

AGENDA
TROUTDALE CITY COUNCIL
7:00 P.M. -- CITY COUNCIL CHAMBERS
104 SE KIBLING STREET
TROUTDALE CITY HALL

APRIL 23, 1985

- (A) 1. Pledge of Allegiance
Call to Order, Roll Call and Agenda Update: Mayor
- (A) 2. Consent Agenda:
2.1: Accept: Minutes of 4/9/85 -- Regular Session
2.2: Accept: Minutes of 3/27/85 -- Emergency Council
Mtg.
2.3: Ratify: City of Fairview/Plumbing/Electrical
Agreement
- (A) 3. PUBLIC COMMENT
- (A) 4. AWARD:
Food Concession Contract
Parking Concession Contract
- (A) 5. APPROVE:
Copier/Phone Leases
- (A) 6. RESOLUTION: Appointing Agent of Record
- (A) 7. RESOLUTION: Approval of 1984/85 Supplemental Budget
- (A) 8. ACCEPT: Budget Committee's Recommended 1985/86 Budget
- (A) 9. APPROVE: Multnomah County Cable Budget
- (A) 10. APPROVE: Access Budget - Multnomah County
- (A) 11. ORDINANCE: Amending Variance Section - Subdivision
Ordinance
- FIRST READING
- (A) 12. AUTHORIZE: Preparation of Engineering Reports for L.I.D.
2nd. Dora to Buxton
3rd. Dora to Buxton
Dora from 2nd. Street to 3rd. Street
- CALL FOR PUBLIC HEARING
- (A) 13. COUNCIL CONCERNS & INITIATIVES
- (A) 14. ADJOURNMENT -- CITY COUNCIL MEETING



SAM K. COX, MAYOR

MINUTES
TROUTDALE CITY COUNCIL MEETING
APRIL 23, 1985 - 7:00 P.M.

The meeting was called to order at 7:00 p.m.

Gene Bui led the Pledge of Allegiance.

PRESENT: Ron Burgin, Marge Schmunk, Marty Gault, Mayor Sam Cox, Sharlyn Jacobs and Gene Bui. Paul Thalhofer arrived at 7:23.

STAFF: Nancy Nixon, Greg Wilder, Michael Wheeler, Bill Farr, Don Oliver, Brian Freeman and Barbara Rossman

GUESTS: Dan Felton, Andy Anderson, Alex Quinn, Marjorie Lundell, Lee Bronkema, Members of Explorers Post #933

There was a Consent Agenda Update which added 2.4 - Resolution Endorsing Portland Metropolitan Area Solar Access Program. Ron Burgin asked if 2.4 could be considered separately from 2.1, 2.2 and 2.3 of the Consent Agenda.

Ron moved to adopt 2.1, 2.2 and 2.3 of the Consent Agenda. Marty Gault seconded the motion. Ayes 5 Nays 0.

With regard to 2.4, Michael Wheeler, Development Coordinator, said there would be no staff time or budget dollars from the City of Troutdale to support the project as it is now conceived. He said the intent was to provide a level of support on the basis of area wide jurisdictions, county and city both so that the package can be funded into one manageable whole rather than a lot of separate smaller parts. Greg said the resolution was just to support BPA's efforts and any ordinance that is adopted at a later date would set forth any participation. Marty Gault said he was not really opposed to the concept of solar access policy, but he had some concerns about the way this particular resolution was worded. The way the resolution is worded states that the City of Troutdale feels this is going together well and yet really we don't know what kind of impact is going to come back to the Department of Energy. Marty Gault asked if this could be done in-house and how expensive it would be rather than supporting the document they had been presented with. Greg Wilder said the resolution only supported the Department of Energy and BPA in their conservation efforts; it doesn't obligate us to provide any kind of financial or staff support at a later time. Marty said his concern was what benefit would it be to us to support these other jurisdictions that have already supported this resolution. Greg said by combining efforts we'll have some scale that we couldn't

compete with in the application efforts; we will get some benefit in the way of model ordinances. Greg said there was a political advantage to supporting the resolution when it is time to distribute the funding and decide who gets the project. Marge Schmunk said the more people who endorsed this resolution, the more apt they would be to grant these funds. Ron Burgin said there was a very strong division of opinion in the community about whether or not cities or counties can restrict people's property rights as to what they can do with their property while in some sense protecting the other property owners. Ron said this issue merited a public hearing before the Council went on record with such a strong statement of support and he was not opposed to solar access, but this was done too quickly.

Mayor Cox read the resolution by title. Gene Bui moved to adopt the resolution. Marge Schmunk seconded the motion. Ayes 3 Nays 2. (Ron Burgin, Marty Gault)

AGENDA ITEM #3 - PUBLIC COMMENT

There was no public comment on items not on the agenda.

Paul Thalhofer arrived at 7:23 p.m.

AGENDA ITEM #4 - AWARD: FOOD CONCESSION CONTRACT
PARKING CONCESSION CONTRACT

Nancy Nixon, Finance Director/City Recorder, said no food concessionaire proposals had been received. There were two parking concessionaire proposals - one from Frank Windust and one from Explorer Scout Post #933. Proposals were received until 5:00 p.m. on April 22, 1985 and they were opened by Pam Christian, City Administrator, and Nancy Nixon this morning. Nancy said that Mr. Windust proposed that 40% of the gross revenues be given to the City and the Explorer's proposed to give the City 50%. The Explorer Scouts proposed charging \$1.50 per day as opposed to the \$2.00 per day previously charged. Nancy said their recommendation was to award the parking concession to the Explorer Scouts. Lee Bronkema said the Explorer's were excited to work the parking and they needed the money and felt they could handle it. Ron Burgin asked Nancy who would be the signatory on the contract. Nancy said we would contract with the Explorer Scouts, with the President signing. She said there was an adult supervisor for this particular project. Nancy said the City's liability and property damage insurance does cover the Explorer Scouts in this endeavor and Lee said they also had their own policy. Lee Bronkema said Boy Scouts of America Regional Office verified that all of this would be covered a scouting function.

Dan Felton, a resident of Troutdale, had a question about the decrease in fee. Mayor Cox said the park has never been used to the fullest and there was some feeling that part of the reason may have been because the \$2.00 parking fee was too high.

Gene Bui moved that Explorer Scout Post #933 be given the parking concession at the City Park for the summer season. Sharlyn Jacobs seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #5 - APPROVE: COPIER/PHONE LEASES

Nancy Nixon said the packet information had discussed the process which had been used for recommendations on the copiers and phone system. Nancy said what was needed this evening was the approval to enter into the leases. Staff recommends that the lease for the telephone be added onto the computer lease since with that small of a lease we would not be able to get competitive bids from any other regular leasing company. First Interstate Bank will add it to our computer lease at 9.7% which is the same interest rate that we have paid in the past, on a five-year term. We recommend that for the copiers we enter into a lease with the vendor because the lease proposed to us includes a guaranteed locked-in maintenance and supply cost over a period of five years which will more than offset the difference in financing costs. Both the copiers and the telephone leases were covered and reviewed by the Budget Committee during their review of the 1985-86 budget. The first payment on the telephone lease will be in June and the first payment on the copier lease will be in July. Delivery of the copiers will be immediately and the phone system will be in about six weeks. Nancy said the old copiers and other equipment will be sold as surplus property probably with sealed bids. Gene Bui asked if part of the copier costs would be charged off to different departments. Nancy said there would not be a key for each department to record how many copies they had made. These machines would be addressing General Fund uses.

Ron Burgin moved to approve the recommendations from the Finance Director and committee on the copiers and the phone system. Gene Bui seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #6 - RESOLUTION: APPOINTING AN AGENT OF RECORD

Nancy Nixon said a selection committee consisting of Paul Thalhofer, Ron Burgin, Marty Gault and herself had been appointed to make recommendations on the Agent of Record. A request for proposals had been placed in "The Insurance Week". Proposals had been received from Stamm, Stuart, Bybee Insurance Management and Walrad Insurance Agency. Walrad is

the current agent of record. Each proposal was reviewed individually and rated according to criteria that has been developed by the insurance industry. The recommendation being made is for the proposal that had the greatest cumulative points amongst all the committee members and the recommendation of the committee is Walrad Insurance Agency.

Mayor Sam Cox read the resolution by title.

Gene Bui said based on the committee's recommendation he would move that Walrad Insurance be appointed the Agent of Record for the City of Troutdale for the next three years. Marty Gault seconded the motion. Ayes 6 Nays 0.

Nancy asked if Items 7 & 8 could be combined so Dan Felton, Chairman of the Budget Committee, could make a recommendation on the Supplemental Budget.

AGENDA ITEM #8 - ACCEPT BUDGET COMMITTEE'S RECOMMENDED
1985-86 BUDGET AND AGENDA ITEM #7 - RESOLUTION: APPROVAL OF
1984-85 SUPPLEMENTAL BUDGET

Dan Felton, Chairman of the Budget Committee, said on behalf of the Budget Committee he was recommending that the proposed 1985-86 Budget as amended by the Committee for approval, as well as the Supplemental Budget for 1984-85. The Committee also is recommending that the mini-grant parks program be reinstated as soon as the City has resources available. We also want to point out that though we are not a party to the salary administration team, there are monies available in the contingency to fund any salary increases for the City Administrator which are above those included in the department budget. He said he would also like to extend a whole-hearted thank you to the Budget Committee members who willingly spent much of their personal time in the process and for their cooperation. He said a special thanks was warranted to our Budget Director, Nancy Nixon, as well as our Budget Officer, Pam Christian, and the staff of Troutdale. This is the fourth consecutive year that a budget has been presented to the City within the six percent statutory limitation and this is something that the citizens of Troutdale can be proud of. It has been a pleasure to serve as the Chairman.

Gene Bui moved that the 1985-86 Budget be approved and that the Supplemental Budget for 1984-85 also be approved. Marge Schmunk seconded the motion. Paul Thalhofer said he was going to vote in favor of the budget but he again wanted to express his concern over cost of living increases every year in addition to merit pay increases. He said he understood that there would be an evaluation very soon by an expert in the field and he hoped that would help in this area. Ayes 6 Nays 0.

AGENDA ITEM #9 AND ITEM #10 - APPROVE: MULTNOMAH COUNTY CABLE BUDGET AND APPROVE: ACCESS BUDGET - MULTNOMAH COUNTY

Marjorie Lundell, Alex Quinn and Andy Anderson were there to answer any of the Council's questions. Andy Anderson said there were actually two other items to be considered - a budget for community television and a resolution authorizing the renegotiation of parts of the Cable Communications Franchise Agreement. There were no questions on the Multnomah Cable Regulatory Commission Budget or the Multnomah Cable Access Budget. Ron Burgin commented that it was a good budget and he appreciated the good job they had done. Andy Anderson said Rogers Cablesystems, in return for the use of the City's right-of-ways, pays franchise fees to the jurisdictions. These fees go to the Multnomah Cable Regulatory Commission for the regulation of the franchise. Each year the Commission is required to send their budget to each jurisdiction. As part of the franchise the cable company is required to provide the cable corporation with funds to operate access channels or local community operated channels and that corporation is required to present their budget to the jurisdictions for approval, also. New this year is Mt. Hood Community College's program in community television to help instruct people in the television industry. This budget is being submitted for approval. Both the Access Corporation Budget and the Community Television Budget have been presented to and approved by the Multnomah Cable Regulatory Commission. The resolution in the packet for authorization to renegotiate parts of the cable franchise is because under the original cable communication service agreement the cable company was required to put together an institutional cable network for use for public institutions. The cable company could not apply for a rate increase until all their construction was completed. This construction would include the institutional network and the cable company said as of this point in time the network cannot afford and is having problems with the building of this institutional network. They would like to postpone the construction of this network until such time as it is determined that it is profitable. Our Cable Regulatory Commission formed a subcommittee and determined that the request by the cable company could not be authorized because it is under the franchise agreement and therefore the agreement would have to be renegotiated. Marjorie Lundell said the cable company needs to clarify what it is that they want to renegotiate. She said all the resolution is asking is authorization for the Regulatory Commission to bring back for the Council's approval a new document to consider and renegotiation would have to come back before Council.

Ron Burgin said he appreciated the concern about the limited negotiations. Ron said he would like to see an absolute separation of promotion of things that are available in

Portland versus what is available in East County. If they are not available out here, please don't promote them. Marjorie said Andy had taken Ron's concern back to the Commission and the company has discussed the technical problems and that is certainly something that can be taken to the negotiations. Ron said every article he reads lists the bank covenants with Rogers regarding their loan as if no bank ever renegotiated a loan; he asked if that is continually being presented as if there were no way that could ever be altered. Ms. Lundell said the Regulatory Commission has asked that question several times and the answer received is that if the banks were to agree to renegotiate the banks would be at an advantage and would probably be willing to renegotiate certain covenants, but they would probably increase the interest rate.

Mayor Cox commended Alex Quinn, Cable Access Corporation, on the budget saying it was really clear and concise. Mr. Quinn said that programming since July has been in the areas of educational and municipal programming. One channel is dedicated to telecourses and there have been a number of access shows. He said they are looking forward to the construction of their studio on the Mt. Hood Community College campus.

Paul Thalhofer commended Andy Anderson on his good work on behalf of the City of Troutdale.

Mayor Cox read the resolution by title. Gene Bui moved for approval of the resolution. Ron Burgin seconded the motion. Ayes 6 Nays 0.

Gene Bui moved for the adoption of the budgets of the Multnomah Cable Regulatory Commission, Multnomah Cable Access Corporation and the Program in Community Television. Marty Gault seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #11 - ORDINANCE: AMENDING VARIANCE SECTION - SUBDIVISION ORDINANCE

Michael Wheeler, Development Coordinator, said the former City planner had worked on this revision that is subsequent to language that was changed in the Zoning Ordinance in 1983 and basically brings to an identical format the language that deals with variances in both of the ordinances.

Mayor Cox read the ordinance by title.

Gene Bui moved to adopt the ordinance. Marge Schmunk seconded the motion. Ayes 6 Nays 0.

Marge Schmunk said it was very neat, easy to read and looked good and she liked it.

AGENDA ITEM #12 - AUTHORIZE: PREPARATION OF ENGINEERING REPORTS FOR L.I.D. 2ND & DORA TO BUXTON, 3RD & DORA TO BUXTON AND DORA FROM 2ND STREET TO 3RD STREET

Greg Wilder, Community Services Director, said staff was asking for authorization to prepare engineering reports for the last phase (excluding Columbia Scenic Highway) of the road reconstruction project in the downtown core area. Greg explained, with use of a map, where the projects were located. Greg said the City's participation on a section of Third will be considerably higher than it has been on the other elements of the downtown reconstruction program due to the fact that it is a collector and this makes it more difficult to define the benefit to the adjoining property owners as it is for the local streets. Our participation will probably be everything except for the sidewalks.

Marge Schmunk moved for preparation of engineering reports for LIDs on 2nd & Dora to Buxton, 3rd & Dora to Buxton and Dora from 2nd Street to 3rd Street. Gene Bui seconded the motion. Ayes 6 Nays 0.

Greg Wilder said he had attached a memo to be called Item 12A concerning the public works code with a subsection concerning construction and access code for public rights-of-way. It dealt with construction, reconstruction, utility locations and so forth in the public rights-of-way. After dealing with the various utilities on the undergrounding effort, it came to light that we are in need of a section dealing with the relocation of power poles and guys associated with those poles. Greg explained, with the use of a diagram, the various options on placement of power poles. He said he would like the Council to review an addition to that ordinance concerning this placement. Further information will be included in the packet for the next Council meeting.

AGENDA ITEM #13 - COUNCIL CONCERNS AND INITIATIVES

Marty Gault expressed his concern that Council packets delivered on Friday night do not allow ample time for the Council members to go over material thoroughly. He said he would like to see them delivered possibly a few days sooner.

Mayor Sam Cox said he had distributed letters he had received concerning the Sandy River Diversion. He said that Mayor Clark of Portland said it would be going before the Council by the middle of May and if anyone could attend that meeting it would be helpful.

There were no other Council concerns.

AGENDA ITEM #14 - ADJOURNMENT

Gene Bui moved to adjourn the meeting. Marty Gault seconded the motion. Ayes 6 Nays 0. The meeting was adjourned at 8:18 p.m.



SAM K. COX, MAYOR

DATE SIGNED: 5/15/85

ATTEST:



VALERIE RAGLIONE
CITY RECORDER/ADMINISTRATIVE SECRETARY