


AGENDA
TROUTDALE CITY COUNCIL
February 23, 1982 -- 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 1/30/82 **Goal Setting Session**;
 - 2.2 Accept Minutes of 2/9/82 **Regular Session**
 - 2.3 Accept **Computer Check Runs** for January, 1982
- (A) 3. **Selection:** Cable Television Negotiating Team
- (A) 4. **Approve:** Sludge Agreement
- (A) 5. **Accept** Computer Consultant Proposals
- (A) 6. **Approve** Contract Proposal: Landfill Negotiations
- (A) 7. **Ordinance Accepting:** Comprehensive Plan Amendments
Major Policy Section of the Comprehensive Plan
- (A) 8. **Ordinance Accepting:** Comprehensive Plan Land Use Map
Amendments to Comply with State Planning Goals
- (A) 9. **Resolution Accepting:** Zoning Map Amendments
To Comply with Comprehensive Land Use Map
- (A) 10. **Accept** Bid for Cherry Park Road Waterline
- (A) 11. **Authorize** Mower Purchase
- (A) 12. **Determine** Priority for Softball Use of Sandee Palisades Park
(Phase I)
- (A) 13. **Authorize** Adjustment of Utility Billing
- (A) 14. **Acceptance:** Election Codification
- (A) 15. Council Concerns and Initiatives
- (A) 16. Oral Communications and Adjournment


R. M. STURGES, MAYOR

(A) = Action
(I) = Information

MINUTES
TROUTDALE CITY COUNCIL MEETING
FEBRUARY 23, 1982 - 7:00 P.M.

The meeting was called to order at 7:02 P.M.

ROLL CALL :

PRESENT : Dalton Williams, Helen Althaus, Sam Cox, Mayor Sturges, Frank Kaiser, Chuck Blanchard and Dan Lowe arrived at 7:03 P.M.

STAFF : Nancy Nixon, Pam Christian, Harry Parsi, George Haddock, Valerie Lantz, Scott Pemble, Dave Lee, Brian Freeman arrived at 7:58 P.M. and Lois Howell

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

GUESTS : Marge Schmunk, Bill Whisenant, Sue Buzzard, Scott Nelson, Steve Pettigrew, Gayle Littlejohn, Sandi Kraus, Doug Blatchford, Anne Williams and Gary Turner

Mayor Sturges asked if there was an agenda update. Pam Christian informed council that agenda item #6 had been stricken from tonight's agenda.

AGENDA ITEM #2 - CONSENT AGENDA

- 2.1 : Acceptance of minutes of 1-30-82 Goal Setting Session
- 2.2 : Acceptance of minutes of 2-9-82 regular session and special session minutes of 2-15-82
- Chuck Blanchard stated that the minutes of 2-9-82 didn't note his explanation for voting no against the zone change on the Faith United Church. It was noted that the correction would be made on the minutes. It is as follows: Chuck Blanchard said at the time he voted no that he was not against the church at all but didn't feel comfortable with the amount of acreage being requested.
- 2.3 : Acceptance of computer check runs for January 1982.
- Chuck Blanchard made a motion to accept agenda items 2.1 through 2.3 with the correction noted on the February 9, 1982 minutes. Frank Kaiser seconded the motion. Yeas 6
Nays 0.

AGENDA ITEM #3 - SELECTION: CABLE TELEVISION NEGOTIATING TEAM

Pam Christian told council that as part of the Cable TV franchising process, the City Council has the right to appoint one, or several persons to negotiate a Franchising Agreement with Via Com Cable TV. Pam recommended that the Council make a formal stipulation that the City Attorney must first review the final ordinance both before

negotiations and before final committment by the City. Also, that one council member be appointed the negotiator, representing the City and that Kathy Mahaffy-Dietrich and herself act as support to this position.

