

SPECIAL SESSION
TROUTDALE CITY HALL
NOVEMBER 17, 1981

The Mayor called the meeting to order at 8:05 P.M.

ROLL CALL :

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

STAFF : Allen Perkins, Scott Pemble, Nancy Nixon,
Jim Jennings and Brian Freeman

PRESS : Joyce Wydrzynski of the Oregonian and
Cassandra Burrell of the Gresham Outlook

OBRIST LITIGATION

Brian Freeman indicated to the Mayor that the purpose of the special session was to consider and take a vote on the proposed settlement. Brian Freeman stated for the record the substance of the proposal. The City of Troutdale, as a compromise to the suit filed by Mr. Carlson and Mr. Anderson against Don Obrist and the City of Troutdale, shall pay the sum of \$86,000.00 over a period of 5 years of which \$20,000.00 shall be paid as soon as possible, before the end of this month, and that the balance be paid in 5 equal annual installments accruing interest on the principal at the rate of 11 1/2% per annum for which the City will receive seven lots and the terms of the agreement will be spelled out in the contract to be prepared by the law offices of Young, Freeman & Jennings. The other terms of the contract provide for the City to receive a deed to a lot upon each additional payment on principal of \$10,000.00 until the entire purchase price has been paid. One of the major terms of the settlement proposal is that the City will receive 4 lots, among 12 through 21, and 3 lots, among 1 through 11.

Dan Lowe made a motion to adopt the terms of the proposal as outlined by Brian Freeman and to direct the attorneys to complete the details of the contract abiding by the substance of the proposal. Dalton Williams seconded the motion. Yeas 6
Nays 0.

Brian Freeman asked council if they would like to see the final documents, to ratify them before he sent them out? Council conveyed that they would like to see them. Brian indicated that due to the time frame they might have to mail them out or make them available for council to pick up. Brian also said that there are definitely going to be some other items not varying in the major substance of the settlement but in addition to which might be interesting or you might want to be aware of.

Dalton Williams made a motion for the \$20,000.00 down payment needed for this settlement to be removed from our fund. Dan Lowe indicated he would like to add to the motion. Councilman Lowe said that in the event that this money is needed before November 30, 1981 he would like to give the mayor authority to approve this so that another special session is not required.

Nancy Nixon indicated that we could entertain a motion to approve an inter-fund loan at this point which would take care of that particular problem since it would only be for an interim period of time.

Dalton Williams made a motion to approve an inter-fund loan. Dan Lowe seconded the motion. Yeas 6 Nays 0.

BURNS BROS. LIQUOR LICENSE APPLICATION

The Mayor said that this was a new request for a beer and wine license. Dalton Williams was concerned about the status of their sign problem. The fact that they had too many signs, etc. Scott Pemble explained that they are in violation of an ordinance right now. He indicated that Ed Murphy had talked to Burns Bros. prior to his leaving and Burns Bros. had indicated they would comply with the request to conform to the ordinance. Dalton Williams said that this request is for prompt action so they can get their liquor license in on time but because we didn't receive prompt action when we requested action on their signs that we shouldn't take prompt action on their request for the liquor license.

Dalton Williams made a motion to table this item. Chuck Blanchard seconded the motion on the grounds that he would like to think about this matter a little longer. Yeas 3 (Chuck Blanchard, Sam Cox and Dalton Williams) Nays 3 (Dan Lowe, Frank Kaiser and Helen Althaus) The vote was a tie. Mayor Sturges broke the tie by voting yea. Yeas 4 (Chuck Blanchard, Sam Cox, Dalton Williams and Mayor Sturges) Nays 3 (Dan Lowe, Frank Kaiser and Helen Althaus)

Allen Perkins indicated that this matter would be on the agenda for the December 8th council meeting.

Frank Kaiser made a motion to adjourn. Dan Lowe seconded the motion. Yeas 6 Nays 0.

The meeting was adjourned at 8:30 P.M.


R.M. STURGES, MAYOR 12-9-81
DATE

ATTEST:


NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER