


AGENDA  
TROUTDALE CITY COUNCIL  
BUDGET COMMITTEE - 6:30 P.M.  
7:00 P.M. -- City Council Chambers  
104 S.E. Kibling  
TROUTDALE CITY HALL

May 11, 1982

- (A) 1. Call to Order, Roll Call and Agenda Update: **Mayor**
- (A) 2. Consent Agenda:
  - 2.1 **Accept** Minutes of 4/13/82 Regular Session
  - 2.2 **Accept** Business License Report
  - 2.3 **Accept** Bills for the Month of April, 1982
  - 2.4 **Resolution:** Authorizing Change in Upland Industry Land Lease
- (A) 3. **Accept** Bids for Well #6 Completion -- Lee Engineering
- (A) 4. **Purchase Agreement:** Harlow House
- (A) 5. Appointment of Planning Commission Member
- (A) 6. **RESOLUTION:** Supporting Ballot Measure 3  
State Bonds for Fund to Finance Correction Facilities
- (A) 7. **ORDINANCE:** Codification of Public Works Code  

Second Reading
- (A) 8. **Park Complaints:** Sandee Palisades
- (A) 9. **Department Reports:**
  - 9.1 Police
  - 9.2 Finance and Records
  - 9.3 Community Development
  - 9.4 Public Works
  - 9.5 City Attorney
  - 9.6 City Engineer
  - 9.7 Executive
- (A) 10. Council Concerns and Initiatives
- (A) 11. Oral Communications and Adjournment.

  
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R. M. STURGES, MAYOR

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



MINUTES  
TROUTDALE CITY COUNCIL MEETING  
MAY 11 1982 - 7:00 P.M.

The meeting was called to order by Mayor Sturges at 7:03 P.M.

ROLL CALL :

PRESENT : Dalton Williams, Helen Althaus, Sam Cox, Mayor Sturges,  
Frank Kaiser, Dan Lowe and Chuck Blanchard  
STAFF : Pam Christian, Nancy Nixon, Scott Pemble, Harry Parsi,  
George Haddock, Dave Lee, Valerie Lantz, Brian Freeman  
arrived at 8:05 P.M and Lois Howell-Jessee  
PRESS : Joyce Wydrzynski of the Oregonian and Lori Callister of  
the Gresham Outlook  
GUESTS : Marge Schmunk, Tony and Sue Buzzard, Eugene Bui, David  
Butzer, Scott Nelson, Gayle Littlejohn, Bill Whisenant,  
Arlen Doyle, Anne Williams, Paula Goldie and Sharon Nesbit

AGENDA UPDATE

Mayor Sturges asked if there was an agenda update. Pam Christian indicated that Agenda item #7 - Codification for Public Works Code would be pulled from tonight's agenda and in its place would be a Resolution accepting the Supplemental Budget.

AGENDA ITEM #2 - CONSENT AGENDA

- 2.1 : Acceptance of minutes of 4-13-82 regular session  
2.2 : Acceptance of business license report  
2.3 : Acceptance of bills for the month of April, 1982  
Dan Lowe wanted to know why two payroll transfer checks were written so close together? Nancy Nixon explained that they were for two different pay periods and also they are manual checks which are not written as often. She also added that we have a 5 day period after receiving our payroll in which to make the transfer.  
2.4 : Acceptance of resolution authorizing change in Upland Industry Land Lease (468-R)  
Pam Christian explained that General Telephone needs permission from the City, since the City owns the land, to install a carrier housing unit and buried cable in the area west and north of the existing parking lot on North Columbia Boulevard. This resolution amends the lease agreement with Union Pacific Land Resources Corporation and the City of Troutdale so that General Telephone is allowed to install their equipment on the specified land site as stated above.

Chuck Blanchard made a motion to accept the consent agenda items 2.1 through 2.4. Dalton Williams seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #3 - ACCEPT BIDS FOR WELL #6 COMPLETION

Dave Lee told council that, after readvertising for the project, bid proposals were received on April 22, 1982. Dave indicated that he had checked with various people to see if the low bidder was competent and the conclusion was that the individual had a very good work record. Therefore, Dave recommended that David N. Erickson of Wilsonville be awarded the contract for Well #6 Pumphouse.

Frank Kaiser made a motion to accept David N. Erickson as the contractor to complete the Well #6 Pumphouse project. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #4 - HARLOW HOUSE PURCHASE AGREEMENT

Pam Christian said that Brian Freeman and Sharon Nesbit both had not arrived yet and both needed to be here when this specific item was being discussed so she suggested that the item be postponed until both had arrived.

Frank Kaiser made a motion to table the matter until Brian Freeman and Sharon Nesbit arrived. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #5 - APPOINTMENT OF PLANNING COMMISSION MEMBER

Scott Pemble told council that there are two vacancies now open on the Planning Commission. Marge Schmunk's term is going to expire in May and John Heiting, Jr. handed in his resignation after the information in the packets went out.

Mayor Sturges asked Marge is she would like to continue to be on the Planning Commission? Marge indicated she would.

Dan Lowe made a motion to appoint Marge Schmunk for another four year term on the Planning Commission. Helen Althaus seconded the motion. Yeas 6 Nays 0.

Scott then indicated that a selection committee had just recently reviewed applicants wherein Eugene Bui was appointed and he suggested that perhaps we readvertise the opening and then reconvene the committee to review any new applicants plus the 5 remaining applications in order to select an individual to fill John Heiting's position on the Planning Commission. Consensus from council was to go ahead and proceed with that procedure.

AGENDA ITEM #6 - RESOLUTION SUPPORTING BALLOT MEASURE 3

Dan Lowe commented that the bill now before the legislature has a clause at the bottom of it which over rules home rule. This disallows any governmental body other than the Director of Justice Services to have any say in the placement of the correctional facility. Dan stated that he wouldn't have any part in this bill or resolution for the reason it takes the control away from the people of the State of Oregon and places it into the hands of one

individual. Dalton Williams also felt that we were in essence signing a blank check because the control is removed from this jurisdiction.

Helen Althaus made a motion to reject the resolution and that the City go on record as opposing Ballot Measure 3. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

Pam Christian said that a letter would be drafted for the Mayor's signature regarding the same.

#### AGENDA ITEM #7 - RESOLUTION ACCEPTING SUPPLEMENTAL BUDGET 1981-82 (469-R)

The Budget Committee reviewed and approved the Supplemental Budget prior to the City Council meeting.

Dalton Williams made a motion to accept the Supplemental Budget. Chuck Blanchard seconded the motion. Yeas 6 Nays 0.

Council took a short break at 7:35 P.M.  
The meeting reconvened at 7:47 P.M.

Mayor Sturges indicated that agenda item #9 would be addressed next and agenda item #8 would be dealt with later in the meeting.

#### AGENDA ITEM #9 - DEPARTMENTAL REPORTS

- 9.1 : George Haddock said that, in addition to his monthly report, anti-semitic material is being placed into newspaper drop boxes around the City. If you happen to see the individual that is placing the material into the boxes, please let the police know.
- 9.2 : Nancy said that the computer implementation project was progressing pretty much on schedule and it was felt that we should have the operation into effect by July 1st. Pam Christian mentioned that it was going to be money well spent.
- 9.3 : Scott Pemble told council that the Planning Dept. would be starting their work program on the Downtown Plan and asked if council would like to set up a work session to discuss what they would like to have done for the next 5 year period in the Downtown area. It was suggested that since the May 25th council meeting had been cancelled perhaps a work session could be scheduled for that date. Consensus from council was that that was acceptable. Scott went on to say that he had attended a conference relative to the 1980 U.S. Census of Population and it was brought out at the conference that between 1970 and 1980, 75% of Oregon's population growth was accounted for by net in-migration which is approximately 40,000 people moving into Oregon. However, between July 1, 1980 and January 1, 1981, a six month period, Oregon experienced a net out-migration of 8,000 people. This trend is expected to continue, but at what level, forecasters hesitate to speculate. Scott also mentioned the Planning Commission Inservice which was held on April 21, 1982.

9.3 : Ken Prickett wrote a memorandum pertaining to portable restroom units for the downtown area. This was something that the Businessmen's Association felt needed to be added to the Downtown area because of the large flow of people coming into the City during the summer months. Bill Whisenant, representative from the Businessmen's Association, indicated that they had not rented the portable restrooms as yet because they were waiting for council's approval. Pam Christian indicated that there were a few problems and questions that needed to be addressed before placing the units in the downtown area. George Haddock commented that with a 7' fence requirement around the restroom facilities it would subject the facilities to a high rate of vandalism because of the inability to see into the premises. George suggested a 3' picket fence be placed around the area in order to allow the police to see into the area. Scott Pemble had some questions concerning the "image of the downtown area". If public restrooms were placed right in the downtown area, would this be viewed to be in the public's best interest? What would the costs be? i.e. insulation, maintenance, liability and replacement costs. Pam Christian pointed out that since the proposed site for the bathroom facility is the land that we just talked about earlier involving Upland Industry, the City would then be liable for any problems occurring on it. Dalton Williams commented that if the businessmen's association is footing the bill and sees a need for such a facility, then we should let them try it and see indeed how many problems are created from having the facility in the downtown area. Dan Lowe mentioned that perhaps a better site for the bathroom facility would be the concrete lot beside the chiropractor's office. Bill Whisenant indicated that he would check into whether they could use that lot or not.

Dalton Williams made a motion to place portable restrooms on the site across from the downtown area for a 1 month period only, on a trial basis, and then bring the matter back before council. Helen Althaus seconded the motion. Yeas 5 Nays 0 1 abstention - Chuck Blanchard

9.4 : Harry Parsi indicated that he had talked further with Multnomah County in regards to the repair of Sandy Drive and at this point it seems we are still in the negotiating portion of it. They would like to try and help us but are still looking for ways to do so. They will be getting back to us.

9.4 : Park Ordinance Amendment: Valerie Lantz told council that changes need to be made in the Park Ordinance, more specifically, Section 2, Paragraph 10.10.501 Prohibited games. It is worded as follows: No person shall take a part in or abet the playing of any games involving thrown or otherwise propelled objects such as stones, arrows, sharp objects, javelins or model airplanes except by permit issued by the Director. Val commented that perhaps the words, "golf balls" should be included in the list of propelled objects and also the words, "except as in designated areas" after the word Director. This would give better enforcement capability to the police in handling calls of this nature.

Helen Althaus made a motion to direct staff to draft the changes in this particular ordinance and bring it back before council. Sam Cox seconded the motion. Yeas 5 Nays 1 (Frank Kaiser)

- 9.6 : Dave Lee wanted to express his appreciation for the fine work done on Cherry Park Road Waterline. He indicated that the project was completed during the week of April 26, 1982 and because of Jeff Arndt's willingness to work closely with City staff and to assist and accommodate citizens owning property adjacent to the work the project was a success.
- 9.7 : Pam Christian said that the Executive department has been working on changing over the Personnel files due to new Federal requirements so that has taken up alot of their time. Also, since assuming other duties she will not be able to devote all of her time to coordinating the City Picnic this year so she will need help. The City Picnic date is July 10th and 11th.
- 9.5 : Brian Freeman told council that Terry Ege and the sanitary landfill issue was experiencing some DEQ problems right at the moment but by the time the next council meeting comes up he should have more information on the progress of the negotiations. He also reported that Harry Parsi and himself had met with the Corps of Engineers this date in regards to the dumping of fill dirt into the Sandy River. It was requested by the Corps of Engineers that we remove part of the fill in the river bed due to a violation of Section 404 - Clean Water Act of 72. We have approximately 3 weeks to respond. Brian indicated that the Corps of Engineers would probably withdraw their complaint if the City complies. Also, Brian said that the Obrist trial is set for sometime in July.

#### AGENDA ITEM #4 - HARLOW HOUSE PURCHASE AGREEMENT

Brian Freeman explained to council that the City of Troutdale would provide for fire insurance on the building. The contract reads as follows: Purchaser agrees to hold the Seller harmless for any loss to the building contents which would ordinarily be covered under a standard policy of fire and casualty insurance. The Seller agrees to maintain fire and casualty insurance upon the property to the full replacement value with loss payable to the Seller and the Purchaser as their respective interests may appear. Neither party shall be liable to the other (or to the other's successor's or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy with an extended coverage endorsement, and in the event of insured loss, neither party's insurance shall have a subrogated claim against the other.

Another change in the agreement was the "Purchaser's Right of First Refusal": (a) Not less than 30 days prior to placing the above described land on the market for sale and prior to any sale, the Seller shall first give written notice to the Purchaser of its intent to market and sell the land. The notice shall include the proposed terms and conditions of sale which shall include a price determined by a qualified fee appraiser to be the fair market

value. In the event the Purchaser elects to purchase, it shall execute an agreement to purchase upon the same terms and conditions as proposed within the 30 day period. (b) In the event the Purchaser elects not to purchase the entire parcel of land containing 10,450 square feet, having dimensions of approximately 95 feet by 110 feet, being rectangular in shape, and surrounding the Harlow House by allowing for setback according to applicable zoning code provisions. All terms and conditions of said purchase agreement shall be the same as proposed by the Seller, except that the purchase price, down payment and monthly payments, if any, shall be pro-rated based upon the area. (c) In the event the Purchaser elects not to purchase any of the land, the Seller may sell it to any other person upon the same terms and conditions as proposed. If the Seller proposes different terms and conditions, it shall again notify the Purchaser and the Purchaser shall have an additional 30 days to elect to purchase all or 10,450 square feet of land as set forth above. (d) In the event the Purchaser elects not to purchase any of the land and the Seller sells the land, the Seller shall refund to the Purchaser an amount equal to the price determined by the formula in Paragraph 16 below and the Purchaser shall have 18 months to remove the "Harlow House" building from the premises.

The last change in the agreement pertains to the Seller's Right to Repurchase. It reads as follows: If at any time prior to the execution of a fulfillment deed pursuant to this agreement, the Purchaser ceases to remain in possession of the property and use it for historical museum purposes, the Seller shall have the option to repurchase the property for a sum equal to the total cash amount paid by the Purchaser (not including credits), less \$500.00 for each year or part thereof accruing after 1982.

A short discussion followed. Sam Cox commented that he would like to set a date for the dedication of the park prior to accepting this agreement. It was voiced that we need a resolution to dedicate it as park land.

Dan Lowe made a motion to accept the Harlow House purchase agreement with the amendments. Dalton Williams seconded the motion. Yeas 5 Nays 0 1 abstention - Chuck Blanchard.

Mayor Sturges noted that council hadn't accepted the departmental reports.

Chuck Blanchard made a motion to accept agenda items 9.1 through 9.7. Dan Lowe seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #10 - MAYOR'S CONCERNS

Mayor Sturges told council that he was concerned with the Sandee Palisades Softball issue and so had contacted Don Clark of Multnomah County and asked about the ground west of Columbia High School for use by the softball league. The request has been granted and a letter of agreement will be forthcoming. The Mayor asked council for their approval on this matter.

Dalton Williams made a motion to approve the Mayor's action concerning contacting Don Clark regarding the ground west of Columbia High School for use by the softball league. Sam Cox seconded the motion. Yeas 6 Nays 0.



AGENDA ITEM #8 - PARK COMPLAINTS: SANDEE PALISADES

Valerie Lantz had drawn up a list of the complaints that had been received for council's information. However, she noted that a letter from the league has been received wherein the league has withdrawn their request for use of the softball field at Sandee Palisades. Valerie stated that the league is ready and willing to work on the Columbia High School site and to use that field for league play. Sue Buzzard commented that some of the complaints were because a neighborhood coach had taken some of the neighborhood kids to the park to practice. It wasn't a league game but kids in the league were playing. Gayle Littlejohn commented that three teams were out on the field last night and she didn't know if they were league players or not but that the field was left in quite a mess, i.e. litter. Also, balls were being thrown in all directions, away from the homes and toward the homes. Scott Nelson also commented that it was very hard to tell if the players on the field were league players or just neighborhood kids but he felt that there was definitely a lack of cooperation from the league if league play was still occurring at Sandee Palisades in light of the letter just received. A discussion followed regarding the use of hard balls on the field and the enforcement of park regulations. Chuck Blanchard felt that since the offer had been made to Multnomah County for the use of the site near Columbia High School that perhaps with time the issue could be resolved regarding the problems still occurring at Sandee Palisades.

AGENDA ITEM #10 - MAYOR'S CONCERNS

Sandy Street vs. Buying New Street Sweeper

Mayor Sturges voiced that he was concerned over the situation on Sandy Drive and was wondering if we didn't buy the Street Sweeper if perhaps those funds could be used to fix Sandy Drive. He said he had talked with Brian Freeman and it was Brian's feeling that we could write a letter to the Sweeper company and inform them we are withdrawing our offer due to a breach of contract. Also, the Mayor had talked with Ed Kubicki relative to the sweeper we now have and it was felt that if we cut back on the sweeper that we could use this machine for another year or two.

Chuck Blanchard made a motion to drop the offer to purchase the new sweeper and have Brian Freeman write a letter to the company stating the same and apply those funds to the repair of Sandy Drive. Sam Cox seconded the motion.

A discussion followed wherein Dan Lowe wanted to know the amount of money needed to repair Sandy Drive? Harry said approximately \$20,000 for materials, services and labor, etc.

The vote was taken. Yeas 5 Nays 1 (Dan Lowe)

Design and Review Board

Mayor Sturges indicated that a Design Review Board meeting had been scheduled for an applicant and only one member of the board attended the meeting

thereby denying the applicant a review. This inconvenience should not go unnoted. Scott Pemble suggested that a letter be sent out asking the board if they still wanted to be on the board and if so advise them of their responsibilities regarding the same. Also, if the response was negative then perhaps staff could seek professional people to be on the Board. Also, more direction is needed from council at this time to define standards for the Board to use. Scott indicated that the main purpose of the Design Review Board was to review all commercial, industrial and community service proposals. It was suggested that the Mayor write a letter to the Design Review Board members asking them if they were still interested in being on the Board.


Chuck Blanchard made a motion to have the Mayor write a letter to the Design Review Board members. Helen Althaus seconded the motion. Yeas 6 Nays 0.

AGENDA ITEM #10 - COUNCIL'S CONCERNS

Chuck Blanchard voiced that Halsey Station looked like it was being built on top of the utility lines. Scott Pemble indicated that Ken Prickett and Harry Parsi had approved the plans for Halsey Station and that everything must have been alright or else Mr. Prickett wouldn't have issued a building permit.

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

The meeting was adjourned at 10:00 P.M.

  
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R.M. STURGES, MAYOR  
DATE SIGNED: 6-9-82

ATTEST:

  
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NANCY B. NIXON  
FINANCE DIRECTOR/CITY RECORDER