


July 19, 1982

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

SPECIAL SESSION

July 21, 1982

- (A) 1. Call to Order, Roll Call and Agenda Update: **Mayor**
- (A) 2. **Accept:** Planning Commission Recommendation to Approve
A Temporary Permit to Operate a Pay Parking
Lot on a 3.78 Acre Site Immediately East of
the Community Park Parking Lot (Tax Lot 25,
Sec. 25, T1N, R3E, W.M.)
- (A) 3. **Approve:** Parking Concessionaire Contract
- (A) 4. **Direct:** Staff to Prepare Amendments to the Zoning Ordinance
Regarding Freeway Sign Requirements
- (I) 5. **Status Report:** Community Services Director - Applications
- (A) 6. Council Concerns and Initiatives
- (A) 7. Oral Communications and Adjournment.



R. M. Sturges, MAYOR

(A) = Action Item

(I) = Informational Item

MINUTES
SPECIAL CITY COUNCIL MEETING
JULY 21, 1982 - 7:00 P.M.

Mayor Sturges called the meeting to order at 7:10 P.M.

ROLL CALL :

PRESENT : Dalton Williams, Helen Althaus, Sam Cox, Mayor Sturges,
Frank Kaiser and Dan Löwe
ABSENT : Mayor Sturges indicated that Chuck Blanchard was excused
this meeting.
STAFF : Scott Pemble, Nancy Nixon, Pam Christian, Carl Jepsen
attended for Brian Freeman and Leon Berg
PRESS : Joyce Wydrzynski of the Oregonian
GUESTS : Ivan Handy and Olive Abegg

AGENDA UPDATE

Mayor Sturges asked if there was an agenda update? Pam Christian indicated there was none.

AGENDA ITEM #2 - PLANNING COMMISSION RECOMMENDATION TO APPROVE A TEMPORARY PERMIT TO OPERATE A PAY PARKING LOT ON A 3.78 ACRE SITE IMMEDIATELY EAST OF THE COMMUNITY PARK PARKING LOT (Tax Lot 25, Sec. 25, T1N, R3E, W.M.)

Pam Christian indicated to council that they should address the planning commissions's recommendation and the concessionaire's agreement as agenda item #3.

Scott Pemble told council that there are some changes to the Planning Commission staff report that is before you tonight. Scott indicated that on page 1 (C) VICINITY DATA it reads: Troutdale Community Park.... (after that it should read...Parking Lot). The second line in (C) reads... Bridge to the east; (the correction is Bridge to the Northeast). Page 2 under II,5,d..It reads: Parking for Community Park caretaker and Community. It should read: Parking for Community Park caretaker, Community Building renters and authorized users. Scott told council that this afternoon the Planning Commission held a public hearing to consider a request for a temporary permit for the proposed off-street parking on Mr. Windust's property. After deliberating the matter, the Planning Commission now recommends to the City Council that they approve the off-street parking use with the following conditions: (1) That vehicle access to Tax Lot 25 be limited to a single driveway as indicated in Exhibit "A"; (2) Direct access to the proposed gravel lot be physically blocked on Columbia River Highway; (3) That barriers which would prevent vehicles from rolling off the bank (boulders, railroad ties, etc.) be installed on the south edge of the proposed parking area; (4) That subsequent request for a parking use will meet all applicable standards and procedural requirements of the Zoning Ordinance (hard surface, marking, landscaping, etc.) Scott explained that the Planning Commission also

recommends that this permit be for a 1 year period. If at the end of the 1 year, Mr. Windust still wants to operate the off-street parking facility he must comply with the Zoning Ordinance; and (5) That the contract with the City for the temporary parking concession will include terms addressing the following: a). Hours of operation; b). towing responsibility; c). City vehicle parking; d). parking for Community Park caretaker Community Building renters and authorized users; and e). access for emergency vehicles.

Mayor Sturges voiced a concern: The date of termination of the temporary permit falls in the height of the season. What can be done? Pam Christian voiced that nothing says that Mr. Windust cannot collect fees in the City portion of the lot after that time. But because of the Zoning ordinance requirements, Mr. Windust would not be able to collect fees in his lot. Also, Mr. Windust will not be able to apply for another temporary use permit. He, therefore, has three options available to him: 1). Pursue at any time a variance procedure before the Planning Commission to ask them to eliminate some of the parking restrictions; 2). Abide by the ordinance and make the necessary improvements; 3). approach the City Council and ask them to consider amending the Zoning Ordinance to preclude those standards for off-street parking.

Dan Lowe made a motion to accept the Planning Commission's recommendation as amended. Sam Cox seconded the motion. Yeas 5 Nays 0.

