

AGENDA  
 TROUTDALE CITY COUNCIL  
 7:00 P.M. -- City Council Chambers  
 104 S.E. Kibling  
 April 13, 1982  
TROUTDALE CITY HALL

- (A) 1. Call to Order, Roll Call and Agenda Update: **Mayor**
- (A) 2. Consent Agenda:
  - 2.1 **Accept** Minutes of 3/23/82 Regular Session
  - 2.2 **Accept** Business License Report
  - 2.3 **Accept** Bills for the Month of March, 1982
- (A) 3. **ORDINANCE:** Condemnation of Buildings and Structures  
**First Reading**
- (A) 4. **Fee Deferment Request:** Michael Daly -- Builder
- (A) 5. **ORDINANCE:** Amending Ordinance #310 Regulating Water Rates  
**Second Reading**
- (A) 6. **ORDINANCE:** Amending Ordinance #317 Imposing Wastewater User Charges  
**Second Reading**
- (A) 7. **ORDINANCE:** Establishing and Imposing a Storm Sewer Surcharge  
**Second Reading**
- (A) 8. **RESOLUTION:** Calling for Special Tax Levy -- June 29, 1982
- (A) 9. **DETERMINE:** Policy for Softball Use of Sandee Palisades Park
- (A) 10. **Accept:** Recommendation for Planning Commission Member
- (A) 11. **RESOLUTION:** Accepting Helen Althaus Zone Change from F-2 to R-7 PD for portions of Tax Lots 3 and 26, Section 1, T1S, R3E, W.M.
- (A) 12. **ORDINANCE:** Codify Public Works Code  
**First Reading**
- (A) 13. **Purchase Agreement:** Harlow House
- (A) 14. **Department Reports:**
  - 14.1 Police
  - 14.2 Finance and Records
  - 14.3 Community Development
  - 14.4 Public Works
  - 14.5 Attorney
  - 14.6 Engineer
  - 14.7 Executive
- (A) 15. Council Concerns and Initiatives
- (A) 16. Oral Communications and Adjournment



R. M. STURGES, MAYOR

(A) = Action Item                      (I) = Information Item



MINUTES  
TROUTDALE CITY COUNCIL MEETING  
APRIL 13, 1982 - 7:00 P.M.

The meeting was called to order by Mayor Sturges at 7:04 P.M.

ROLL CALL :

PRESENT : Dalton Williams, Helen Althaus, Sam Cox, Mayor Sturges, Frank Kaiser, Dan Lowe and Chuck Blanchard  
STAFF : Nancy Nixon, Pam Christian, Scott Pemble, George Haddock, Duane Lee and Brian Freeman arrived at 8:00 P.M.  
PRESS : Lori Callister of the Gresham Outlook  
GUESTS : John Jacobs Jr., Marty Gault, Sandi Kraus, Margaret Rider, Rhonda & Erica Reints, Carolyn McCord, Debra Wiku, Jolene Geates-Johnson, Sandy English, Casey McDade, Robert Tiffany, Cheryl Rider, Sandra Jacobs, Mark Jacobs, Anne Williams, Scott Nelson, Billie Turner, Mark & Chris McKay, Marge Schmunk, Karl McDade, George Howland of Fire Dist. #10, Tony Buzzard, Sharon Nesbit and Eugene Bui

AGENDA UPDATE:

Mayor Sturges indicated that the agenda would be revised a little bit tonight in that the Sandee Palisades Softball matter would be moved up so that people in attendance tonight would not have to sit through the entire meeting. Also, Commendations for acts of heroism will be handed out before the meeting starts. The mayor also added that even though this item was not on the agenda tonight a meeting was scheduled with Ron Wyden on the 15th. However, there aren't enough people interested at this time so the meeting has now been set for early July.

COMMENDATIONS

Mayor Sturges read a letter stating the event in which the acts of heroism occurred. All were in connection with a fire that occurred at the Ramer residence in Troutdale. The first Commendation was for the late Jack Jacobs. Mrs. Jack Jacobs accepted the certificate. The following people were also given certificates. Bret Jacobs, Mark Jacobs, Christine Partridge, Jerry Shampine, Richard Demby, Tracy Vaughn and Roger Elligsen. The Mayor commented that the Gresham Fire Department responded to this fire in as much as our station was on another emergency. In addition, a certificate of Commendation was awarded to David L. Cook for his community involvement and quick action in notifying authorities of a suspicious vehicle and activities in his neighborhood.

AGENDA ITEM #2 - CONSENT AGENDA

- 2.1 : Acceptance of minutes of 3-23-82 regular council meeting
- 2.2 : Acceptance of business license report for the month of March
- 2.3 : Acceptance of bills for the month of March, 1982

Sam Cox made a motion to accept the consent agenda. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #14.6 - ENGINEER'S REPORT

Mayor Sturges indicated that Duane Lee had some prior commitments tonight so if council had any questions they wanted to ask of him, please do so now. Frank Kaiser wanted to know if the crew was done with the waterline on Cherry Park Road? Duane indicated that it would be a few more days. Minor interruptions would still occur throughout this week and then they should be pretty close to being done. Dalton Williams wanted to know how shallow the pipe was? Duane said that it was deeper than was originally anticipated. There were some areas where the old pipe was as much as 4' below the surface. At this point, it is not anticipated to be as big a problem as was originally thought.

AGENDA ITEM #9 - DETERMINE: POLICY FOR SOFTBALL USE OF SANDEE PALISADES PARK

Dan Lowe indicated that he and Dalton Williams were appointed to go ahead and set up a meeting with the people representing the little league (Reynolds) and Sandee Palisades residents in opposition to the little league. Dan said that in the first meeting the conclusion was to try to work out a compromise. A second meeting was set up on April 5th. In attendance were representatives of the opposition and also representatives of the little league. The decision made that evening was that the little league would be represented by Sandi Kraus and Ken McMannus. The opposition to the little league would be represented by Scott Nelson and Gayle Littlejohn. The points discussed were: The opposition offered two games and three practices to be made on Monday, Tuesday and Wednesday of each week beginning immediately until July 12th or until another schedule could be posted. Play would not be done on holidays. The little league said that they could not work with that but would agree that they would ask for only three games and three practices. The practices would start at 4:30 P.M. and end at 6:00 P.M. on those weekdays discussed. From 6:00 P.M. to 8:30 P.M. the games would be played. Dan said that they were at an impasse on this issue. Dan advised council to go ahead and vote on these impasses on an individual basis. The other conditions that came out of the meetings were: 1. There would be no drinking. 2. There would be no profanity. 3. Players would be responsible for the children to go to restrooms or public area if they have to go to the bathroom. Dan said that they were at an impasse there and would need a vote on that issue. 4. The league is to maintain the field. (they will prepare the field to the point that it would not endanger the kids) Dan Lowe said that the league was going to work on the field but that they didn't know what Valerie Lantz was doing to the field. Valerie Lantz indicated that the City would not do any maintenance on the field as scheduled this season. In the fall reseeding would occur so we will have a grass infield. The only work to do this season would be to drag the field. Also, the outfield that is grass will be mowed by the City during the course of the summer. 5. League schedule will start immediately with practices and it will go to July 12th with no play on holidays. 6. Receptacles will be put out to collect garbage. Dan again asked Valerie Lantz if the City had receptacles that could be put out on the field? Valerie said that presently the City doesn't have any receptacles. However, if receptacles were placed out on the field, it would be possible

for City crews to dump the garbage the day after a game. Dan indicated that we would have to resolve who was going to get receptacles, etc. 7. Parking of cars (not to block the private residences, driveways and for players, etc. to use public walkways.) 8. Make sure the the primary direction of the ball during practice is towards the center of the park and not towards the private homes. 9. Please restrict activity to within the 5' asphalt pathway. 10. There will be no "batter batter". 11. See that fields are left clean (same as 6) 12. There will be a minimum of 5 complaints but not to exceed 10 at which time if it cannot be worked out by representatives (little league and opposition) it will go to the City Staff and the City Staff will make a report on it to the Council and then the Council will make a recommendation as to whether the program continues or not. 13. League has offered to pay any deductible if there is any damage to residences property. (the opposition wants them to pay it all) This is also at an impass.

Three points of impass which need to be voted on:

1. Opposition wants two games, three practices. By doing that, one team would have to be dropped (8 children). The little league is offering three games, three practices, Monday, Tuesday and Wednesday from 4:30 to 8:30 P.M.

Chuck Blanchard made a motion to go with the three games, three practices offer. Frank Kaiser seconded the motion. Yeas 5 Nays 0 1 abstention  
- Dalton Williams

2. Players and Coaches will be responsible for the players to take them to public restrooms or residences if they have to go to the bathroom.

Dalton Williams voiced some concern for the proceedings. He related that the Reynolds people were to provide an amended guideline for the activities. That information should be submitted to us at this point. A discussion ensued. Dalton Williams commented that if the parents were handed instructions pertaining to bathroom facilities that the parents rather than players & coaches could handle the restroom facilities problem. Dalton brought up the point that portable restrooms be provided. It was voiced that they wouldn't be permitted because of the restriction that they have to be 1,000' from any residence when they were in use. Mayor Sturges asked Ken Prickett if he had heard of anything like that before? Ken Prickett commented that it could possibly be part of the Oregon State Health Code but he was not sure. Dan Lowe asked Valerie Lantz if the City had any portable restrooms available? Valerie commented that the City doesn't own any but that last year the City used one for a summer CETA youth crew and for 12 weeks of use it cost approximately \$100.00.

Dalton Williams made a motion to require the league to provide portable restrooms during games only. Frank Kaiser seconded the motion. Yeas 5  
Nays 1 (Chuck Blanchard)

Chuck said that he had three boys grow up through football and baseball and those facilities and problems were never apparent. He commented that he couldn't understand how the situation could change so fast.

Mayor Sturges recognized Bill Whisenant. Bill wanted to know if the City was going to require portable restrooms for the Sandee Palisades Park, were we also going to require them in all of the fields? Dalton indicated that the intent was to alleviate a problem directly in the vicinity of Sandee Palisades. Scott Nelson wanted a clarification on whether or not council had voted to allow league play on the field? Answer: Council has just voted on the conditions. Mr. Nelson continued that he wanted to clarify one point and that being: opposition to the league. He wanted to make it clear that the Sandee Palisades residences were not opposed to little league play but merely opposed to league play on Sandee Palisades Park.

3. League offers to pay insurance deductible in the event there was any damage to residences. The opposition or the opposing league at Sandee Palisades Park would like to have it all paid for.

Sandi Kraus spoke for the league and indicated that the insurance covers liability which as she understood it meant that if any children were injured while they were playing ball that they would be covered. If there is any accident on the field to anyone else then they would be covered. The league is not covered for window breakage, the premium evidently would be rather high. The league would take the responsibility for paying whatever the individual deductible would be.

Helen Althaus made a motion that in the case of property damage the League will pay all damages. A discussion followed.

Comments from the audience: "I live at center field, and I'm in favor of league play. When I moved there, it was a big mud hole, but I knew that it was going to be a park. My wife and I talked seriously about whether or not we wanted to live on a park. We knew there were some good things about living on a park and that is that our kids would be really close to it and they wouldn't have to go across the street, etc. to use the recreational facilities. We also knew there were some bad things. We made the decision to move into that park and I think that everyone who has moved onto that park has made that same decision. You have to take a little bit of the good with the bad. The league has made all sorts of concessions to these naturally concerned homeowners, my neighbors. But I think that the position of not allowing the league to use the park at all and the position of trying to have the league indemnify the homeowners against any possible damage or harm to their houses is unreasonable. If you live on a park sometimes windows do get broken."

"My daughter, stand up Shauna, most of the kids who play are this size and she cannot hit the ball hard enough on the fields and I have been there for two years at Sandee Palisades, so I know that this age group cannot hit the ball that far into any home. Also, I am a taxpayer and I am part of the City of Troutdale and I feel that as a parent and with the rising juvenile crime in our area it is up to all of us adults that we keep our kids, kids from here and around this area, involved in this association off the streets and doing something constructive. We have less fields and less kids that are involved and the less kids involved the more they are out on the streets doing other things. I think that should be our concern. We should do as much

as we can for these little fellas to enjoy and learn something from this life."

Tony Buzzard commented that 25% of the student enrollment at Sweetbriar Grade School and Troutdale Grade School are playing and will be playing on the three baseball fields available to them in the City of Troutdale. One at Troutdale Elementary, one at Sweetbriar Grade School and one in Sandee Palisades. Sandee Palisades is the only City owned "park". The point is that 188 children or residences of the City will be using that field as part of the baseball program. The oldest child will be 12 years old.

Helen Althaus repeated her motion that in the case of property damages the league will pay all damages. Sam Cox seconded the motion. Yeas 2 (Helen Althaus and Sam Cox) Nays 2 (Frank Kaiser and Dan Lowe) 2 abstentions - Chuck Blanchard and Dalton Williams. The vote was a tie. Mayor Sturges broke the tie by voting Yeh. The motion was carried.

Frank Kaiser made a motion to accept league play on the Sandee Palisades Park Ballfield. Chuck Blanchard seconded the motion. Frank Kaiser amended his motion to indicate that the age limit for playing on the ball field would be 12 years or younger. Chuck Blanchard seconded the amended motion.

A discussion ensued. It was voiced that we were talking about 188 children out of Troutdale that wouldn't be getting to use this field if we were opposing little league. There must be more than 188 children that would like to use that field when they cannot safely use that field because little league is on it or any other team is on it. Also, the hours that the league will be using the park is prime family time. A representative of the league indicated that the league is only asking for use of the park 12 hours a week three days a week, out of 7 days. 4 days a week, at all other hours the park will be available for neighbors, citizens of Troutdale, etc. Also, the hours that the league will be using the park is prime family time.

Dan Lowe voiced that there was a motion on the floor to accept league play on the Sandee Palisades ball field. If the motion was approved, the following stipulations would be in effect:

1. They will be able to play three games and three practices on Monday, Tuesday and Wednesday from 4:30 to 8:30 P.M. starting immediately and to end on July 12, 1982. There will be no playing on holidays.
2. There will be no drinking.
3. There will be no profanity.
4. The league will go ahead and provide a portable restroom for the children during the time they are playing.
5. The league will maintain the field and prepare the field for play so it does not endanger the kids.
6. The receptacles are out. So the league will have to provide plastic bags and clean up the park when they are done playing.

Brian Freeman arrived at 8:00 P.M.

7. Parking of cars will not block private residences and driveways and people are to use the public walkways.
8. Make sure that the primary direction of the ball during practice is towards the center of the park and not towards the private homes.
9. Restrict activity within confines of the 5' asphalt pathways.
10. There will be no "batter batter".
11. Complaints - There will be a system set up for complaints to be made to both the people who oppose the league play and to the league representatives. A minimum of 5 complaints and not more than 10 and if they do exceed 10 then it will come to the City staff and City staff will review them and make recommendation to continue or discontinue the program.
12. Insurance - If there is damage done to the homeowners property or houses as a result of the league play, it will be the league's responsibility to go ahead and take care of those damages whatever \$ amount they might be.

Mayor Sturges indicated council was ready to vote by reason of a motion and a second. Yeas 5 Nays 1 (Helen Althaus)

Helen Althaus said she was very much for having the park available for the children but she believed that this place was never intended for organized sports.

Dalton Williams commented that one of the conditions for the use of the park and which is going to control whether it continues to be used is the complaint structure. Dalton felt that an individual should be designated as a person to report the complaint to then that complaint would be logged so that there was a specific record of the specific complaint, when it occurred and who reported it. Those complaints would be brought to the City Council for consideration. City Council would then respond back to the individual who made the complaint. This way, nothing would be complained about that does not get considered and acted upon. A discussion followed. Tony Buzzard suggested that a City employee, (such as Valerie Lantz) would receive the original complaint and at that point she would contact one of the two or all four of the parties who could do the investigating and report back to the City Employee and if there was a problem then at that point it would involve staff time. Other than that, all the City employee would be doing is taking the initial complaint and referring it to the already appointed body who would report back to the City employee and then the report would come to Council based on the City employee's recommendation.

Dalton Williams made a motion to have a City employee contacted when a complaint or complaints occurs at which time the City employee would contact one, two or four of the parties who could do the investigating and report back to the City employee who would then present the problem to the Council. Helen Althaus seconded the motion. Yeas 5 Nays 0 1 abstention - Frank Kaiser

A letter from the league explaining the conditions for the use of the park



was discussed. The letter should go to each participant in the league so that the parents are informed as to the conditions. It was resolved that the league would pay for the cost of the paper and the City would copy the letter and the league would then be responsible for the distribution of the letter to the parents of the participants of league play.

Dalton Williams made a motion that the letter being prepared for the participants of the league be submitted to the two councilmen on the committee for approval prior to distribution. Helen Althaus seconded the motion. Yeas 6 Nays 0.

Council took a break at 8:45 P.M.  
The meeting reconvened at 9:00 P.M.

### AGENDA ITEM #3 - ORDINANCE: CONDEMNATION OF BUILDINGS AND STRUCTURES

Ken Prickett told council that the reason he proposed the ordinance was because the Uniform Building Code refers to the dangerous building code in this manner: "All such unsafe buildings, structures or appendages are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the Dangerous Buildings Code". Ken felt that if somebody disregards his orders as a Building Inspector and does not take a structure down then it puts a burden on the City Council to set aside money for doing that. It gives Ken the right to order the Public Works Director, for example, to go ahead and tear a building down. The question is: Where do we get the money for that? Ken indicated that after talking with Brian Freeman perhaps we should wait a month and look a little bit further into the matter and resolve it without having to pass an ordinance. Brian Freeman said the main problem is not that Ken doesn't have the authority but rather the City does not have the money. The question is: Do we want to address that sort of problem through an ordinance?

Helen Althaus made a motion to table this matter for 30 days for further study. Sam Cox seconded the motion. Yeas 6 Nays 0.

### AGENDA ITEM #4 - FEE DEFERMENT REQUEST: MICHAEL DALY - BUILDER

Pam Christian indicated that since Halsey Station's request for deferment was brought before council, it was felt that it would be appropriate to bring this request before council. Ken Prickett said that Mr. Daly has a problem in that he has four homes but he only has personal capital to come to the City and pay our sewer and water assessments and building permits for two of them. He would like to defer the payments until the houses were completed. He wanted to give us a letter from escrow saying that the money would be paid from escrow to the City at the time the homes were completed. These are pre-sold homes. Ken said that Staff wanted to caution that the ordinance that sets the fees for the sewer states that those fees must be paid prior to staff issuing a building permit. The water ordinance does not make that condition. Ken said that the fees are about \$2,300 per house, \$1,035 for water and \$675 for sewer. Ken indicated that he probably could pay for the sewer but not the water at this time.

Dalton Williams made a motion to deny the request. Chuck Blanchard seconded the motion. Yeas 5 Nays 1 (Dan Lowe)

AGENDA ITEM #5 - ORDINANCE: AMENDING ORDINANCE #310 REGULATING WATER RATES (383-0)

Pam Christian indicated that these costs were discussed in the Budget Committee meetings. This information was discussed with Duane Lee and Nancy Nixon and it was felt that we should do something fairly quickly before we create a deficit in that fund which is foreseen at this point if the rates stay the same. Nancy Nixon explained that the SDC's are not going to pay the full amount of the 40 year debt on the water loans. The proposed recommendation on the water rates is only adjusting them in accordance with what you have already adopted in the CIP (Capital Improvement Plan).

Mayor read by title. Dalton Williams made a motion to adopt the ordinance amending ordinance #310 regulating water rates. Frank Kaiser seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #6 - ORDINANCE: ORDINANCE AMENDING ORDINANCE #317 IMPOSING WASTEWATER USER CHARGES (384-0)

Mayor read by title. Dalton Williams made a motion to adopt the ordinance amending ordinance #317 imposing wastewater user charges. Dan Lowe the motion. Yeas 6 Nays 0

Pam Christian stated that the CIP in fact did call for us to begin this year charging a percentage of the water usage as a sewer charge and we didn't feel it was appropriate at this time so that's why we have just proposed this increase to cover our costs.

AGENDA ITEM #7 - ORDINANCE: ESTABLISHING AND IMPOSING A STORM SEWER SURCHARGE

Nancy Nixon explained that we have had our wastewater crew maintaining the storm sewers. There has been no income coming in to offset that cost. So we are proposing that you impose a 50¢ a month charge for the maintenance of the storm sewers so that we are offsetting that cost.

Mayor read by title. The cost is being born by the Enterprise Fund, however, that fund is going into a deficit so this has to be funded somewhere. Frank Kaiser wanted to know how much money this would generate? Nancy said a little over \$10,000 a year. Helen Althaus wanted to know if it would be specifically devoted to this purpose? Nancy said it would be specifically devoted to the Enterprise Fund, not specifically identified to the storm sewer maintenance. However, the storm sewers maintenance costs are in excess of \$10,000. Nancy said that the residents will have to pay one way or another, whether they're paying through their water and sewer fees, whether they're paying through taxes or whether they're paying a specific fee that is identified to the cost. Nancy recommended that we charge a fee that is identified to the cost.

Helen Althaus made a motion to approve the ordinance establishing and imposing a storm sewer surcharge. There was no second. A discussion followed regarding any other types of funding. Nancy said that if it were financed out of the General Fund the person who owns the \$100,000 home is going to pay a greater porportion of that cost than the person who owns a \$30,000 home because of the tax rates and the assessed valuation.

Sam Cox made a motion to table the matter. Frank Kaiser seconded the motion. Yeas 5 Nays 1 (Dalton Williams)

AGENDA ITEM #8 - RESOLUTION: CALLING FOR SPECIAL TAX LEVY - JUNE 29, 1982 (465-R)

Mayor read by title. Nancy Nixon explained that recently State provided different election dates and they also changed the filing time frames. Brian interjected that by the time this was brought before you the last time, it was past the new filing date.

Chuck Blanchard made a motion to approve the resolution calling for a special tax levy on June 29, 1982. Dan Lowe seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #10 - ACCEPT: RECOMMENDATION FOR PLANNING COMMISSION MEMBER

Marge Schmunk told council that the committee for selection of a new Planning Commission member met on April 1, 1982 and went through all of the applicants. She said that all applicants were excellent but after reviewing each applicant we're recommending Eugene Bui.

Frank Kaiser made a motion that council accept Eugene Bui as the new Planning Commission Member. Sam Cox seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #11 - RESOLUTION: ACCEPTING HELEN ALTHAUS ZONE CHANGE FROM F-2 TO R-7 PD FOR PORTIONS OF TAX LOTS 3 AND 26, SECTION 1, T1S, R3E, W.M. (466-R)

Scott Pemble explained that the zone change request is from SR to R-7 plan development and requires the City Council to approve the zone change. The staff report is submitted as a matter of record for tonight's hearing. The request is consistent with Statewide Planning Goals for the reasons cited. It is also consistent with the City's Comprehensive Plan and Zoning Ordinance. Scott explained that in addition there were some problems with planning issues but the planning issues could be resolved by the conditions that were recommended by the staff and subsequently recommended to you by the Planning Commission. Recommendation to you is to approve the zone change with the recommended conditions as referenced in the proposed Resolution. Scott said that this was a quasi-judicial hearing which obligates council to hear both sides and allow both parties rebuttal comments. Mayor Sturges called for the proponents comments: Proponents requested that approval be given because compliance of all rules and regulations has been obtained. Dalton Williams wanted to know if they were in agreement with all of the conditions set forth? The proponents indicated they were. Mayor called for the opposition to comment. There was no opposition to comment.

Chuck Blanchard made a motion to approve the requested zone change with the conditions stipulated in the resolution. Sam Cox seconded the motion. Yeas 5 Nays 0 1 abstention - Helen Althaus

AGENDA ITEM #12 - ORDINANCE: CODIFY PUBLIC WORKS CODE

Pam Christian indicated that in going over this ordinance and the codification material several corrections needed to be made. Brian Freeman

requested council address this matter as a first reading only.

Mayor Sturges read by title constituting a first reading.

AGENDA ITEM #13 - PURCHASE AGREEMENT: HARLOW HOUSE

Pam Christian said that the Historical Society had some concerns about this agreement, basically language, and that Brian Freeman and Sharon Nesbit had worked today to correct the problem areas. Brian Freeman said that in the agreement the City was to maintain liability insurance not only on the park property but also on any liability that might be involved with the use of the building itself and also fire insurance. Brian asked council if it was their feeling that that be done? Consensus from council was to go ahead and take care of the insurance matters.

Brian Freeman said that the City had the right to buy back the property in the event the Historical Society desired to close it up or cease to use it. Sharon Nesbit voiced that originally the Historical Society would pay all of the contract but for the last payment. The City would continue to hold the contract and therefore be in legal possession of the house. Brian's alternative to that is the Right of Reversion. If the Historical Society quit using the building, the City wants it back, they don't want somebody else in there. So, this Right of Reversion answers that. Sharon also mentioned that she wanted to have the Right of Refusal on the chance to buy the property around the house if the City should ever decide to dispose of that land and not use it as a park. Brian suggested that before the City go out and market the land it should be declared as surplus so we could establish a price, both for the 95' x 110' parcel surrounding the Harlow House and a price for the entire parcel and offer both parcels to the Historical Society. Thereby, affording the Historical Society the choice of taking part, taking it all or none. The price could be established by the fair market value.

Dan Lowe suggested that we refer this matter back to Brian with the additional items to be changed as discussed tonight and bring it back to us at our first meeting in May, 1982 for approval at that time. It was so agreed.

One other thing that Sharon Nesbit brought up was the fact that the City would dedicate the land around the Harlow House as a park. Evidentially, that was something that was suppose to have already been done.

Mayor Sturges indicated that he had a resolution before him he would like to read. The title is as follows: RESOLUTION DECLARING OPPOSITION TO SENATE BILL 2172 AS PROPOSED BY THE SENATE OF THE UNITED STATES. (467-R)

Helen Althaus made a motion to accept this resolution and in addition to send copies of the resolution to all appropriate political bodies. Sam Cox seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #14 - DEPARTMENTAL REPORTS

14.1 : George Haddock indicated that at the last meeting Council voiced some concerns over the speed in Sweetbriar and as a follow up the

- second page of my report is a survey taken of the Sweetbriar area. George said that Troutdale has a very strong block home program within the community. In fact, they have the strongest block home program in the Multnomah County area. For the past year they have wanted to recognize their areas and put people on warning. It requires some signs that will be mounted at the entrances to Sandee Palisades and to Sweetbriar. Some guidelines must be established as to where these signs can be placed so we don't have a proliferation of signs.
- 14.2 : Nothing further to add to written report
  - 14.3 : Scott Pemble reported that the Planning Commission meeting to be held on April 21, 1982 will be devoted to inservice for the Planning Commission and City Council is invited to attend if they would like to do so. Topics will include: Basis for planning; Planning Hierarchy; Planning Apparatus'; Role of Planning Commission Members; Basis for making a decision; Public Hearing Requirements, etc.
  - 14.4 : Pam Christian indicated that Harry Parsi wasn't here tonight but if there were any questions she would be happy to write them down and get back to council with the answers. Sam Cox wanted to know if anything was being done about Sandy Drive? Pam Christian indicated that the last thing she had heard was that the County has done the soil testing and that they were inquiring into the price of the concrete ?
  - 14.5 : Brian Freeman didn't have anything further to add.
  - 14.6 : Engineer's Report was already discussed.
  - 14.7 : Pam Christian indicated that one thing the Executive Dept. had was a note about the Gresham Fire Dept. which has already been discussed. One other thing, was the business license request regarding Church of the Latter-day Saints. Pam said that the LDS Church has applied for a business license to set up a fireworks stand. They have permission from the property owner and approval from Fire District #10. However, council adopted a zoning ordinance wherein a fireworks stand could be interpreted as a temporary structure. If it was deemed to be a temporary structure by the council then it would be subject to several restrictions. Pam asked council what their definition of the fireworks stand would be? She added that this type of thing could come up often and staff was asking for some sort of criteria for this type of situation so that this doesn't have to be brought before council time and time again. Scott Pemble recommended that we request the applicant back with some criteria that we have applied administratively. Pam reiterated that there are conditions from the building dept. and the planning dept. and she felt that since the council had adopted these particular items, ie zoning ordinance that if staff was going to deviate from those conditions then council should approve it.

Consensus from council was to go with Scott Pemble's recommendation.


AGENDA ITEM #15 - COUNCIL CONCERNS AND INITIATIVES

Dan Lowe - concern of the SDC charges and the fact of whether or not we will be able to make our payments.

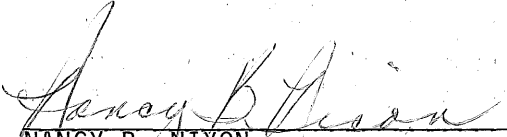
Mayor Sturges - asked council if they had received the letter from Don Clark regarding ground breaking? Consensus from council was that they had. Also, the mayor mentioned that another letter would also be forthcoming regarding the bicycle path.

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

The meeting was adjourned at 10:20 P.M.

  
\_\_\_\_\_  
R.M. STURGES, MAYOR  
DATE SIGNED: 5-12-82

ATTEST:

  
\_\_\_\_\_  
NANCY B. NIXON  
FINANCE DIRECTOR/CITY RECORDER