assessment for Open Space for Don Heffron
- (A) 4. Approval of Business License application of Lester Arndt for automobile wrecking storage area
- (A) 5. Resolution adopting revised rate schedule for garbage collection service
- (A) 6. Adoption of proposed amendments to the Troutdale Comprehensive Plan and Inventory
- (A) 7. Resolution recommending review of LCDC
- (I) 8. Report to council concerning oil spillage at Columbia High School
- (I) 9. Council Concerns and Initiatives
- (I) 10. Oral Communications and Adjournment



R.M. STURGES, MAYOR

(A) = ACTION ITEM
(I) = INFORMATION ITEM

MINUTES
TROUTDALE CITY COUNCIL MEETING
OCTOBER 13, 1981

The Mayor called the meeting to order at 7:01 P.M.

ROLL CALL :

PRESENT : Dalton Williams, Sam Cox, Mayor Sturges,
Dan Lowe and Chuck Blanchard (Helen Althaus
and Frank Kaiser were absent)

STAFF : Pam Christian, Brian Freeman, Nancy Nixon,
George Haddock, Harry Parsi, Duane and Dave
Lee, Scott Pemble and Lois Howell

PRESS : Cassandra Burrell of the Gresham Outlook and
Jim Warinmer of the Oregon Journal

GUESTS : Marge Schmunk, Terry Ege, Vic McFeron and Mr. &
Mrs. Thomas J. Murray

The Mayor asked if there was an agenda update. Pam Christian indicated that Duane Lee would like to talk to council tonight regarding an EPA Grant for the Sewage Treatment Plan and Scott Pemble wanted to discuss with council the Buxton house, maple tree situation.

AGENDA ITEM #2 - CONSENT AGENDA

- 2.1 : Acceptance of minutes of 9-28-81 council meeting and
9-28-81 executive session minutes
- 2.2 : Acceptance of bills for the month of September
Dan Lowe had a question on Young, Freeman & Jennings'
bill. He noted that two payments were made to them and
he wanted to know the breakdown. Nancy Nixon told Mr.
Lowe that one was for the month of August and one was for
the month of September. Chuck Blanchard wanted to know what
the check to U.S. Bank was for. Nancy Nixon explained
that this was for the processing of our payroll.
- 2.3 : Acceptance of the business license report.
Dan Lowe wanted to know what business was being renewed.
Staff was unsure as to which business was being renewed.
Dan said he would like that information before he accepted
the business license report and also in the future that
renewals be listed. Nancy Nixon said she would take care of
relaying that information.
- 2.4 : Acceptance of request to dispose of Surplus Property
Pam Christian explained that the list attached to her
memorandum regarding surplus property was for various
items from the evidence room over at the police station
and for the garage door that has been removed from the
police department basement. She indicated that she simply
needed the approval from council to go ahead and sell,
by public bid, the items listed.
- 2.5 : Acceptance of resolution authorizing certain officials

to acquire Federal Surplus Property

Pam Christian explained that this was the same resolution which we had passed last spring and sent to the State of Oregon. However, the State did not like our form and sent it back to us requesting that we pass the resolution on their form.

Dan Lowe made a motion to accept the consent agenda items 2.1 through 2.5 with the exception of 2.3. Chuck Blanchard seconded the motion. Yeas 4 Nays 0.

AGENDA ITEM #3 - ORDINANCE DECLARING APPROVAL OF SPECIAL ASSESSMENT FOR OPEN SPACE FOR DON HEFFRON

This was a matter that was brought up before council at the last meeting. Pam Christian explained that the State requires that we put this approval into ordinance form.

Chuck Blanchard moved to adopt the ordinance declaring that with the exception of 20,000 square feet, the remaining area of tax lots 38 through 41 of Thompson Villa Addition (Section 31, T1N, R4E, W.M.) shall be assessed as open space. Dan Lowe seconded the motion. Yeas 3 Nays 1 (Dalton Williams)

Helen Althaus arrived at 7:10 P.M.

AGENDA ITEM #4 - APPROVAL OF BUSINESS LICENSE APPLICATION OF LESTER ARNDT FOR AUTOMOBILE WRECKING STORAGE AREA

Scott Pemble explained that the State of Oregon is requesting a special consent by city council before granting a business license. He informed council that the Planning Commission's recommendation was to approve the application. The procedure would then be to have the Mayor sign the business license application and send it to the State.

Dalton Williams moved to approve the business license with Alternative #2 - Approve the application, subject to Design Review Board approval, with recommendation to the Board as above. Dan Lowe seconded the motion. Yeas 5 Nays 0.

AGENDA ITEM #5 - RESOLUTION ADOPTING REVISED RATE SCHEDULE FOR GARBAGE COLLECTION SERVICE

Harry Parsi told council that the garbage rate schedule that was before you tonight was requested to go from \$5.00 a month to \$6.00 a month for a can. These were residential and commercial rates. Dan Lowe questioned Mr. Parsi in regards to rates in other local jurisdictions. Harry said that Gresham and Fairview have higher if not the same rates at this time.

Dan Lowe made a motion to accept the garbage rate increase. Sam Cox seconded the motion. Yeas 5 Nays 0.

AGENDA ITEM #6 - ADOPTION OF PROPOSED AMENDMENTS TO THE TROUTDALE COMPREHENSIVE PLAN AND INVENTORY

Scott Pemble addressed council by saying that the Planning Commission had met on October 6th and had recommended a revision to what is in your packets tonight. Amending the language in section titled 2.02.00 - Description and uses permitted: General and retail commercial uses, office multiple, multi-family, AND RESIDENTIAL USE INCIDENTAL TO COMMERCIAL USE. Scott explained that the residential use incidental to commercial use could allow for a ma and pa grocery store where people could live above the place where they work or allow the renting of an apartment above a commercial space. Scott said that an argument in favor of the above would be that in a situation where you have a resident in conjunction with a commercial use you encourage a 24 hour surveillance of the commercial building and the possibility of vandalism would be deterred greatly. Also, energy savings, because of the fact that you don't have to drive to and from work, would be an added benefit. Also, it is difficult to maintain rent on both a house and a commercial business. Section 2.05.07 was discussed. Where a residential use occurs incidental to a commercial use the following provisions shall apply: Scott pointed out items (a) through (e). (a) - The commercial use shall be the primary use, i.e., it should be situated at the ground floor (or first floor) level, with major access from the front yard. (b) - internal dwelling space shall be clearly separated from the primary use with separate access. (c) - the outdoor living space attendant to living quarters shall not present a discordant character of the neighboring commercial district. (d) - there shall be provided adequate off street parking for the residential use. (e) - only operators or owners of the commercial uses may occupy incidental residential dwelling units.

Frank Kaiser arrived at 7:20 P.M.

AGENDA ITEM #6 - CONTINUED

A discussion followed wherein council debated item (e) in Section 2.05.07. Some discussion was also held on the recommended zoning.

Helen Althaus made a motion to strike item (e) in Section 2.05.07. Sam Cox seconded the motion. Yeas 2 (Sam Cox and Helen Althaus) Nays 3 (Chuck Blanchard, Dan Lowe and Frank Kaiser) 1 - abstention - Dalton Williams.

The next matter addressed was the fact that we don't allow community service in Policy Area II at this time. We have a problem with that because City Hall is located in Police Area II and it obviously is a community service facility. Scott then went through the proposed Policy Area II and informed council as to the changes that were involved Page 2, .010, .012 and .013 have been stricken. Page 2, .010 is using the same language as adopted Policy Area I. Page 2, .016 is to be deleted in its entirety and moved to general design standards. Page 3, the downtown master,

was addressed with points A through G discussed. Mayor Sturges had a question on this portion. Sam Cox explained that this area would not be developed until after the comprehensive plan was established. Page 4 was simply carrying language forward as established in Policy Area I. Page 5 was the same thing.

Dalton Williams made a motion to adopt the comprehensive plan Policy Area II with recommended changes and also with the exception of item (e) in Section 2.05.07. Helen Althaus seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #7 - RESOLUTION RECOMMENDING REVIEW OF LCDC

The Mayor mentioned that this matter had been before them previously. Dalton Williams commented that he felt the timing was inappropriate at this time. Helen Althaus felt that it was perhaps an act of futility. Sam Cox felt that it may be futile but he was in favor of sending the resolution to the State. A discussion followed.

Chuck Blanchard made a motion to accept the resolution recommending review of the Land Conservation and Development Commission. Sam Cox seconded the motion. Yeas 3 (Frank Kaiser, Chuck Blanchard and Sam Cox) Nays 3 (Dan Lowe, Helen Althaus and Dalton Williams) The vote was a tie. Therefore, Mayor Sturges gave his vote, a yea, and the motion was carried. Yeas 4 (Frank Kaiser, Chuck Blanchard, Sam Cox and Mayor Sturges) Nays 3 (Dan Lowe, Helen Althaus and Dalton Williams).

Mr. Thomas J. Murray from Portland came before council and congratulated council on the action just taken. He indicated he had been fighting LCDC in the Courts for many years and still wasn't through yet. He also wanted to know if he might be able to have a copy of the signed resolution so that he could send it to the State and other various jurisdictions. The Mayor indicated that we could accommodate him with that request.

At this point, Mayor Sturges told council that the City Attorney would like to hold an Executive Session. The Mayor requested that anyone having something to discuss please do so now before the meeting broke up to go into Executive Session.

AGENDA ITEM #8 - REPORT TO COUNCIL CONCERNING OIL SPILLAGE AT COLUMBIA HIGH SCHOOL

Harry Parsi reported to council that an oil spillage had occurred at Columbia High School and had gone into the Sewage Treatment Plan. Harry said that DEQ was called and that now everything had been done to correct the problem. Harry also said that the school's insurance company would be handling our claim.

AGENDA UPDATE - MAPLE TREES AT BUXTON HOUSE

Scott Pemble voiced to council that Frank Windust had come in and told him that after talking with Lieutenant McPherson of Fire

District #10 it was established that they would not be able to save the trees when they burned the Buxton House as was requested when council addressed the issue in August. Scott wanted to know from council their feelings now regarding this matter. A letter had been written to the Fire Department wherein it stated that we had issued a demolition permit to Frank Windust and a request that all possible means be used to save the 2 maple trees. A discussion followed. The consensus at this point from council was that Frank Windust should work with the Fire Department to make every effort to save the trees when they burn the Buxton House.

AGENDA UPDATE - EPA GRANT

Duane Lee addressed council by indicating that an EPA Grant was given to us to do a facilities plan for the upgrading of the Sewage Treatment Plant. Duane said he had recently been contacted by the EPA asking for clarification as to the City's intent in proceeding with the facilities planning effort for Troutdale. Duane said that this has taken about 5 years to get through the project which normally should have taken 1 year. The City has spent approximately \$28,368.75 for consulting engineering costs. The original project amount was for \$22,500.00 of which a grant amount of \$16,500.00 had been made by EPA. The City has received from the EPA approximately \$14,850.00. He also indicated that there is no federal funding going to be available for this type of project for many years and yet we will have a need in the next 3 to 4 years to go forward with Phase II expansion of the Sewage Treatment Plant. Duane said that there were two alternatives for us to choose from at this time: (1) - we could request an extension and grant increase from EPA to proceed with the project, or (2) - the City could terminate its grant with EPA and proceed on its own.

Chuck Blanchard made a motion to terminate with EPA. Frank Kaiser seconded the motion. Yeas 6 Nays 0.

The meeting broke up at 8:30 P.M. and went into Executive Session. The meeting reconvened at 9:00 P.M. (Dan Lowe was absent)

AGENDA ITEM #9 - COUNCIL CONCERNS AND INITIATIVES

Pam Christian indicated that a letter was in your packets in regard to Don Rocks which was a response to a meeting that Scott Pemble and I attended. She explained that this was merely to keep you informed on what the county was doing with the county land. She reported that Don Clark had written her today and informed her that they intended to keep us fully informed and involved on processes and procedures they were pursuing.

*At this point, the text is verbatim. Words in () are clarifications to be used only to help the reader.

Pam Christian passed out a letter that was written by the Mayor. Dalton Williams had a comment - We took an action and made a request of our staff to do something for us and that action or that request was not honored in that we didn't get what we asked for. I think under the circumstances at the time that we requested this information that that information should be made available to us regardless of what the circumstances are at this point.

Pam - he is talking about the package, the evaluation package.

Dalton - We were given a task as a committee to gather information and that information flow has stopped upon request of our Administrator. I don't care what the Administrator thinks at this point we in fact requested at his absence, of the Acting Administrator, to do a specific thing for us, specific, that information did not come to us because of our Administrator's action, after the fact. I would like to state, at this point, that as a member of that committee and a member of the council that that information should be sent forward to us immediately without further delay.

Mayor - Is that a motion?

Dalton - That is a motion.

Chuck - I'll second it.

Mayor - Do you all understand the motion?

Helen - No, I, this action took place when I was no here

Pam - It's regarding evaluation material

Helen - That's right, I've read the correspondence, I know what it is about, generally what it is about.

Pam - That's all, we have certain forms that we use for evaluation

Helen - I want to, before I vote on this - I want to bring - to my mind I know something about this evaluation and I believe that this procedure is all wrong. To begin with the supervisor should make the evaluation; and merit evaluations are done in all different government agencies now and I believe it's then there is recourse for appeal, but I believe that (in) the evaluation (it) may be fine to have a committee to maybe talk with or consult with, but I believe that the evaluation should be done by the immediate supervisor which I understand is the Administrator or the Acting Administrator.

Dalton - There was in fact, a committee assigned to do this.

Helen - Well, that's what I read about but I think this is the wrong procedure to begin with.

Dalton - That information was to be collected in the absence of an individual who would have not done it normally.

Helen - Well, this is not set until November 16th, there is no reason that the one who is back, the one who would do it normally would be the Administrator and then the Acting Administrator would be the one.

Dalton - That is a point that I believe is worth discussing. The fact is there was a request made and that request was not honored due to administrative action. My point is that that information should be delivered as requested and then anything further can be acted on at that point.

Helen - I don't know why it should be delivered in what I consider to be a completely wrong procedure under the normal

evaluation procedures.

Chuck - How are we suppose to know what's going on then?

Helen - I don't think the council should make this merit evaluation.

Dalton - There was not a merit evaluation being made; there was some information being collected. The reason that information was being collected is that we felt that we needed to know more than we knew.

Helen - To make a merit evaluation?

Dalton - No

Frank - Yes, it was to make a merit evaluation, that's what it was set up for.

Helen - It was set up for a merit evaluation, it says so in the minutes

Dalton - It was not, it was to collect that information

Frank - And to make an evaluation.

Helen - And to make an evaluation?

Dalton - I don't believe we were tasked with the or given the responsibility to make that evaluation.

Chuck - Not the committee, no

Mayor - No, just to --

Dalton - Just to collect information.

Pam - Mr. Mayor, I think at this point Dalton has a point that is well taken, that he can and any council member can ask for the information and we will, I will, make sure he gets it in the morning. Also, all department heads or officers, it says in the charter, of the City, are serving at the pleasure and discretion of the council. Therefore, that's another reason I should have gotten the information.

Helen - The Mayor asked council if any of them would be interested in reviewing Harry's performance to date. These three said they would be willing to do so.

Dalton - That doesn't mean we were giving him his review.

Helen - Well, it certainly sounds like it.

Dalton - It doesn't say that we were to take action.

Helen - I don't think the council should review, either. I don't think it's the function of the council.

Frank - No, the reason I say that is that that leaves the one out for him to appeal back to the council.

Helen - I know it, it's the wrong procedure and it makes the council vulnerable and it makes the City vulnerable. We work for government agencies, we know, don't we Frank?

Frank - Yes, they have to have an appeal, they have to have a place to go. If you're doing it right at the top then you knock out the appeal. You're right though, you should have gotten the information.

Dalton - If we take action on his review and it effects, in fact, his employment with the City, that's one thing. We are not taking action we were gathering information about our concerns and there's nothing to stop us from doing that.

Frank - No, I'm not saying there is anything to stop you from doing that.

Helen - I didn't want to vote on any issue involving it without stating how I felt about the whole --

Pam - You don't have to, except for Dalton's motion, about the information, I don't think you have to vote.

Helen - If the information is available, let's vote.
Sam - Well, we don't even have to move on it if you're going to --
Pam - In the - At 8:30 A.M. you will have the information.
Helen - So then we don't have a concern about this?
Pam - The rest of it was just information only.
Sam - He's withdrawing his motion.
Mayor - Are you withdrawing your motion?
Dalton - There was no second.
Chuck - I seconded, I'll withdraw
Dalton - I'll withdraw
Pam - I have one thing for you, Marilyn Holstrom called and you all got letters asking you to the Metropolitan Service District, Metro area Officials Day at the Zoo. Does anybody want to respond to that? I can still register you if you do.
Helen - I called directly today when I finally reviewed my notes.
Frank - I haven't got mine, where is it at?
Helen - It's Saturday
Pam - It was in your box. If you didn't get one, some people didn't, that's why I'm asking you tonight.
Frank - I didn't get one.
Pam - Okay
Chuck - I didn't either.
Pam - If you will just stop me after the meeting and I'll get the names of whoever wants to go.
Sam - What's the date?
Helen - It's Saturday
Pam - October 17th, Saturday
Helen - At noon, remember, and they're going to have that display of the birds of prey
Pam - Anyway, if any of you want to go, let me know. But I have to know by tomorrow morning because she's holding it up for us.
Frank - Gee, thank you.
Helen - Did she mention that I called?
Pam - I just talked to her Friday.
Chuck - This Saturday at noon?
Pam - Yes
Sam - By when tomorrow would you have to know?
Pam - Well, I don't have to call her until 10:00.
Helen - You might mention to her that I did call directly.
Pam - Well, you see part of you, Helen I knew got her letter because I went to her mailbox and asked and Marilyn called to make sure that people had because several had not gotten them. That's the only way, I didn't know if you had picked your letters up or not but I knew that Helen and Dalton, I think, had gotten one. They were still in the box so I knew that part of you people had gotten them. So, just let me know and I'll take care of it.
Helen - On this matter that I was just talking about, I don't know what just would be appropriate but I believe that this merit evaluation should go in the proper order, that we should reconsider the type of procedure. I think it is fine to have a committee who can get information or whatever but I think the merit evaluation should be done by the Administrator and, would a motion be appropriate? Brian, for me to make a motion?

Chuck - You just have to go by the procedure that's already --

Brian - It seems to me that at the last council meeting --

Helen - Do we have to reconsider or what do we do?

Brian - The last or the time before last there was a motion and a committee designated to make that review and what you're suggesting is that that action (be) rescinded or modified?

Helen - Rescinded or have the committee getting information as they are, but not making merit evaluations.

Dalton - That's not what the action last time was for.

Helen - Well, I don't know, it says --

Dalton - Well, that's not what it was for.

Helen - Well, then I would like to have it clarified. I'd like to move that the action be clarified as allowing the merit evaluation procedure be properly done under our code and according to our contract with the Administrator (and) that the supervisor, or immediate supervisor, make the merit evaluation and that the committee which was appointed under that be going to gather information or whatever to discuss -- but that the merit evaluation be made by the City Administrator.

Brian - If I may enter into this discussion, under ordinary circumstances the Administrator would be making this evaluation. The personnel rules, as I recall, and what you have done in the past meetings, is simply recognize that our City Administrator is temporarily limited (in his) capacity and that you would substitute for him a committee of council members which is perfectly alright to do.

Helen - I don't think it is to make a merit evaluation because the appeal lies to council and besides he isn't incapacitated.

Brian - That's the issue.

Helen - This isn't until November. I think the Acting Administrator should do it if the Administrator doesn't do it. We have an Acting Administrator.

Brian - That would be the form of your motion then.

Helen - Okay, how do I do it?

Brian - Let me kind of restate what I feel the legal implications are. (It) is that I think it is well within the council's prerogative to substitute its own judgment or take on administrative acts although that may not be under the normal course of business the best way to operate. But I always think that it's within your ability to exercise an administrative duty and this is one of those administrative duties that is ordinarily performed by the City Administrator. Now, if you want to reverse that because (in) your opinion you feel it is best to have it done by the Administrator or best to have it done in his absence, by the Acting City Administrator, that too could be in your motion. You would simply rescind the old one and --

Helen - Well, Dalton kept saying it wasn't to do that.

Dalton - That is in fact not what we were asked to do.

Helen - So, that is why I began to get involved.

Brian - Dalton is exactly right, that is not what --

Helen - He didn't interpret it that way.

Dalton - Only to gather information and review

Brian - I may not have remembered it the same way but if you were to gather information there still is a void there as to who was to make the evaluation and I think you asked Pam and myself

to work out the details or the process, although the process would simply be as I would have envisioned it, that the committee through its majority vote would substitute its own decision for that which would ordinarily have been made by the City Administrator. I think that the next logical step, that those people who collect and analyze the data are the ones to make the decisions. If you were only to collect the data --

Frank - What good is it?

Brian - Yes, my question would be, who would make the decision, it would have to be somebody --

Helen - They make the decision, are they disqualifying themselves from voting with the council if there is appeal under the code? I think it would be much simpler to have it done.

Brian - That may be the case, that's the bridge you can cross when you came to it.

Helen - Well yes, but --

Brian - I think the question now is whether or not you want to continue with the procedures that you have adopted before, which simply substituted for Mr. Perkins' judgment the judgment of this committee.

Sam - Well, I don't think we have to now since he's back.

Helen - I move that we rescind the action in so far as it would have substituted the committee of the council for the Administrator. I move that we rescind that action and that the merit evaluation be done by the Administrator or by the Acting Administrator in the event of his inability for one reason or another. And that the committee be, that its duty be for gathering facts as Dalton has already commenced.

Sam - I second the motion.

Mayor - Did everyone understand the motion?

Council - Not really

Helen - It's just interpreting the way you said it.

Frank - We don't do it, (the evaluation), we just gather the facts and just hold them.

Pam - Maybe you can use this as areas that you would like the Administrator to specifically address during the evaluation.

Helen - It could be a function, yes.

Sam - Well, the thing is still that, if it would go, he could appeal to the council, otherwise --

Dalton - Sure

Helen - Otherwise

Dalton - Any appeal comes before the council during a public hearing. When an appeal occurs the council has to make a judgment on their findings, now it doesn't make any difference if the findings are last week or the findings are next week.

Pam - Actually, the way the personnel rules read, the council does not rule specifically on the action taken but whether the procedure was followed, the correct procedure was followed.

Helen - We are starting out with the wrong procedure right now. I hope you understand the motion but I think it is not discontinuing the committee, though it is making the evaluation to be done.

Mayor - We have a motion and we have a second.

Dalton - Can we have a clarification first, please.

Mayor - Yes

Dalton - Can we, our City Recorder, could the recorder please read the motion

Nancy - Helen moved that the procedure be for the City Administrator to conduct the merit evaluation or in his inability for the Acting City Administrator to perform that merit evaluation. The function of the committee would continue to be that of gathering information relative to his performance.

Mayor - Ready for the question, all in favor indicate by saying aye: Yeas 3 (Dalton Williams, Helen Althaus and Sam Cox)

Nays 2 (Chuck Blanchard and Frank Kaiser)

Dalton - I don't understand, why, okay, go ahead

Mayor - Can we have a show of hands.

Helen - I was saying before we moved to have the Administrator make the evaluation --

Dalton - Well, that was -- question --

Helen - Well, that's the way you interpreted the original thing.

Mayor - How many ayes?

Dalton - I had an aye.

Mayor - three ayes, two nays

Dalton - May I ask why the nays?

Frank - Well, it's the percentage of gathering the information you're not going to be using.

Helen - Would you like to amend the motion to take that part out?

Dalton - It's already put out.

Brian - You could make another motion if you wanted to modify it and eliminate the committee, Frank, if that's what your wishes might be.

Frank - I just won't work on the committee, that's all.

Chuck - My own feeling is that I don't see any need of the motion, I'd just drop it the way it was, I guess.

Dalton - That's true, too.

Mayor - We are really, are there any other, George, department heads have anything at all?

Pam - You'll get your department reports next meeting. We do have to have a next meeting because of some budget matters.

Mayor - I guess we're down through all of them unless somebody else has any --

Frank - I have a concern

Mayor - You have a concern?

Frank - In our personnel rules, when a person is off sick any great amount of time and he comes back to work, Does he have to have a doctor's --

Pam - After 4 days absence, you have to have a doctor's release

Frank - A doctor's release has to be shown.

Pam - If it's for light duty then the doctor has to specifically state what type of light duty or part time whichever. We do have, in our rules, we do make note of the fact that there is light duty or part time work to get back to full time status.

Chuck - But that isn't available yet? A written --

Pam - It's suppose to be this week. We, the mayor and I talked to Allen about that.

Mayor - We have not received it.

Pam - We have not received it.

Frank - Well I would suggest that if we haven't received it, this man should be told to stay home.

Dalton - I agree

Helen - The letter says something about --
Frank - Because if that man has a problem here on the job then we are liable.
Helen - On October 16th it says and that's next Friday, that is said --
Dalton - But he hasn't brought his note from the doctor.
Helen - No, he said he's released for limited work by my doctor.
Frank - Yes, but he hasn't brought anything saying that.
Helen - Oh, well I'm sure his doctors have
Frank - Well, then let's have it signed.
Dalton - It's a formality that must be adhered to.
Frank - That's right.
Helen - All I have is a thing that allows him for sick leave.
Frank - There's no need for a motion.
Helen - I don't know about this release to go back to work
Pam - Ours (personnel rules) specifically states that if you're gone more than 4 days from work --
Helen - Well in the Federal Government if you're gone more than so many hours you have to have a doctor's certificate that you are ill. And on sick leave to get back --
Dalton - It is the consensus of the council, isn't it?, that Allen should bring his release from the doctor before he continues to work.
Frank - That's my consensus
Pam - Okay, thank you.
Mayor - Any other items?
Chuck - Yes, I thought at the time when we were talking about picking up all of these packets and mail and stuff. A lot of times I get tied up and I can't make it and I'm not getting my mail picked up like I should so I would like to entertain a motion that we go back to the way that we originally had it. We don't get money for gas for running down here and picking it up and our time and I feel that that is the only one benefit that we have.
Sam - I second that motion. If that's a motion.
Chuck - It's a motion.
Sam - And I agree with you because it's very unhandy and I've missed several things too until after the date and I maintain that the police are going around on rounds anyway and this is not out of their way.
Helen - What does the police chief have to say?
Chuck - In fact that's the only time I get to talk to them.
Helen - Would you be patrolling anyway?
George - They would patrol anyway but I think that this is true of any police department, they don't see themselves as messenger boys and it's somewhat a thorn on their side.
Chuck - They ought to be honored.
Pam - How about Muffy?
George - She's been working on Saturdays and Sundays, she could do it.
Helen - Chuck, you don't feel that you could go into the City Hall they gave us these keys you know?
Chuck - I don't have any keys and I don't want any keys.
Helen - Well, they gave me one.
Chuck - Well, I could have had one too but I don't want one. I'm

not getting paid for this job. I don't need any responsibilities that way. Lots of times when I get home I want to stay home. In fact if it can't be delivered then I'll stay home.

Mayor - We have a motion and a second, so - it's up to staff to find out ways and means -- let's find out how you feel. All in favor, indicate by saying aye.

Yeas 3 (Sam Cox, Frank Kaiser and Chuck Blanchard) Nays 2
(Dalton Williams and Helen Althaus)

Mayor - one no, two no's, three, four -- I don't know whether you noticed this in the paper but there is a council position open in Beaverton and they had six calls at City Hall and they were notified that the council members got \$100 dollars per month and they hung up, everybody hung up, all six.

Frank - They get more than we do.

Helen - \$100 dollars more

Chuck - This wasn't planned to create more work for anyone. I had a personal reason for it and it was better the other way. I'm not trying to create more --

Pam - No, I understand because I noticed that the packets are, some of them are sitting till the day before.

Chuck - You get busy and you forget them you know.

Sam - If there is nothing else, I would like to make a motion that we adjourn.

Mayor - Well, I have one question because it hasn't been raised yet. But I told staff to be prepared for it and I thought Chuck was going to raise it --and that is how is Mr. Perkins going to be paid?

Pam - He has used up his vacation and sick leave. However, he has accrued 230 like time hours since he started working here. Those are meetings, etc. I have the time sheets here. He is on that now. 176.97, he has left in like time.

Council - Wait a minute

Mayor - We do not pay that. We --

Dalton - He was told that during his interview that he would be expected to be here sometimes more than 8 hours.

Pam - That was my direction and in the letter I believe to council said like time.

Mayor - No, that's no good. They won't fly. That's the reason that --

Helen - What's the contract say?

Mayor - We went through this with Bob Jean. I don't care whether you work 30 hours or 60 hours a week, that's that, you're going to get paid 1 particular amount of money and that's it.

Dalton - If it takes you two hours to do your job find, if it takes you 12, that's tough.

Mayor - So as of now, you notify him immediately and that's the end of it. (instruction to Pam) Now, I will entertain that motion to adjourn.


Sam - I already made it.

Chuck - I'll second it.

Mayor - All in favor indicate by saying aye.

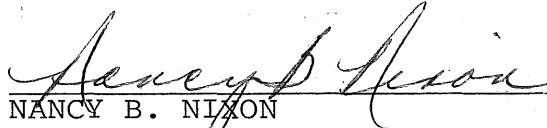
Yeas 5 Nays 0

The meeting was adjourned at 9:30 P.M.


ROBERT M. STURGES, MAYOR

10-29-81
DATE

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER