

AGENDA
TROUTDALE CITY COUNCIL
JANUARY 12, 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 12/8/81 Regular Session and the 12/2/82 Special Session of City Council
 - 2.2 Accept Business License Report
 - 2.3 Accept Bills for the Month of December, 1981
- (A) 3. Resolution Selecting Cable Television Company for Franchise Negotiations
- (A) 4. Review Plans and Specifications for Cherry Park Road Water Line and Call for Bids
- (I) 5. Condemnation Process: Buxton House
- (A) 6. Amendment to Public Contract Ordinance
- (A) 7. Amendments to Zoning Ordinance
- (A) 8. Approval: Police Car Acquisition
- (A) 9. Public Consumption of Alcohol -- Ordinance
- (A) 10. Columbia Equipment, Inc.: Revised Delivery of VAC-ALL Sweeper
- (A) 11. Accept Audit Comments -- Resolution
- (I) 12. Departmental Reports
 - 12.1 Police: Pursuit Policy
 - 12.2 Finance and Records--Enterprise Fund Status
 - 12.3 Community Development
 - 12.4 Public Works: Grant for Street Improvements
 - 12.5 Attorney
 - 12.6 Engineer
 - 12.7 Executive
- (A) 13. Council Concerns and Initiatives
 - 13.1 Evaluation and Determination regarding City Administrator and Public Works Director
- (I) 14. Oral Communications and Adjournment



R.M. STURGES, MAYOR

(A) = Action
(I) = Information

MINUTES
JANUARY 12, 1982
TROUTDALE CITY HALL

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

ROLL CALL :

PRESENT : Dalton Williams, Sam Cox, Mayor Sturges, Dan Lowe, Frank Kaiser, Chuck Blanchard and Helen Althaus arrived at 7:17 P.M.

STAFF : Allen Perkins, Nancy Nixon, Harry Parsi, Scott Pemble, Pam Christian, Bill Farr, Dave Lee, Brian Freeman arrived at 8:04 and Lois Howell

PRESS : Tom Fluharty and Mark Stewart from the Gresham Outlook and Joyce Wydrzynski of the Oregonian

GUESTS : Richard Weber, Michael Chamber, Betty Prichett, Kevin Mulligan from Viacom, Kathy Mahaffy-Dietrich, Margie Lundell, Bill Whisenant, Dr. George Casterline, Skip Cerio from Cable Systems and Kent Mathiot

AGENDA ITEM #2 - CONSENT AGENDA

2.1 : Acceptance of minutes of 12-8-81 regular session and 12-2-81 special session.

Dan Lowe commented that John Pulliam's name was misspelled in the December 2, 1981 minutes. The correction was so noted.

Dalton Williams made a motion to accept the minutes of 12-2-81 with the correction made and the minutes of 12-8-81. Chuck Blanchard seconded the motion. Yeas 5 Nays 0.

2.2 : Acceptance of business license report

Chuck Blanchard noted that Mac Truck was not on the business license report. Nancy Nixon said that the business license fees are billed on an annual basis and that we are still receiving business licenses. Mac Truck could very possibly have sent in their fee in January and you would have that on your report in February.

2.3 : Acceptance of bills for the month of December, 1981.

Dalton Williams had a question on check no. 4214 for Lee Engineering's October services. He requested that Nancy Nixon present him with copies of Lee Engineering's billing and Young, Freeman & Jennings billing at the next council meeting. This was an one time only request.

Chuck Blanchard made a motion to accept 2.2 and 2.3 on the consent agenda. Dan Lowe seconded the motion. Yeas 5 Nays 0.

AGENDA ITEM #3 - RESOLUTION SELECTING CABLE TELEVISION COMPANY FOR FRANCHISE NEGOTIATIONS

Kathy Mahaffy-Dietrich from Cable Vision Task Force told council that the cable company representatives from Viacom and Cable Systems were present tonight to speak to council if council so desired. Dalton Williams voiced a concern that he had been informed that this particular matter was to have been tabled because someone requested a delay. He wanted to know if that was true, and if so, why? Mayor Sturges said that he had been approached by the Cable Systems people to delay action on this item tonight so that they might prepare more information before the February 3, 1982, Multnomah County Cable Task Force meeting.

Helen Althaus arrived at 7:17 P.M.

Mayor Sturges asked council for their consensus on this matter as to whether they wanted to go ahead with the item tonight or table it. Consensus from council was that they would listen to a short presentation by the cable company representatives. However, they would delay making any kind of a decision on this until later. Kevin Mulligan of Viacom gave a short presentation to council. Dalton Williams wanted to know if the delay tonight in choosing a cable company would cause any problem with the Viacom people. Mr. Mulligan indicated that it would not. Skip Cerio spoke for Cable Systems. He said that it would be to the benefit of his company if action was delayed on this matter. He was preparing information for the Task Force meeting on February 3, 1982 and felt that it would be beneficial to the City to acquire more information before making a decision. Dr. George Casterline, a private citizen, told council that he was deeply concerned with the City choosing one cable company over the other because the decision was a difficult one to make and that the council should take time to make their decision and to make sure that the decision made would be in the best interest of the citizens of Troutdale. Dr. Casterline went on to say that he works at Mt. Hood Community College and the board at Mt. Hood was concerned with the educational value that the cable companies would be presenting. Dalton Williams voiced that if no action was taken by council tonight that we (council members) should attend the February 3rd meeting so that more information could be obtained. This meeting on the 3rd is merely a Task Force meeting it is not an open hearing.

Brian Freeman arrived at 8:04 P.M.

Margie Lundell from the Multnomah County Task Force asked if council wanted to vote before or after the Multnomah County Task Force? Mayor Sturges polled council concerning voting tonight: Chuck Blanchard and Dan Lowe wanted the matter tabled until the 26th. Frank Kaiser and Dalton Williams were ready to vote tonight. Sam Cox wanted to wait. Helen Althaus did not want to commit herself to a vote tonight or the 26th.

Consensus from council was to table the matter tonight and place it on the agenda on the 26th.

Dalton Williams made a motion to take a vote on the resolution tonight. There wasn't any second.

AGENDA ITEM #4 - REVIEW PLANS AND SPECIFICATIONS FOR CHERRY PARK ROAD WATERLINE AND CALL FOR BIDS

Dalton Williams said that a letter was written by Dave Lee to Harry Parsi concerning this matter and that he wanted to know why a copy of the same was not in the packet? He felt that this type of item should be included in packet materials because he didn't want to get information on a second hand basis.

Frank Kaiser made a motion to table the matter until council had obtained copies of the letter from Dave Lee. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #5 - CONDEMNATION PROCESS: BUXTON HOUSE

Dalton Williams told council that he had gone down to the Buxton House to look over the situation. He voiced that he was flabbergasted with the type of material that was used to build the house. He said that the barn had handhewn wooden pins in it. Also, the house had siding in it in which square nails were used. He voiced that the house wasn't really as chopped up as was previously indicated. He was very sad to see that the house may be destroyed after finding out what historical value it held. Dalton said the rat infestation problem could probably be corrected if the house was cleaned up. He indicated that jars of preserves were still in the basement of the house and wet garbage was in the barn area which attracted the rats. If this could be cleaned up he felt that the problem might be resolved. Chuck Blanchard suggested that we contact the owner and request that the property be cleaned up. Pam Christian felt that we could do that by "abatement of a public nuisance".

AGENDA ITEM #4 - REVIEW PLANS AND SPECIFICATIONS FOR CHERRY PARK ROAD WATERLINE AND CALL FOR BIDS - CONTINUED

The matter continued after council received copies of the Lee Engineering, Inc. letter to Harry Parsi. Dalton Williams asked Dave Lee how much this project was going to cost? Dave Lee indicated that at this point it was 12% of the construction cost.

Frank Kaiser made a motion that we proceed with the call for bids. Dalton Williams seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #6 - AMENDMENT TO PUBLIC CONTRACT ORDINANCE (361-0)

Pam Christian told council that the City has run into a few problems relative to small projects such as laying short sections

of water or sewer lines or remodel projects, the cost of materials are usually more than \$5,000. If the City is required to call for public bid for furnishing the materials, costs increase due to the time used in preparing bid documents and specifications, cost of advertisement and the additional costs built in by vendors for the time they spend in replying to the bid request. Also, we are required under Ordinance 220-0 to either accept the lowest bidder whether or not we are completely satisfied with the product or reject the bids. Therefore, we are requesting that you adopt this public contract ordinance which would enable us to eliminate the additional costs of competitive bidding and establish the council as a Public Contract Review Board.

Mayor Sturges read by title. Dalton Williams made a motion to adopt the public contract ordinance. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #7 - AMENDMENTS TO ZONING ORDINANCE (362-0)

Scott Pemble reviewed the material in the packet with council and asked for any questions. Scott did note that in the first paragraph of his memorandum it indicated that amendments to the zoning ordinance were necessary in order to resolve compliance issues as identified in the LCDC Acknowledgement Review Report. However, because the acknowledgement review report identifies general areas of concern and not specific resolutions to acknowledgement issues; and, because LCDC staff has not had an opportunity to review these proposals, the planning commission realizes that some fine tuning of these proposals may be necessary later. Scott voiced that he feels at this point that everything has been done that should be done to appease LCDC. Dalton Williams noted that on page 5, item 13, the wording was awkward and he wondered if something could be added. It was agreed that the wording would be as follows: The primary access to any structure intended to be used on a year-round basis FOR HUMAN OCCUPANCY shall be situated two (2) feet above the elevation for a regulatory flood in the area.

Mayor Sturges read by title. Dalton Williams made a motion to adopt the amendments to the zoning ordinance with the addition on page 5, item 13. Frank Kaiser seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #8 - APPROVAL: POLICE CAR ACQUISITION

Pam Christian told council that this item has been budgeted for this year so we could afford \$7,491.37 which is the asking price for the car. Bill Farr addressed council indicating that it would be a considerable savings if the City allowed the police department to purchase a Dodge Diplomat from Teague Motors in Salem. They would be buying an intermediate vehicle which would

be more effective in police work than the Citations which are being leased now by the City. A question was raised as to the amount it would cost to outfit the vehicle once we had it. Cathy Brundridge, secretary for the police department, said it would be approximately \$1,500. Consensus from council was that the price was good, and we should go ahead and allow the police department to take advantage of the State's agreement.

Dalton Williams made a motion to allow the police department to proceed to buy this vehicle. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #9 - PUBLIC CONSUMPTION OF ALCOHOL (363-0)

Brian Freeman told council that his office had revised the ordinance which was presented at the last council meeting. Council read through the ordinance and felt that the wording was now much clearer. Bill Whisenant said that the idea was a very good one and was in agreement with the council passing the same.

Mayor Sturges read by the title. Chuck Blanchard made a motion to accept the ordinance. Dalton Williams seconded the motion. Yeas 6 Nays 0.

Council took a break at 8:55 P.M.
Reconvened at 9:05 P.M.

AGENDA ITEM #10 - COLUMBIA EQUIPMENT, INC.: REVISED DELIVERY OF VAC-ALL SWEEPER

Allen Perkins read through a memorandum he had prepared in regards to the Vac-All Sweeper indicating that the Model E-9 which we had ordered last year is no longer being produced. It was anticipated that it will be about two years before the Model E-9 is back in production and then it will be coming out as a completely re-engineered model. Allen outlined two options that he felt the City had. They were: (1) purchasing a used E-9 which has been leased to the City of Portland for a period of six months under a federal demonstration program. A question Allen raised was if we purchased the used E-9, would there be parts available if we had any problems? Also, a question of whether or not this model would effectively clean our catch basins which are a big concern in our city. (2) Columbia Equipment, Inc. would agree to furnish to the City of Troutdale one model E-10 gas powered Vac-All on an international Model CO 1810 gas powered truck. This equipment would be new not used as in Option 1. This unit would also meet or exceed our bid specifications with the exception that it would be gas powered instead of diesel powered and of course would have two engines. Delivery of this unit would be eight months from date of acceptance. The E-10 would consume more fuel, it sweeper faster and is good at cleaning catch basins in our particular area. Allen Perkins recommended

that we accept Option 2. Dalton Williams voiced that it was his belief that when we authorized the purchase of the Vac-All Sweeper awhile back that we would be using it in other areas such as the airport. It was his understanding at this point that the airport now had a sweeper of their own, therefore, the revenue anticipated coming from the airport would no longer be coming in. Mr. Williams' suggestion was to have a third option of waiting for the E-9 model to be delivered in 18 months to 2 years. Allen Perkins related that there would be an inflation factor involved for re-engineering this particular model so that the price of \$73,000 which we were originally quoted would be much higher by the time we actually received the equipment. Dalton felt that it would be in the best interest of the City if we simply held out for the model that we ordered. Frank Kaiser wanted to know if we had any money right now to buy the equipment. Nancy Nixon related that the money was not re-appropriated in the budget this year for a sweeper, therefore, no funds are available this year for a sweeper. Harry Parsi interjected that the sweeper that we have may not hold up for the 18 months to 2 years that will be required before we receive the new sweeper. A deadline date of January 15th was mentioned wherein we would have to notify Columbia Equipment, Inc. of our decision one way or the other of these two options.

Frank Kaiser made a motion to not accept the two options or offers made by Columbia Equipment, Inc. and that we budget money for the sweeper next year. Dalton Williams seconded the motion.
Yeas 6 Nays 0 .

Dalton Williams voiced to Nancy Nixon that a figure of \$80,000 should be used when appropriating funds for this item in next year's budget.

AGENDA ITEM #11 - ACCEPT AUDIT COMMENTS - RESOLUTION - (454-R)

Frank Kaiser made a motion that we adopt the resolution. Chuck Blanchard seconded the motion.

Before the vote was taken, Dalton Williams requested that Nancy Nixon explain the purpose of the resolution. Nancy told council that we must report to the State any areas that the audit report commented adversely on and that a resolution must be passed indicating the corrections that we will be taking in the future.

Yeas 6 Nays 0 .

AGENDA ITEM #12 - DEPARTMENTAL REPORTS

12.1 : Police Report - Council wanted to know if the police had any suspects in connection with the City Hall burglary. Sargeant Farr indicated that they had a suspect but that he had dropped out of sight so nothing conclusive has transpired.

- 12.2 : Finance/Records Report - Nancy Nixon explained to council the memorandum concerning the deficit in the Enterprise Fund. She simply wanted council to be aware of the problem. Also, she indicated that she had talked to the insurance adjuster in regards to City Hall's burglary and he was just concluding his report. We are now in the process of replacing all of the equipment that was stolen.
- 12.3 : Community Development Report - Scott Pemble indicated that he had been approached by a party which wanted to be annexed into the City of Troutdale. The property is located north of Reynolds Aluminum. He would report back to council later after some further discussion with the party involved. Scott also reported that Multnomah County's Planning Commission has approved the zoning for a site to be placed north of Fairview which would be a wood recovery processing plant. This facility would take slash from the Mt. Hood forests and would then break it down into: softwood chips, hardwood chips and hog fuel. These products would then be sold. Council wanted to know if Motel 6 had in fact paid for their SDC charge? Harry Parsi told council that they had paid.
- 12.4 : Public Works Report - no questions
- 12.5 : Attorney's Report - Brian Freeman said that the Obrist litigation is now scheduled for trial sometime in March, 1982. We are going to have the same judge as the Carlson/Anderson litigation because he is so familiar with the facts in the case. Dalton Williams wanted to know if Don Obrist had done anything more to correct the deteriorating slope on the pit? Brian Freeman said he didn't know but that it would be in Don Obrist's best interest if he did because of the upcoming trial and also it would increase the value of his property. Dan Lowe asked Scott Pemble how the figure was derived at for the estimated costs spent to date on the Obrist Pit? Scott said that Nancy Nixon had gone through all of the records for the Obrist Pit and it was estimated that \$238,047 was spent, this figure did not include staff time. Mr. Kent Mathiot, a hydrologist, submitted to council a list of alternatives that could be viable other than a landfill operation at the Obrist Pit. Mr. Mathiot said that he had been connected with the Obrist Pit problem when he was with the Water Resources Department and had done alot of research in regards to our problem with possible water contamination in the underground water at the site. Brian Freeman interjected that the City has chosen to go with the landfill process at this point but if sometime in the future it does not seem feasible to establish a landfill, the alternatives Mr. Mathiot is suggesting to us tonight could be looked at more carefully.
- 12.6 : Engineer's Report - no questions

12.7 : Executive Report - no questions

AGENDA ITEM #13 - COUNCIL CONCERNS AND INITIATIVES

Dan Lowe was concerned about a letter he had received from Frank Windust regarding parking requirements for multi-family housing. Scott Pemble indicated that he would be responding to Mr. Windust's letter.

AGENDA ITEM #13.1 - EVALUATION AND DETERMINATION REGARDING CITY ADMINISTRATOR AND PUBLIC WORKS DIRECTOR

Mayor Sturges indicated this item was tabled until the January 26, 1982 council meeting.

AGENDA ITEM #14 - ORAL COMMUNICATIONS

(1) A letter from Bill Whisenant, Secretary for Troutdale Business Association, was addressed concerning the delivery truck parking on Columbia Street. The Businessmen's Association would like an ordinance drawn up by the City prohibiting delivery truck parking on Columbia Street between Buxton and Kibling Streets. Sam Cox said that the majority of the businesses are for this. Consensus from council was that an ordinance be drafted and a hearing held with all of the businesses in the area.

(2) Pam Christian read a petition that had been sent to her in regards to prohibiting semi-trucks and trailers from parking on residential streets. Scott said he could prepare an ordinance for council's review in regards to this matter.

Dan Lowe made a motion to adjourn. Sam Cox seconded the motion. Yeas 6 Nays 0.

The meeting was adjourned at 10:55 P.M.



R. M. STURGES, MAYOR
DATE SIGNED: 1-27-82

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER