

AGENDA

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

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- (A) 1. PLEDGE OF ALLEGIANCE  
Call to Order, Roll Call, Agenda Update - Mayor
- (A) 2. Consent Agenda:  
2.1: Accept: Minutes 10/8/85 - Regular Session
- (A) 3. PUBLIC COMMENT
- (A) 4. ORDINANCE: Amending Zoning Ordinance - Variance Section  
Second Reading
- (A) 5. ORDINANCE: Control and Maintenance of High Grass/Weeds  
Second Reading
- (A) 6. ORDINANCE: Final Assessment Rolls  
Columbia Storm Water Outfall  
EDA Projects:  
Stark Street Sanitary Sewer  
Troutdale Road Sanitary Sewer  
West Columbia Sanitary Sewer  
First Reading
- (A) 7. DISCUSSION: Increase Solid Waste Rates
- (A) 8. ORDINANCE: Community Services Overlay Zone Change  
#82-85-028-ZC-CS - Requested by GTE  
First Reading
- (A) 9. ORDINANCE: Aggregate Resource Overlay Zone Change  
#82-85-021-ZC-AR  
First Reading
- (A) 10. COUNCIL CONCERNS AND INITIATIVES
- (A) 11. ADJOURNMENT.

  
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Sam K. Cox, Mayor

vjr:10:3  
10/17/85 Thu 10:18:38

MINUTES  
OCTOBER 22, 1985  
7:00 P.M. -- CITY COUNCIL CHAMBERS  
CITY OF TROUTDALE  
104 SE KIBLING STREET  
TROUTDALE, OR 97060

AGENDA ITEM #1: PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Sam K. Cox at 7:00 P.M.

The Pledge of Allegiance was lead by Ron Burgin.

PRESENT: Gene Bui, Ron Burgin, Mayor Sam Cox, Marty Gault,  
Sharlyn Jacobs, Marge Schmunk, Paul Thalhofer

STAFF: Pam Christian, Bill Farr, Jim Jennings, Valerie  
Raglione, Sue Barker, Greg Wilder

GUESTS: GTE Representative - Beaverton: Robert Renfro  
Bonnie Kellar Whitemore & Associates Realty

AGENDA ITEM #2: CONSENT AGENDA:

Mayor Cox called for comments.

MOTION: Bui moved that the Consent Agenda be approved. Gault  
seconded the motion.

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

YEAS: 6

NAYS: 0

ABSTAINED: 0

AGENDA ITEM #3: PUBLIC COMMENT

Mayor Cox called for public comment. There was none.

AGENDA ITEM #4 ORDINANCE: AMENDING ZONING - VARIANCE SECTION

Christian stated that staff member Sue Barker would answer any concerns Council had. She stated that Council did have concerns and this item was up for second reading. For this reason, Christian stated staff had tried to clarify reasons behind, and types of, variances which would be considered minor variances and those that would be handled at an administrative level than before a full Planning Commission hearing. Schmunk's concern was the impact it may have on neighbors that are not immediately adjacent to the property. Included in the packet materials were maps to indicate the difference in the types of notifications that would be required for minor variances.

Thalhofer asked if this would reduce the amount of 'red tape' required in the past for this process.

Christian stated that it would reduce it considerably. If it were a simple variance, staff could go ahead rather than wait for Planning Commission to meet (once per month); then to agenda it for Council meeting following the Planning Commission.

Thalhofer stated it would be a 'giant step forward'.

Mayor Cox called for further discussion/questions. There were none. Mayor Cox then read the Ordinance by title.

MOTION: Bui moved to pass the Ordinance. Thalhofer seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk -  
Yea; Thalhofer - Yea  
YEAS: 6  
NAYS: 0  
ABSTAINED: 0

AGENDA ITEM #5: ORDINANCE - HIGH GRASS/WEEDS

Christian outlined the three major issues outlined at the October 8, 1985 Council meeting. They were: There would be one certified notice to affected property owners and/or residents. There have been a number of times that a notice has been sent to the property owner of record - once, certified - with the notice. The concern was that the notice not go by any other means other than certified mail. The wording which was changed at the previous meeting was incorporated - the cost of cutting grass at the Contractor's going rate.

Mayor Cox called for questions.

Thalhofer stated that he had had a concern on this item previously. He still had a concern regarding the continuing nuisance.

Christian stated that the letter of notification states that on or about April 15th of each year the uncultivated growth shall be abated by June 15th of each year. That was the date of the first notice and the date that was set to actually note things that do not meet the Ordinance. That Ordinance would hold out throughout the year. The reason for not enforcing that year round is due to the lack of enough growth to be considered a nuisance and go through the process each occurrence.

Thalhofer requested the City Attorney's opinion as to whether or not sending out one certified letter under present language would qualify for abating a specific nuisance without any further notification. He also stated that that was Council's intent.

Mayor Cox asked if the letter being sent out would cover that where the letter states ...that if the nuisance is not abated by....date...City would cut grass and weeds and a lien for costs of abatement at the prevailing contract rate will be filed against your property. If they didn't comply you would just send the same letter more than once.

Jennings stated that could be done and it would relieve any questions about adequate notice. However, Thalsofer's concern regarding one notice per calendar year being adequate...he didn't have an opinion right now. He stated that the cost of sending this type of notification - certified mail would be a consideration.

Thalsofer stated that he understood the language to be included was to cover a one time notification, avoiding any further costs the balance of the summer.

Jennings stated that the language in the notice letter could be included to state ...PROPERTY, AND THE CITY SHALL CONTINUE TO ABATE THE NUISANCE AS NECESSARY WITHOUT FURTHER NOTICE FOR THE REMAINDER OF THE CALENDAR YEAR. He stated that the Code did not have to be changed.

Burgin asked if it was a conscious decision to cut the 25% administrative overhead which had been the previous process.

Christian stated that Council did not want to leave it open ended to make it appear that the City was cutting the grass. She also stated that Council could make a Policy Statement if they wanted it included.

Burgin stated that there was still administrative overhead in seeking the contractor to perform the work.

Christian stated if Council wanted to direct some percentage to that billing - it could be done.

Gault 7.030.045(a)(1)(b) - He did not remember reading that at the prior meeting.

Christian stated that this was in answer to the discussion that sometimes the owner of record is not the same person as is living in the house and if notice was delivered to the person living in the house, it may not be the owner and therefore, they may not want to do anything about it, and yet, not let the owner know about it either. That would allow a lien being placed on their property without their knowledge. That was the reason for the decision to mail a certified letter to the resident as well as the owner of record.

Jennings stated that as an example, there are still unrecorded contracts floating around from Contract buyers and the owner of record may not choose to pass the information on.

Mayor Cox read by the ordinance by title -- and made note that the Notice should be changed as indicate above.

MOTION: Thalsofer moved to pass the Ordinance as written.  
Burgin seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk -  
Yea; Thalsofer - Yea  
YEAS: 6  
NAYS: 0  
ABSTAINED: 0

Christian asked for clarification of the administrative costs that Council wanted. Normal policy was to consider an average time/materials cost.

Burgin stated that he would like the actual costs recovered. Actual time and materials. He stated that it still required City time and equipment.

Thalsofer stated agreement, however, only actual costs.

Mayor Cox asked for further comments or questions.

AGENDA ITEM #6 - FINAL ASSESSMENT ROLLS:

Christian stated that there was one correction due to the project not being finalized. That project is the Columbia Storm Sewer Outfall. This project will be coming to Council once the project is closed.

Wilder stated that the delay was due to three governmental agencies being involved in an intergovernmental agreement, City has to go back to the other agencies to recapture funds before the rolls are spread.

Bui asked if there was an explanation for such a variance from the pre-assessment and the actual assessment.

Wilder stated that pre-assessments were based on the 'best' engineering estimate prior to construction being started. In this particular case, they were designed well, inspected well, there were no foreign objects encountered and everything came in under budget -- other than the West Columbia Storm Sewer which rock was encountered in the project and therefore, it ran over budget. He stated that it was based on an estimate. Precise sub-surface exploration wasn't done. He stated that this project was unusual in that it did go over. Considerable blasting and rock removal was necessary.

Christian stated that the amount of rock also would pose a development problem for this particular site. She also stated that these were EDA grant projects.

Mayor Cox called for further questions or comments. There were none and he proceeded to read by title the Troutdale Road Sanitary Sewer L.I.D. 3-83.

MOTION: Bui moved to pass the Ordinance. Thalhofer seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk -  
Yea; Thalhofer - Yea  
YEAS: 6  
NAYS: 0  
ABSTAINED: 0

Mayor Cox read the Ordinance by Stark Street Sanitary Sewer L.I.D. 2-83 by title.

MOTION: Thalhofer moved to pass the Ordinance. Gault seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk -  
Yea; Thalhofer - Yea  
YEAS: 6  
NAYS: 0  
ABSTAINED: 0

Mayor Cox read the West Columbia Highway Sanitary Sewer L.I.D 4-83 by title.

MOTION: Bui moved to pass the Ordinance. Burgin seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk -  
Yea; Thalhofer - Yea  
YEAS: 6  
NAYS: 0  
ABSTAINED: 0

AGENDA ITEM #7 - SOLID WASTE RATE INCREASE:

Christian, Burgin and Estell Harlan (Terry Ege's business consultant) met to discuss this agenda item. The proper time frame has been met in requesting an increase by the terms of the franchise agreement. Information was obtained that had not been clear in the first request.

Burgin stated that a complete financial information packet had been submitted at the meeting and he felt that the concerns he had were answered adequately.

Christian stated that due to the fact that it was a franchise agreement there would be a public hearing which is scheduled for November 12, 1985. A complete packet of information will be submitted to Council prior to that hearing.

Mayor Cox called for further comments or questions. There were none.

AGENDA ITEM #8 - ORDINANCE - 82-85-028-ZC-CS -- GTE:

Christian asked staff member Sue Barker to answer any concerns that Council may have.

GTE Representative, Robert Renfro - Beaverton and Bonnie Kellar, Whitmore & Associates Realty were present to respond to Council concerns.

Barker reviewed the Council packet materials. The 2 1/2 acre parcel was partitioned into 2 pieces, at the Planning Commission meeting, the request is for a Zone change on parcel which is .17 of an acre for switching equipment to be installed. {Photo's included in packet material.} Provision of additional service in Troutdale for future growth. By 1990, as growth demands, a small building is planned to be constructed. The building will be unmanned and be services every six weeks, the landscaping will suit the character of the neighborhood and the City standards. A 15' right-of-way will be dedicated to improve Troutdale Road similar to the northern end of the road where there is currently a landscape easement. Participation in an L.I.D. for construction improvements has also been agreed to.

Mayor Cox called for questions or concerns.

Thalhofer asked if the building would be in place of the metal cabinets upon the final completion of the project. GTE representative stated...yes. When the building is constructed the metal cabinets will be removed completely.

Bui asked if the same concept would be on Halsey. GTE representative stated...yes. The exterior would be varied to suit the neighborhood.

There being no further questions, or comments, Mayor Cox asked the City Attorney, Jim Jennings to read the Ordinance by title.

MOTION: Schmunk moved to pass the Ordinance. Bui seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk -  
Yea; Thalhofer - Yea  
YEAS: 0  
NAYS: 0  
ABSTAINED: 0

AGENDA ITEM #9 - ORDINANCE - 82-85-021-ZC-AR ZONE CHANGE:

Christian stated Sue Barker was here to respond to any concerns Council may have. She also stated that Mayor Cox, Sue Barker and she had walked the site (as per the invitation contained in the Council packet).

Barker stated that the Planning Commission had reviewed the proposal to stockpile sand and gravel within Troutdale. That was all they considered because that is all that is within the jurisdiction. However, potential impacts and benefits to the site and to Troutdale in general; including migratory fish and boating concerns. The proposal is to remove 80,000 cu. yds. of sand per year and stockpile next to the dike road. It will be moved from that location via dump truck over a three year period. If the entire amount is not removed within that three year period, an extension can be requested..but only up to 240 cu. yds. The request is only a preliminary step before going to a final hearing by the Corps of Engineers. At that hearing the Corps reviews all agency comments, from Fish & Wildlife through DEQ and EPA. Almost every agency in the Metro area is involved and the Corps of Engineers makes an evaluation and decision based on those comments.

Jim Baker, Century West Engineering and Jeff Arndt of J.L. Arndt Construction gave a detailed slide show presentation. The presentation gave overall views of the site and problems associated with the site, and responded to Council questions.

AGENDA ITEM #10 COUNCIL CONCERNS AND INITIATIVES

Mayor Cox asked for any concerns.

Schmunk There were none.

Gault Discussed a recent visit to the Zoo, viewing the new exhibits and watching Metro at work. He invited anyone interested to see the new buildings and exhibits that have recently taken place. He stated it was a very worth while, enjoyable trip.

Jacobs There were none.

Thalhofer Wanted an update on alternatives for the Fire Protection issue. The Orient district has no contact person -- would not be included in the service area.

Burgin There were none.

Bui Wanted everyone to be aware of the Correction Facility problem and the parolees being housed at the MCCF site.



Cox Stated that he wanted one Council meeting in November and one in December. The Christmas holidays conflicted with the 2nd meeting in December.

Christian discussed the Appreciation Night Dinner to be held at the Community Park Building on November 15, 1985 (6:30 p.m. social hour) 7:00 p.m. Dinner. The City Recorder was instructed to send the notices to the City Council, Parks Advisory Board, Planning Commission, Budget Committee members and Department and Division Heads.

Christian also discussed dates available for the Council goal session with Department Heads. November 26, 1985 was set rather than a Council meeting. Dates discussed for the Council Goals Session were: December 7, 1985, December 21, December 28 and January 18, 1986. December 7, 1985 was set for Marv Himmel, League of Oregon Cities. The City Recorder would confirm the date and time with Mr. Himmel.

AGENDA ITEM #11 ADJOURNMENT.


The meeting was adjourned at 8:15 p.m.



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Sam K. Cox, Mayor

ATTEST:



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Valerie J. Ragnione  
City Recorder

10:49

11/4/85 Mon 11:45:24