Sam Cox made a motion to appoint Helen Althaus as the council member to represent the City in negotiating the franchise agreement with the Via Com Cable TV people. Dan Lowe seconded the motion. Yeas 4 Nays 0. 2 abstentions - Helen Althaus and Dalton Williams

Sam Cox made a motion to have Kathy Mahaffy-Dietrich and Pam Christian also on the negotiating team. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #4 - SLUDGE AGREEMENT

Presently, the sewage treatment plant has a pond which holds approximately 400,000 gallons of sludge. Besides the pond, the digester holds around 36,000 gallons, or three days worth of sludge. When this is full, it is necessary to remove some sludge with the help of our sludge truck and dump it at a specified location. Harry Parsi recommended to council that the specified location be Reynold's property. He said that before the council tonight is an agreement which has been signed by the Reynolds Metal Company granting the City of Troutdale permission to enter upon the land for the purpose of spreading digested sludge from the City of Troutdale's Sewage Treatment Plant. Dalton Williams wanted to know if the agreement had been reviewed by the City Attorney? Pam Christian voiced that the City attorney had prepared the agreement and therefore was aware of it's contents.

Chuck Blanchard made a motion to accept the sludge spreading agreement. Dan Lowe seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #5 - ACCEPT COMPUTER CONSULTANT PROPOSALS

Nancy Nixon explained that last council meeting a selection committee of Dan Lowe, Dalton Williams and Nancy Nixon was appointed by council to review proposals of different firms and make a recommendation to council. Nancy said that the proposal was evaluated in the following manner: 1. Local governmental consulting qualifications and experience of the office; 2. specifically relevant qualifications of the individual who will perform the work; 3. local government experience of the firm; and 4. the fee. Nancy said that after reviewing 5 proposals, the recommendation from the selection committee was to go with Coopers & Lybrand.

Dan Lowe made a motion to accept Coopers & Lybrand's proposal for computer consultant services. Sam Cox seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #6 - APPROVE CONTRACT PROPOSAL: LANDFILL NEGOTIATIONS

This item was stricken from the agenda.

AGENDA ITEM #7 - COMPREHENSIVE PLAN AMENDMENTS MAJOR POLICY SECTION OF THE COMPREHENSIVE PLAN (367-0)

Scott Pemble told council that amendments to "Major Policy" 4 and 18 and the addition of a new "Major Policy" 5 should resolve in part the following compliance issues as identified in the LCDC report.

1. There are no policies for the protection of and or resolution of conflicts with Goal 5 resources other than Open Space and Historic Sites.
2. The plan lacks policies requiring conformance with State and Federal environmental standards.

A discussion followed wherein Exhibit "A" attached to the Ordinance was addressed.

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

AGENDA ITEM #8 - COMPREHENSIVE PLAN LAND USE MAP AMENDMENTS TO COMPLY WITH STATE PLANNING GOALS (368-0)

Scott Pemble explained that on February 9, 1981 the LCDC reviewed the City's Comprehensive Plan and found that Troutdale's plan did not comply with Statewide Planning Goals 2,5,6,9,10,12 and 14. In order to resolve the compliance issue, "Zoning Ordinance and maps are not consistent with the plan policies and map"... the Planning Commission recommends these amendments to the land use map.

1. Create a new Policy Area 7 for the County Farm site.
2. Increase the depth of the "Transitional Areas" along Stark, Troutdale Road, Halsey and 242nd in an effort to achieve a 60% to 40% distribution of multi-family to single-family build-out potential.
3. Designate known floodplains adjacent to Beaver Creek and Sandy River as Policy Area 6.
4. Adjust Policy area 5 boundaries to reflect current neighborhood commercial zoning boundaries.

After a discussion, it was decided that on Exhibit "A", land use map, Sec. 25 TL 26, the sand and gravel pit, will remain in policy area 6 and Sec. 25 TL 27 will be reflected as policy area 2.

Dalton Williams made a motion to amend Exhibit "A" to reflect Sec. 25 TL 27 as policy area 2 and Sec. 25 TL 26 to remain policy area 6. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

Dalton Williams made a motion to accept the ordinance changing the Troutdale Comprehensive Plan land use map amending ordinance no. 252. Dan Lowe seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #9 - ZONING MAP AMENDMENTS TO COMPLY WITH COMPREHENSIVE LAND USE MAP (459-R)

Scott Pemble told council that because of inconsistencies between the zoning map and the land use map the City did not comply with

Statewide Planning Goal #2. The Planning Commission is recommending the proposed amendments on the attached resolution to rectify this situation. A discussion followed wherein it was decided that Sec. 25 TL 27 should be amended to a C4 classification instead of the SR classification in accordance with the amendments previously made on the land use map.

Dan Lowe made a motion to change Sec. 25 TL 27 to a C4 designation in accordance with the other amendments. Frank Kaiser seconded the motion. Yeas 6 Nays 0.

Sam Cox made a motion to accept the resolution amending the Troutdale Official Zoning Map. Dalton Williams seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #12 - DETERMINE SOFTBALL USE OF SANDEE PALISADES PARK (PHASE I)

Pam Christian told council that citizens in Troutdale were extremely interested in this matter as evidenced by the attendance tonight. Pam said that Valerie Lantz had the background information on this matter. Valerie Lantz told council that two requests have been made to the City for use of the Sandee Palisades baseball field this summer. The Reynolds Summer Baseball & Softball league, a children's league, has requested the use of the field from mid May to early July, Monday through Thursday from 4:00 P.M. to 6:30 P.M. and game days from 6:30 P.M. and 8:30 P.M. Also, the Greater East Multnomah County Softball Association which is an adult league wanted to use the field Fridays, from 5:30 P.M. to 8:30 P.M. from mid May through early July. Valerie indicated that the maintenance of the field would be done by the Reynolds Summer Baseball and Softball League and that the Greater East Multnomah County Softball Association would provide a litter receptacle if allowed to use the field. The third alternative that Valerie Lantz presented to council was to have no league or association play but allow the neighborhood to use the field only. This would mean that the City has to maintain the field. Valerie said that costs to the City would be approximately \$650.00 if the City was to maintain the field. With league play the costs would be approximately \$60.00.

Mayor Sturges asked people from the Sandee Palisades neighborhood to come forward and state their opinions. Scott Nelson who lives at 2734 SE Evans, Troutdale, OR 97060 told council that he was going to be the spokesman for most of the people who were here tonight. They were opposed to any league play whatsoever and therefore were in favor of alternative 3. He said that because of the problems caused last year with the Reynolds league, i.e. high noise level for 4 1/2 hours each evening, Monday through Thursday and 3 1/2 hours on Friday evenings, traffic congestion with numerous parking problems, no restroom facilities thereby causing incidences of urination occurring in peoples yards, people climbing fences to retrieve balls or kids invading people's yards, flying balls going through people's windows creating a definite safety hazard with balls, people drinking alcohol, displaying disruptive behavior and a litter problem that people were against league play.

Sue Buzzard said she didn't feel that there was any budget impact because there was no need to line the field or drag the field. Dan Lowe asked Mr. Nelson if the neighborhood was concerned with the adult league wanting to use the field or the children's league? Mr. Nelson said it was the problems encountered with the children's league last year and that they didn't even know that the adult league wanted to use the field until tonight. Sandi Kraus, Coordinator for the Reynolds Summer Baseball & Softball League reported to council that she had heard of no complaints regarding alcohol use, litter, etc. as voiced tonight from the neighborhood. Also, she indicated that Reynolds had spent approximately \$400.00 to build the field up to playing standards by hauling dirt in to build the mound, dragging the field and hours of volunteer help to accomplish the task and that she didn't want to be denied at this point of its usage. She explained that the use of alcohol was against the leagues rules and if she had known about the problem, the team or teams involved would have been told they wouldn't be allowed to play anymore. Steve Pettigrew residing at 2811 SE Lewellyn, Troutdale, OR 97060 felt that the league program was taking away the recreational facility from the neighborhood. He also said he didn't believe the field was developed for league play but rather recreational use by the neighborhood. Janet Lindon residing on SE Evans indicated she had phoned the Reynolds people many times last year and also City Hall to inform people of the problems with people wandering into private yards, stray fly balls, etc. Gayle Littlejohn residing at 2717 SE Hicklin Court, Troutdale, OR 97060 stated that she had had a softball or baseball go through a sliding glass door costing her approximately \$240.00 to replace. She also felt that the park was not designed for league play and was totally against the league coming into the area this year. Bill Whisenant voiced that they had passed a parks bond specifically for developing the baseball fields and soccer fields and now people are saying that the fields are not satisfactorily developed so where did all of the money go? Sam Cox asked George Haddock about the problems the police encountered in the Sandee Palisades area during the league play last year. George responded that they received calls of disorderly conduct and intoxicated people which resulted in arrests but didn't know if this occurred during league play or not. Sandi Kraus spoke again and informed council that if Reynolds was given the use of the Sandee Palisades field again this year she gave her assurance that the alcohol problems, proper conduct of people, etc. would be enforced. In other words, Reynolds would do anything at this point to cooperate with the City and the homeowner's to be able to use the field.