AGENDA ITEM #3 - APPROVE: PARKING CONCESSIONAIRE CONTRACT

Pam Christian told council that she had talked with Frank Windust after the Planning Commission hearing today and there were a few items which need to be addressed in the contract relative to that conversation. Page 1 (3) TIME OF PARK OPERATION: Pam indicated that it should read as follows: Except as otherwise provided the concessionaire may operate the parking concession at the City's main park during all hours that the City's main park is open for public use. However, the concessionaire shall not be required to perform any of the duties set forth herein before the hour of _____ P.M. and after the hour of _____ P.M. Pam indicated this was open for discussion. Carl Jepsen indicated that if you use the word "may" in the opening sentence, it would be acceptable to leave out the second sentence entirely. The question of when the gates would be opened can be eliminated by having the City take responsibility for opening and closing the gates. That issue can be addressed in Section (4) as follows: Instead of: The Concessionaire shall unlock the entry gate, it will now read that The City shall unlock the entry gate... On page 2, Pam indicated that Scott Pemble had gone and counted the parking spaces in the lot and the number is 174. A question was raised about the amount of cars to be allowed in the parking lot since the number that could park would be 174. Helen Althaus voiced that a motorcycle could park in a parking space but that more than one could park in one parking space therefore you would be able to allow more than 174 vehicles into the lot depending on what they were. It was suggested by Carl Jepsen that we eliminate the requirement for numbers and just say they have to be within the designated parking spaces. A discussion ensued. It was decided that the line "The concessionaire shall not allow more than 174 vehicles to occupy the lot at any one time" shall be deleted. Under Section (6) RECORDS AND CASH REGISTER. It reads: For the purpose of keeping records, the concessionaire

shall provide, maintain in good working order and use a cash register having a dual tape. Pam explained that with a dual tape register it requires electricity. Therefore, we have a problem. She went on to say that Valerie Lantz is obtaining the traffic counters which we can use as an extra check for the amount of vehicles going into the parking lot. Frank Windust suggested a double ticket, one ticket to the parker and the other ticket goes into the box for tallying of tickets against the money at the end of the day. Nancy Nixon advised council that that system would work if we used a numeric sequence which means that the tickets are numbered and issued in a sequence. Frank Windust indicated that that was the way they were doing it at Blue Lake Park. Nancy suggested that the concessionaire provide dual tickets (one to customer and one in box) and daily cash sheets. The cash sheets, money and tickets would be turned in once a week. Dan Lowe suggested that: the ticket rolls should be in the City's custody and be checked out to concessionaire to control access. Pam Christian moved down to Section (7) PARKING FEE. A discussion ensued regarding the amount to charge at the parking lot which would be comparable to what other places were charging. It was decided that it would read as follows: The maximum parking fee to be charged for vehicles parking in the City's main park parking lot shall be established from time to time by the City. However, the initial maximum fee shall not exceed \$2.00 per car. Sam Cox voiced that many family reunions, weddings, etc. are held at the park and he was wondering if we could charge the people a fee of approximately \$25.00 and let the people have the inner lot for parking. It was voiced that this was going to be addressed later in the agreement. Section (8) CONCESSIONAIRE'S FEE was addressed next. Pam said that she had sat down with Frank Windust and he had shown her how much money was invested in the project. He explained that he had talked with his insurance agent about how much it is going to cost him for liability insurance on the property and the fact that he is furnishing all of the signs, gatehouse, salary of the person taking the money and any insurance on that person. The \$50.00 a day figure was felt to be reasonable after all the other costs were incurred. It was also agreed that the City shall be paid 40% of the excess of gross receipts exceeding the \$50.00. Section (10) GATE HOUSE, EQUIPMENT AND SIGNS. Dan Lowe questioned the last sentence of the agreement wherein it reads that the concessionaire shall bear all risk of loss or damage to his equipment, structures, signs and other property and shall have the affirmative duty under this agreement to provide for the security and safe keeping of such property. It was felt that if there was any trouble down at the parking lot that the police could be called in. He can operate just like a bar owner having trouble with a drunken customer tearing up his bar. Helen Althaus had a minor problem in the wording of this section. It now reads: Prior to the installation of any equipment, erection of a gate house or the placing of any signs, the concessionaire shall request and receive approval of the City Administrator or his designee as to the suitability of the structure, equipment or signs. Helen suggested that the words (or designee) be placed in parenthesis and delete the word his. Section (11) RESERVATION OF TOLL FREE USE FOR CITY, COMMUNITY AND CIVIC FUNCTIONS. This specific section was the one in which Sam Cox had voiced concern earlier. Pam Christian indicated that the wording, In such event, the City shall issue passes, not to exceed _____ in number, to the authorized users of the community park building, which passes shall be honored by the concessionaire

is the area where this is covered. Scott said that the number not to exceed would be 26. It was decided that it would read better if it stated community park or park building for civic and various activities. Frank Windust brought up the question of what to do with the parking during a smelt run? Council consensus was to treat the smelt run people the same as the river people during the summer.... charge them. Section (12) PARK RULES Helen Althaus suggested that the wording in this section should be: Nothing herein shall be construed to modify, limit or waive the park rules which have been or will be adopted by the common council of the City of Troutdale. Pam Christian explained that page 4 consisted mostly with the legal liabilities questions, protection of the City and protection for Mr. Windust. A discussion followed regarding the date the park should open. Carl Jepsen suggested that in addition to the provisions of this agreement the conditions of the Planning Commission's temporary permit should be incorporated into this agreement as an Exhibit so Mr. Windust could be held liable to comply with those conditions.

Sam Cox made a motion that the contract commence tomorrow (July 22, 1982) on the parking lot and will commence on the Windust property when the Planning Commission's recommendations are in place as evidenced by a City inspection. Dan Lowe seconded the motion. Yeas 5 Nays 0 .

Dan Lowe made a motion that all of the changes agreed upon tonight be incorporated into the agreement and that the Planning Commission's requirements be attached to this agreement as Exhibit "B". Sam Cox seconded the motion. Yeas 5 Nays 0 .

AGENDA ITEM #4 - DIRECT: STAFF TO PREPARE AMENDMENTS TO THE ZONING ORDINANCE REGARDING FREEWAY SIGN REQUIREMENTS

Scott Pemble told council that a couple of months ago the Red Baron restaurant had expressed interest in having a freeway sign. A question was raised as to whether you can have a freeway sign via a variance procedure and a zoning ordinance? Scott asked Brian Freeman for a legal opinion. Scott handed out a letter in response to this question. Brian's letter reads: I would not interpret this language to permit the Planning Commission to grant a variance which would permit an industry or commercial establishment to have more signs or signs of different sizes and shapes than are specifically permitted by the code. Consequently, the Red Baron Restaurant is not allowed a freeway sign. Scott suggested that if you want to pursue this matter an alternative would be to allow for businesses that have frontage adjacent to the freeway (under certain circumstances) to have a freeway sign. Or, have the City Council give staff direction to prepare several alternatives for that zoning language amendment. Scott reiterated that if the Council felt that our standards are too strenuous and that the Red Baron Restaurant should at least be considered for a freeway sign then staff needs direction for doing the same. A discussion ensued.

Dan Lowe made a motion that the City staff prepare zoning language permitting freeway signs for structures that have freeway frontage approximately 200 feet from the freeway. Helen Althaus seconded the motion. Yeas 5 Nays 0 .

AGENDA ITEM #5 - STATUS REPORT: COMMUNITY SERVICES DIRECTOR - APPLICATIONS

Pam Christian explained that the sheet she was handing out was a list of people who applied for the Community Service Director's position. She explained that if you are uncomfortable with the number of people or anything else you have the option to readvertise the job. If you're comfortable with the list, then we can set up our review process. Pam explained to council the procedure used for applicants coming in for applications but never returned the applications, those that did hand them in and those that handed in only resumes and applications had to be sent to them, etc. and the coding involved with the applicants.

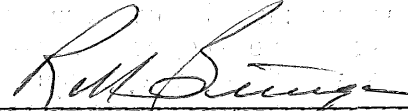
Dan Lowe made a motion that the Council extend the opening for employment until July 31, 1982 so we can advertise further in the Oregonian for at least one full weekend (Friday, July 23rd, Saturday, July 24th and Sunday, July 25th) and Friday, Saturday and Sunday of the following weekend. Dalton Williams seconded the motion. Yeas 5 Nays 0.

AGENDA ITEM #6 - COUNCIL CONCERNS AND INITIATIVES

Mayor Sturges said that Ivan Handy and Olive Abegg were in attendance tonight in regards to the street lights being turned off. Mayor Sturges explained that Mr. Handy felt that the amount that he pays the City as a concession be channeled back into the City to pay for the street lights. However, that money comes out of the General Fund. This then leaves us two alternatives: (1) not fund Sandy Drive and channel that money into the street lighting fund, or (2) lay off three staff people. Pam indicated that if you do that it requires a Supplemental Budget which means reconvening the Budget Committee. A discussion ensued concerning the possibility of having citizens of Troutdale pay for a street light. Pam Christian told council that she and Nancy Nixon had talked with Ralph Wickum of PGE at great length and Mr. Wickum voiced that PGE would be unable to bill people on an individual basis so the citizens have no alternative but to go without street lights until next July. It was explained that PGE is unable to bill people individually for street lights that are on public property because they are restricted by their tariff. It was suggested that perhaps the citizens of Troutdale could establish a street lighting district. However, the problem with that is that a budget must be developed and approved by Tax Supervising and Conservation Commission if the people decided to establish the same. Dalton Williams - Concerned about Don Clark's office actions relative to denying our recommendations of appointment of a task force to develop the County Farm. Pam Christian indicated she had talked to that office today and their reasons for denying the same was that the Board (County Commissioners) reduced the total number of people participating in that task force and also that we apparently misunderstood their instructions because we were suppose to submit 3 or 4 names and Don Clark would make the final selection. Concensus from council was that they felt that just having 1 member from this jurisdiction on that committee was unfair. Mayor Sturges indicated that he would contact Gordon Shadburne's office tomorrow concerning councils opinion on the number to be on the committee.

Dan Lowe made a motion to adjourn. Sam Cox seconded the motion. Yeas 5
Nays 0.

The meeting was adjourned at 9:15 P.M.



R.M. STURGES, MAYOR
DATE SIGNED: 7-28-82

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER