

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

OCTOBER 8, 1985

- (A) 1. PLEDGE OF ALLEGIANCE
Call to Order, Roll Call, Agenda Update - Mayor
- (A) 2. Consent Agenda:
2.1: Accept: Minutes of 9/10/85 & 9/24/85
2.2: Accept: Business License Report
2.3: Accept: Bills for month of September, 1985
2.4: Approve: Sandy's Country Store #2/Liquor License
2.5: Approve: Quick Shop Minit Mart Food Stores/Liquor License
- (A) 3. PUBLIC COMMENT:
- (A) 4. ORDINANCE: Amend Zoning Ordinance - Variance Section
First Reading
- (A) 5. ORDINANCE: Temporary Permit/Streetside Sales
First Reading
- (A) 6. ORDINANCE: Control/Maintenance of High Grass/Weeds
First Reading
- (A) 7. ORDINANCE: Final Assessment Rolls
Columbia Storm Water Outfall
2nd. & Harlow Street
EDA Projects
Stark Street Sanitary Sewer
Troutdale Road Sanitary Sewer
West Columbia Sanitary Sewer
First Reading
- (A) 8. DEPARTMENTAL REPORTS:
8.1: Public Safety
8.2: Finance
8.3: Community Services
8.4: City Attorney
8.5: Executive
- (A) 8. COUNCIL CONCERNS AND INITIATIVES
- (A) 9. ADJOURNMENT.



SAM K. COX, MAYOR

MINUTES
OCTOBER 8, 1985
7:00 P.M. -- CITY COUNCIL CHAMBERS
104 S. E. KIBLING STREET
TROUTDALE CITY HALL

AGENDA ITEM #1: PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Sam K. Cox at 7:02 P.M.

The Pledge of Allegiance was lead by Ron Burgin.

PRESENT: Gene Bui, Paul Thalsofer, Mayor Sam Cox, Marge Schmunk, Ron Burgin. Marty Gault arrived at 7:15. Sharlyn Jacobs was excused.

STAFF: Pam Christian, Greg Wilder, Bill Farr, Jim Jennings, Barbara Rossman

PRESS: Steve Hunter - Gresham Outlook
Webb Reubal - Oregonian

GUESTS: Harrison McKnight, Ken Tallman, Floy Sandy, Lee Bronkema, Nancy Nixon, Mr. Summers

AGENDA ITEM #2: CONSENT AGENDA

Pam Christian, City Administrator, said that Quick-Stop Minit Mart's application for a liquor license was being made before the actual store is built. Council set this item aside.

MOTION: Marge Schmunk moved to approve items 2.1 thru 2.3 on the Consent Agenda. Ron Burgin seconded the motion.

Bui - Yea; Burgin - Yea; Schmunk - Yea; Thalsofer - Yea.

YEAS: 4
NAYS: 0
ABSTAINED: 0

Floy Sandy, one of the owner's of Sandy's Country Store, said they had another store on Orient Drive. Ron Burgin asked how long they had been in business. Ms. Sandy replied since January of 1984 and had a good record with the OLCC.

MOTION: Ron Burgin moved to approve item 2.4 on the Consent Agenda.
Gene Bui seconded the motion.

Bui - Yea; Burgin - Yea; Schmunk - Yea; Thalhofer - Yea.

YEAS: 4
NAYS: 0
ABSTAINED: 0

The Quick-Stop Minit Mart's application was discussed and Ken Tallman, Real Estate Broker, said John Neal had asked him to attend the meeting in his place. Paul Thalhofer asked how long the owner had been involved with selling liquor. Mr. Tallman replied that John Neal had been in the business for a number of years. Council discussed granting a conditional liquor license requiring them to meet all the planning, zoning and building requirements.

MOTION: Gene Bui moved approval of the Quick-Shop Minit Mart liquor license request provided that all planning and building conditions are met. Ron Burgin seconded the application.

Bui - Yea; Burgin - Yea; Schmunk - Yea; Thalhofer - Yea.

YEAS: 4
NAYS: 0
ABSTAINED: 0

Paul Thalhofer asked if any type of report from the OLCC was received with the applications. Pam said that no report was received and that we could try to get information, but she was not sure what the legal requirements for that would be. She said that all applications were sent to the Police Department where a check was run and, generally through a check of the owners themselves, violations showed up.

Ron Burgin thanked the applicants for attending the meeting as did the Mayor.

AGENDA ITEM #3: PUBLIC COMMENT

Mayor Cox asked for public comment. There was none.

AGENDA ITEM #4: ORDINANCE: AMEND ZONING ORDINANCE - VARIANCE SECTION

Pam Christian said these were recommendations made by Sue Barker and previous staff members as, due to the way our Zoning Ordinance was written, it became almost impossible for the Planning Commission to grant variances under the criteria that was initially established under the Zoning Ordinance. Sue and Mike Wheeler, former Development Coordinator, made some recommendations that are reflected in this ordinance. Pam said she and Greg and the Planning Commission had reviewed and recommended the changes. She said previously the Zoning Ordinance did not allow for variances based on financial hardship and this ordinance would address some

of the problems that occur, especially for residential owners.

Marge Schmunk asked about Section 11.024(a) referring to application shall be made or forms provided by the City and shall be accompanied by the written consent of the owner or owners of each lot adjoining and across any street from the subject's property. Marge asked if previously the notification was sent to owners within a certain number of feet of the property. Greg Wilder, Community Services Director, said in the case of a minor variance each case would be reviewed individually and requirements may be expanded or even go to a major variance. He said that 80 to 90% of the cases deals with the immediate property owners.

Jim Jennings, City Attorney, asked if a property owner who is not immediately adjacent complain or turn it in to a major variance if it isn't in excess of 25% of the dimensional requirement. Greg replied if complaints were received to the point where staff felt it should be acted on by more than the staff and Planning Commission's chairman level, staff would push it into the major variance process. Jim suggested that a provision be included to indicate that the powers that be might treat a situation as a major variance depending on the circumstances. Gene Bui said this would be appropriate. Jim said some standard of review could be established based upon the input from the surrounding property owners.

Pam suggested that as this was the first reading of the ordinance it be brought back at the next meeting with the changes indicated.

Mayor Cox read the ordinance, as amended, by title.

AGENDA ITEM #5: ORDINANCE: TEMPORARY PERMIT/STREETSIDE SALES

Pam explained that this was in answer to concerns about how streetside sales can be controlled or restricted and the rash of "used car lots". The idea is not to keep people from selling things they have made or produced themselves, but to control the open vans that sell various items and the parking of cars that are for sale on every corner. Pam stated that before this there was no provision for the vendor to have a signed statement from the property owner that they have permission to use their property and the ordinance would remedy this.

Gene Bui wondered if the temporary permit and application really gets to the issue of used cars that are put out anywhere and left until they are sold. Pam said those cars are illegally parked and they can be ticketed.

Marge Schmunk questioned the 30-day permit. She said it would discourage people from selling if they had to pay a fee every 30 days. Greg Wilder responded that if a more permanent permit was issued there would be cars and temporary sales going on everywhere.

Ron Burgin asked if the primary emphasis for this ordinance was used cars. Greg replied it was the conflict of the cars and conflict of so many things being sold and a very restricted amount of space. Ron said the used cars should be addressed but with regard to the concern that the vendors impaired vision at these street corners, his vision had never been impaired by any vendor on a corner. Staff brought about concerns about store owners who had paid a business license and now found themselves in direct competition with some of the vendors for some products. Marge Schmunk said the produce vendors and others were part of the rural charm of the area. Ron said if vendors were asked to pay a \$15 fee for a 30-day permit they would not come back to sell again. Ron suggested writing the ordinance with the language "abandoned or non-attended" vehicles or streetside sales would eliminate the problem of parking used cars for sale.

Paul Thalhofer asked if there had been many complaints from existing merchants who have paid a business license fee. Mayor Cox said there had been complaints about the used cars, but not about other vendors. Pam said the problem was an inconsistency between businesses in that someone selling door-to-door was required to get a business license, however, if they set up on a corner and sell it to passing motorists, they are not required to have a license.

After further discussion, it was agreed to table the issue to give staff time to address the Council's concerns.

AGENDA ITEM #6: ORDINANCE: CONTROL/MAINTENANCE OF HIGH GRASS/WEEDS

Pam Christian explained that the Council had asked staff to clarify and speed up the process of addressing weeds and high grass throughout the summer months. Paul Thalhofer said this ordinance will really solve the problems that have been recurrent in summer months. He did ask that the notice be sent certified instead of regular mail; this would be a one-time only notification. After some discussion it was decided to notify each property owner in violation once a year at the beginning of the season by certified mail, return requested.

Ron Burgin asked how violations were noted. Greg Wilder replied that the Building Official noted many violations when traveling around the City for inspections. Also, complaint calls are received after which the Building Official will check on the property in the complaint.

Jim Jennings recommended the following additions to the ordinance:

7.30.045(A)(1)(b) Add the following final sentence: This notice shall be considered valid whether or not the occupant/owner signs for certified mail.

7.30.045(A)(1)(c) Add #6: City can continue to abate nuisance
PAGE 4

thereafter as necessary.

7.30.045(A)(1)(d) Add the following at the end of the section:
without any further notice to owner or occupant.

It was decided that the first paragraph of the Proposed Notification for Weeds and Grasses should read:

City Ordinance No. 352 requires that uncultivated and uncontrolled growth of weeds, berry vines, brush, etc., be controlled between the months of _____.

Ron Burgin suggested adding the cost or indication of cost of mowing in the notice to discourage violators from deciding to let the City mow the weeds and/or grass for them. Jim Jennings suggested that the second paragraph of the notice read as follows:

If the nuisance is not abated by _____ the City will cut the grass and weeds and a lien for cost of abatement, at the prevailing rate charged by private contractors, will be filed against your property.

Mayor Cox read the ordinance by title with the noted changes.

AGENDA ITEM #7: ORDINANCE: FINAL ASSESSMENT ROLLS

The final assessment rolls will be available at the next meeting.

AGENDA ITEM #8: DEPARTMENTAL REPORTS:

8.1: PUBLIC SAFETY

Sgt. William Farr, Acting Chief, had nothing to add to his report, but wanted to make Council aware that the 1985 Ford police vehicle was involved in a one-car accident on Monday morning. The officer involved was not injured and the vehicle is now at McRobert Ford in Gresham for repairs.

Ron Burgin expressed concern over the amount of time spent by the CSO on the Explorers. Lee Bronkema, CSO, was in the audience and responded that time had been used to make up many items as she had been away at the police academy. She said the time would vary from month to month. Pam said that initially a volunteer was supposed to be available to the Explorers and we were late getting the volunteer in and David Ohm is now available. Paul Thalhofer said that money spent on the Explorer Post is money well spent because they have already done some good deeds for us and will continue to do so in the future.

Lee Bronkema said the Police Explorers and the Police Reserves would be adding extra patrols on Halloween night between 6:00 and 9:00 p.m. The Police Department and Explorers went together and purchased trick or treat bags that can be illuminated to distribute to children in the grade schools.

Paul Thalhofer said he appreciated seeing the letters from the citizens thanking the Police for their assistance.

8.2: FINANCE

Nancy B. Nixon, former Finance Director, presented to the Mayor a plaque on behalf of the Government Finance Officers Association recognizing the Certificate of Conformance received by the City of Troutdale for the fiscal year 1983-84. Nancy said it was a high award. Mayor Cox thanked Mrs. Nixon, as did Pam, for her work toward this certificate.

8.3: COMMUNITY SERVICES

Greg Wilder said while building activity is down a little it is up considerably from what it was a year ago. Greg handed out a chart with the current water consumption and production.

Marge Schmunk asked where the inquiries about changing the urban growth boundaries were coming from. Greg replied that they were originating in Sweetbriar. Marge asked if they were aware of the costs and Pam replied they had been made aware of the whole process.

8.4: CITY ATTORNEY

There was no report from the City Attorney tonight.

8.5: EXECUTIVE

Pam Christian said Terry Ege had notified the City that he is going to ask for a rate increase in garbage collection fees. She said she would like Ron Burgin to review what Mr. Ege had submitted and give her his views on it. Pam indicated that there are going to be some major changes in the franchise agreement besides the fact that he would like it reviewed in January rather than October. Pam discussed the Opportunity to Recycle Act passed by our legislature which puts a large demand on the cities as well as the collectors as far as offering an opportunity to recycle.

Pam said there had been many inquiries from builders and developers on different pieces of property in Troutdale.

AGENDA ITEM #9: COUNCIL CONCERNS AND INITIATIVES

Burgin - No additional comment.

Marge Schmunk mentioned that the County Farm Subcommittee she served on was finished and they had developed a plan for the County Farm which would be presented to the Board of County Commissioners. At the same time they will ask the Commissioners to discuss the park property that the City of Troutdale runs, the park property that the City of Wood Village has and the Janis Home. They are also going to try to have a subcommittee to talk about marketing on the County Farm. Marge said she had recommended to the County and to the Chairman of this Committee to put Ron Burgin on the marketing committee. Marge asked for endorsement from the Council and they were in agreement.

Gault - No additional comment.

Paul Thalhofer asked if Troutdale could place some "Open for Business" signs for public relations. Mayor Cox said the Businessmen's Association was going to put out a flyer with maps, pictures, information on tourism and what is available in the area. Pam said a contribution to that flyer was provided for in the budget.

Gene Bui said the Council should start considering their donation to the Gresham Area Chamber of Commerce. He said they did not do much for Troutdale. Paul Thalhofer disagreed saying that the Chamber does help this area and they had supported the Port of Entry and been opposed to the Sandy River Diversion project. Marge Schmunk said they have contributed on our behalf to the Economic Development Commission and the Mt. Hood Jazz Festival has an impact on Troutdale. Mayor Cox said some of these concerns would be addressed in the flyer mentioned earlier.

Mayor Cox reminded Council that Thursday, October 10 at 7:00 p.m. was the Parks Advisory Board Meeting which will deal with the picnic assessment evaluation and plans for fundraising.


AGENDA ITEM #10: ADJOURNMENT

MOTION: Marge Schmunk moved to adjourn the meeting. Marty Gault seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea

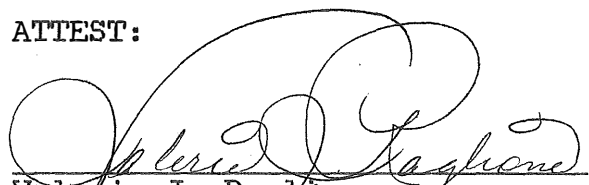
YEAS: 5
NAYS: 0
ABSTAINED: 0

The meeting was adjourned at 8:33 P.M.



Sam K. Cox, Mayor

ATTEST:



Valerie J. Raglione
City Recorder

bjr:03:18
10/16/85