Mayor Sturges felt that the discussion had gone on long enough so he asked the Reynold's representative and the neighborhood people if they would be willing to meet together in an effort to reach a compromise on this matter? They all answered that they would be willing to do so. Mayor Sturges suggested that councilmen Dan Lowe and Dalton Williams attend the meeting at Sue Buzzard's house along with Scott Nelson, Steve Pettigrew, Gayle Littlejohn, Sandi Kraus and Doug Blatchford. The meeting would be held sometime within the next two weeks so that at the next council meeting on March 9, 1982, they hopefully could have a decision on this matter.

Dalton Williams requested that the fields all be measured indicating the

amount of playing space for the field and how close they were to the houses. Also, find out how many children are playing from the Sandee Palisades area and if the children are not from the Sandee Palisades area, where are they coming from?

Council took a break at 8:35 P.M.
The meeting was reconvened at 8:47 P.M.

AGENDA ITEM #10 - ACCEPT BID FOR CHERRY PARK ROAD WATERLINE

Mayor Sturges said that this was an information item only tonight. Dave Lee indicated that the County has a concern regarding the proposed waterline. Evidentially, the County feels that the line should be placed a little deeper than what Lee Engineering had originally planned. Therefore, the cost factor has gone up. Dave checked with the County to see if they had any funds available and also with the Highway Division and the response from both agencies was that there was no money available for this project. Therefore, the burden is on us to come up with additional money. The budget is only allowing for a \$60,000 project. Dave Lee recommended to council that action be delayed on this matter until the next council meeting in order to give staff time to research the matter.

WELL #6 PUMPHOUSE (460-R)

Dave also presented material in regard to Well #6 Pumphouse. He indicated that E2 Enterprises, as reported to council last December, was in deep financial trouble. Dave indicated he's been making an attempt to work out the problems with E2 but at this time there seems to be no other solution other than to terminate their contract. He reported that Harry Parsi, Brian Freeman and himself had talked about several alternatives to the problem but felt this was the way to go. Dan Lowe was concerned with another possible lawsuit if we terminated the agreement. He wanted assurance from E2 Enterprises that they knew they had not held up to their end of the agreement and therefore were terminated because of that fact. Brian Freeman indicated that if council did terminate the contract tonight that a letter would be written to E2 Enterprises giving them an opportunity to respond to the termination. Dave indicated that if we went out for bids again on this project, if we received a lower bid then E2 would be entitled to some sort of payment and if the bid was higher, then E2 would have to pay. However, because of the financial condition of E2 Enterprises at this time there probably wouldn't be anyway to collect those funds if the bid was higher.

Helen Althaus made a motion to terminate the agreement with E2 Enterprises. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #11 - AUTHORIZE MOWER PURCHASE

Pam Christian told council that the proposed purchase of a mower before them tonight has been covered in the budget so that funds were available if council decided to purchase a mower. Valerie Lantz

indicated that she had taken alot of time preparing this information, asking several different firms for estimates on mowers, which she handed out to council. The estimates were clumped together with the price approximately \$22,000 to \$24,000 for a mower. One low bid for approximately \$13,000 was submitted but Valerie was somewhat skeptical with this because it was so much lower and also the fact that the bidder hadn't had alot of experience with a large scale operation which would be the case here. Valerie indicated that many factors were involved such as safety factors, service and parts availability, fuel efficiency, performance of machine on location, when choosing a recommendation for council. Also, she said that Eric Johnson, mechanic for Public Works and the man responsible for most of the maintenance work done on the mowers, had taken a look at the demonstrator models of the various places. He indicated that the Bobcat was the best model out of all of them. The mower is a 74" front deck rotary costing approximately \$7,200 and would be the most cost effective and efficient.

Sam Cox made a motion to hopefully hold the Bobcat mower until March 9, 1982 and that Frank Kaiser, Dalton Williams and Chuck Blanchard check the Bobcat mower out and perhaps look into diesel equipment, etc. and report back to council by March 9, 1982. Helen Althaus seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #13 - AUTHORIZE ADJUSTMENT OF UTILITY BILLING

Nancy Nixon told council that up until 1977 the water superintendent was allowed to adjust bills in particular instances such as what happened to Mr. Glen Otto. Nancy asked council to authorize the water superintendent to adjust the water usage to an average billing amount for one billing period only when situations such as Glen Otto's occurred. Authorization would be given pending amendment of the Water Regulations Ordinance.

Dan Lowe made a motion to approve the authorization to adjust utility billings. Sam Cox seconded the motion. Yeas 6 Nays 0.

Council asked what was the result of staff checking relative to Glen Otto's water bill? Pam Christian indicated that a bathroom door was open on a porch of his house and probably was the cause for the excessive water bill. Since the water has been turned off, there hasn't been any problem.

AGENDA ITEM #14 - ACCEPTANCE OF ELECTION CODIFICATION (369-0)

Mayor Sturges read by the title last meeting so action was required on this tonight. Pam Christian indicated that the registration date for filing a petition was the only change. It is changing the present law of 65 days to 75 days for filing a petition.

Chuck Blanchard made a motion to accept the ordinance adopting codified ordinances as election code title III and repealing certain

ordinances. Dan Lowe seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #15 - COUNCIL CONCERNS AND INITIATIVES

Chuck Blanchard - concerned about Buxton House and problem with rats, etc. Pam Christian indicated that Frank Windust had boarded up the house as requested at a council meeting. Also, the County Health Division was also looking into it. Chuck Blanchard said that after looking at the house and trees it really wasn't worth saving the trees because they were rotten. Dan Lowe said that he had talked to Frank Windust and Frank told him he had gone to Corbett Fire District to see what they could do. Corbett Fire Department indicated they wanted to use the house as a practice ground for their firemen but Fire Dist. #10 wasn't happy with another fire dept. in their area. Chuck felt that cleaning the place up, removing preserves etc. would not help eliminate the rat problem. However, burning the house and then cleaning up the area should. Frank Kaiser didn't feel that the trees were worth saving.

Chuck Blanchard made a motion to give the owner authorization to burn the house down and not worry about the trees and also the condition that after burning the house that the property be cleaned up. Frank Kaiser seconded the motion. Yeas 3 (Chuck Blanchard, Dan Lowe and Frank Kaiser) Nays 3 (Helen Althaus, Sam Cox and Dalton Williams) The vote was a tie. Mayor Sturges broke the tie by voting yea. Yeas 4 Nays 3. The motion carried.

Frank Kaiser - wanted to know what was going to be done on Sandy Road? Harry Parsi voiced three options: 1. leave the road closed. 2. cut into the side of the hill. 3. shore up bottom of hill. Dalton Williams wanted to know if it was appropriate for Lee Engineering to check into surveying that area to determine whether if option 2 would work? It was determined that at this time nothing has been budgeted for such an expense. A discussion ensued.

Frank Kaiser made a motion to have staff research cost estimates for soils engineer and survey of road location. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

Dalton Williams asked about the handout of the draft of an ordinance from Multnomah County regarding the County Farm. Mayor Sturges felt that someone should notify Wood Village of this ordinance.

Council asked about the handout from George Haddock regarding patrolling the freeway areas? Pam Christian explained that council had requested further information on this subject and George was merely submitting this memorandum as such. It will be addressed at another time.

Mayor Sturges said that council would adjourn into an executive session to discuss pending litigation matter as requested by Brian Freeman.

Frank Kaiser made a motion to adjourn the meeting. Dan Lowe seconded

the motion. Yeas 6 Nays 0.

The meeting was adjourned at 10:13 P.M.



R.M. STURGES, MAYOR
DATE SIGNED: 3-10-82

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER

