



CITY OF  
**PORTLAND, OREGON**

**OFFICIAL  
MINUTES**

A REGULAR MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 16TH DAY OF MAY, 1990 AT 9:30 A.M.

THOSE PRESENT WERE: Commissioner Blumenauer, Presiding; Commissioners Bogle, and Lindberg, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Harry Auerbach, Senior Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

Commissioner Blumenauer read proclamations in recognition of Youth Week and Public Works Week.

Due to the absence of two Council members, all Consent items and emergency ordinances were continued to Wednesday, May 23, 1990.

**CONSENT AGENDA - NO DISCUSSION**

- 800 Reject all bids for composter sludge bin outfeed modifications for Columbia Blvd. Wastewater Treatment Plant (Purchasing Report - Bid 69)

Continued to May 23, 1990.

- 801 Accept bid of A.C. Schommer & Sons, Inc. for maintenance/stores facility for Columbia Blvd. Wastewater Treatment Plant for \$4,315,100 (Purchasing Report - Bid 71)

Continued to May 23, 1990.

- 802 Accept bid of Highlite Construction Company for traffic signal equipment at 7 locations for \$161,804 (Purchasing Report - Bid 96)

Continued to May 23, 1990.

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- 803 Reject bid of Utility Equipment, Inc. for furnishing 2 utility service vans with mounted aerial lift (Purchasing Report - Bid 100)

Continued to May 23, 1990.

- 804 Accept bid of Tigard Electric Inc. for Arterial and Residential Street Light Conversion Phase VII for \$82,275 (Purchasing Report - Bid 102)

Continued to May 23, 1990.

- 805 Accept bid of K & R Plumbing Construction Co. Inc. for SE Harrison Street and SE 155th Place Sanitary Sewer for \$37,625 (Purchasing Report - Bid 104)

Continued to May 23, 1990.

Mayor J. E. Bud Clark

- \* 806 Settle claims of Sandra Herman (Ordinance)

Continued to May 23, 1990.

- 807 Authorize the cancellation of certain unpaid invoices totalling \$5,499.32 and direct the Office of Finance and Administration to make the necessary entries in the financial records of the City to reflect these cancellations (Second Reading Agenda 755)

Continued to May 23, 1990.

- \* 808 Authorize application by the Police Bureau for a grant under the FY 1990 Drug Control and System Improvement Formula Grant Program in the amount of \$93,000 (Ordinance)

Continued to May 23, 1990.

- \* 809 Pay claim of Shawna Almli (Ordinance)

Continued to May 23, 1990.

- \* 810 Amend Contract No. 24690 with James Morgan Ross for Urban Services canvasser services (Ordinance)

Continued to May 23, 1990.

- \* 811 Amend Contract No. 25766 with Linn A. Kuczek for Urban Services canvasser services (Ordinance)

Continued to May 23, 1990.

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- \* 812 Amend Contract No. 25767 with John E. Morrison for Urban Services canvasser services (Ordinance)

Continued to May 23, 1990.

- \* 813 Amend Contract No. 25800 with Richard E. Spohn for Urban Services canvasser services (Ordinance)

Continued to May 23, 1990.

**Commissioner Earl Blumenauer**

- 814 Accept completion of the Southeast Relieving Interceptor, Phase 4, successor contract, and make final payment (Report; Contract 25322)

Continued to May 23, 1990.

- \* 815 Contract with James M. Wood to provide vibration analysis and mechanical consulting in machinery installation or to correct machinery's on-line performance at the Wastewater Treatment Branch's operation, and provide for payment (Ordinance)

Continued to May 23, 1990.

- \* 816 Contract with Kramer, Chin and Mayo, Inc. to provide design and construction services for new, and existing wastewater pump station renovations, authorize a contract and provide for payment (Ordinance)

Continued to May 23, 1990.

- \* 817 Amend contract with Kramer, Chin and Mayo, Inc. to provide funds for Project Management, Design and Construction Services for four new adjustable frequency drives and a model study of the Sullivan Pump Station, and provide for payment (Ordinance; Contract 25203)

Continued to May 23, 1990.

- \* 818 Accept two sewer easements for the Floyd Light Sanitary Sewer Project, granted by Multnomah County School District No. 40, and Pietro's Corp., authorizing total payment of \$4,198 (Ordinance)

Continued to May 23, 1990.

- \* 819 Authorize the purchase of computer software and hardware from the Intergraph Corporation (Ordinance)

Continued to May 23, 1990.

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- \* 820 Authorize an agreement with David Evans and Associates, Inc. to develop Performance Street standards for the Bureau of Transportation Engineering, and authorize the drawing and delivery of warrants (Ordinance)

Continued to May 23, 1990.

**Commissioner Bob Koch**

- \* 821 Pay two claims totalling \$353: Jim Parks, \$58; Mike A. Lieb, \$295 (Ordinance)

Continued to May 23, 1990.

- \* 822 Authorize an extension of Contract No. 25430, ADCOMM Engineering Company to continue with the 800mhz radio system planning (Ordinance)

Continued to May 23, 1990.

- \* 823 Amend contract with Info-Com Consulting for an additional \$26,000 to assist with the implementation of Digital Centrex, provide additional technical and financial analysis of telecommunications options, and expedite the selection of a telecommunications equipment line (Ordinance)

Continued to May 23, 1990.

**Commissioner Mike Lindberg**

- 824 Accept Contract with Werbin West Contracting, Inc. for the construction of 8-inch and 6-inch water mains in SW Simpson St. and NE Gertz Road as complete and authorize final payment of \$43,214.19 (Report; Contract 25929)

Continued to May 23, 1990.

- \* 825 Grant a park-use permit to Bruce Higginson and Rick Rollins to use West Delta Park for the Seattle to Portland Bike Race (Previous Agenda 798)

Continued to May 23, 1990.

- \* 826 Grant a park-use permit to the Bow and Arrow Cultural Club to use East Delta Park for a pow-wow and encampment (Previous Agenda 799)

Continued to May 23, 1990.

- \* 827 Accept an Oregon State Marine Board Maintenance Assistance Program allocation for FY 1990-91 in the amount of \$12,000 for the maintenance of boating facilities assigned to the Bureau of Parks (Ordinance)

Continued to May 23, 1990.

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- \* 828 Designate and assign certain City owned park property in the Overlook Community Center, as public street right-of-way for the widening of N. Melrose Drive (Ordinance)

Continued to May 23, 1990.

#### REGULAR AGENDA

- 829 Accept bid of Salem Ford New Holland, Inc. for furnishing a tractor brushcutter for \$47,400 (Purchasing Report - Bid 101)

**Disposition:** Adopted; prepare contract.

**Mayor J. E. Bud Clark**

- \* 830 Change processing of investigation and settlement of employment discrimination complaints (Ordinance; amend Code Section 3.18.020, and add Section 3.53 (5) (Previous Agenda 797)

Continued to May 23, 1990.

**Commissioner Earl Blumenauer**

- 831 Accept the report and recommendations of the Bureau of Traffic Management for the NE 47th Avenue Neighborhood Traffic Management Project (Resolution)

**Discussion:** Michael Morrissey, 2404 NE 47th, said this will help solve some of their neighborhood traffic problems.

David Cook, 2772 NE Wiberg Lane, said they have worked on this since September of 1988 and feel it will create a more livable neighborhood.

Commissioner Blumenauer said this is a hidden success story for the traffic management program and represents an incredible investment by neighbors and staff in making this project a success.

**Disposition:** Resolution No. 34726 (Y-3)

**Commissioner Bob Koch**

- 832 Declare surplus properties located at 8210 SE 13th Avenue and 3534 SE Main Street and authorize sale to Sellwood-Moreland Improvement League and Southeast Uplift, respectively (Ordinance)

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**Discussion:** Matt Henley, President, Sellwood-Moreland Improvement League, said they look forward to bringing this property officially into the neighborhood.

Leslie Goldsmith, SMILE Neighborhood Association Board member, said one important use for the building will be to store and display Sellwood historical documents.

Catherine Sohm, 7212 SE 17th Avenue, said a strong community effort can be expected for the program they hope to establish at the fire station.

Commissioner Bogle moved to remove the emergency clause. On second by Commissioner Lindberg, the motion carried. (Y-3)

Commissioner Blumenauer asked for Council direction as to whether the loan repayments are to go to the General Fund or to the Facilities Services Fund. He said he would like to see the Office of Finance and Administration and General Services reach agreement on this so Council can deal with it next week.

David Kish, Director of the Bureau of General Services, said the intent was to put the money back into the Facilities Services Fund for subsequent repairs and maintenance on other facilities that they still lease for \$1.00 a year.

**Disposition:** Passed to second reading as amended.

- 833 Declare surplus property at 1402 North River Street and authorize sale (Ordinance)

**Discussion:** Commissioner Bogle moved to remove the emergency clause. On second by Commissioner Lindberg, the motion carried. (Y-3) Bob McHugh, Sakrete President, said utilization of this property will help save twelve to fifteen jobs for City residents and create an expanded tax base.

**Disposition:** Passed to second reading as amended.

- \* 834 Pay claim totalling \$25; Mary L. Gates (Ordinance)

Continued to May 23, 1990.

- \* 835 Deny claim against the City, totalling \$76.95: Hershel Lange (Ordinance)

Continued to May 23, 1990.

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**Commissioner Mike Lindberg**

- 836 Support a cooperative regional approach to planning for open spaces, natural areas and greenways (Resolution)

**Discussion:** Commissioner Lindberg said there was no formal presentation today as they had already held a Council informal on this.

**Disposition:** Resolution No. 34727. (Y-3)

At 10:12 a.m., Council was recessed.

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A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 16TH DAY OF MAY, 1990 AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Blumenauer, Presiding; Commissioners, Bogle and Lindberg, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Adrienne Brockman, Deputy City Attorney; and Officer David Cook, Sergeant at Arms.

Council decided to hear both appeals today and allow public testimony but, because only three Council members were present, to delay the vote until next week to allow Mayor Clark and Commissioner Koch time to review tapes of the proceedings.

WEDNESDAY, 2:00 PM, MAY 16, 1990

- 837 TIME CERTAIN: 2:00 PM - Appeals of Donald & Mary Gilbertson and Adele Kaptur against decision of the Hearings Officer to approve a conditional use to build a parking lot in Columbia Park at 7701 N. Chautauqua Blvd. (Hearing; CU 3-90)

Discussion: Bob Glasscock, Planning Staff, described the project and reviewed the Hearings Officer's decision to grant approval, with conditions, of a 31-space lot adjacent to the Columbia Park pool. He said this proposal came from the Bureau of Parks and was identified as a needed project by the Parks Future Plan to provide safe lighted access to the pool and enhance accessibility for handicapped and elderly users.

Mr. Glasscock said its design and the conditions of the approval will limit the impacts on the park and on the neighborhood. The appellants, he said, feel that the project is not needed, is incompatible with the natural beauty of the park and detrimental to property values.

Mary Gilbertson, appellant, 7664 N. Chautauqua Blvd., said this lot could easily become a trouble spot for gang and other uninvited activities. She said when Dishman Pool is completed the pool clientele will go there and Columbia will be left with an eyesore for years to come. She asked that the money be allotted instead to better lighting, walkways and other improvements.

Adele Kaptur, appellant, 6841 N. Newcastle, said this is an unwise project that will have a destructive impact on the park and damage its natural beauty just for the sake of a few users. She said the Hearings Officer's report had many discrepancies and deficiencies.



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Jim Figurski, Parks Bureau, said the proposal will contribute to the safety and security of park users, especially the disabled, and is the result of an extended period of public participation and support. The lot will be well lighted and secured with locking gates during non-pool operating hours to control access.

Mr. Figurski said the lot had been carefully sited to have the least negative impact and that needed improvements to the lighting system will be done separately as part of the lights levy.

Commissioner Bogle queried Mr. Figurski about participation of the immediate neighborhood in the process, access from the street, and the number of handicapped spaces.

Mr. Figurski described the public participation process, cited the safety advantages of a drop-off zone and said a study is to be done to determine how many spaces will be reserved for the handicapped but that it will be more than the minimum of two that are required.

The following individuals spoke in opposition to the parking lot:

Bill Minard, 7826 N. Chautauqua  
Audrey Walker, 7734 N. Chautauqua  
Ronald Bonneau, 7926 N. Dana  
Mary Barrier, 7929 N. Dana  
Ada Keranen, 7836 N. Chautauqua  
Bud Launtz, 7211 N. Fowler  
Don Gilbertson, 7664 N. Chautauqua  
Barbara Workman, 40 Mile Loop  
Michael Vernon, 4052 N. Attu  
Jackie Yager, 7576 N. Fowler  
Mel Ulven, 4025 N. Winchell

Opponents said the lot is unnecessary and objected to cutting trees and other negative impacts they believe the lot will have on the park. They said it will create problems with littering and noise and attract gangs and drug dealers. They asked for additional lighting to increase security. Many said they had only recently heard of the proposal.

The following individuals supported the proposal in testimony before Council:

Austin L. Brown, 9846 N. Syracuse  
Linda Loven, 2837d N. Farragut  
Pam Arden, 1817 N. Winchell  
John Zell, 4640 NE 36th  
Kim Lathrop, 1319 SE 36th  
Fred Eckhardt, 35 NE Lombard

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Supporters said the pool is used by people from all over the area and the parking lot is badly needed to provide safe and secure access for users, particularly the elderly and handicapped.

**Disposition:** Continued to May 24, 1990.

#### REGULAR AGENDA

- 838 Appeal of Chris Harris against approval of the application of Greenlick, Pope & Werner for a zone change from R20 to R10, and a 12-lot subdivision with variances and solar adjustment, located between SW 31st and 27th, Palatine and Stephenson (Hearing; 7967/S 46-89)

**Discussion:** Miriam Hecht, Planning Bureau, reviewed staff reports and the Hearings Officer's decision.

Appellants Chris and Debbie Harris said there should be a street connection through to SW 31st and objected to the way the lots will be accessed and the reduction in street width allowed by the Hearings Officer.

John Brosy, David Evans & Associates, representing the applicant, said the applicant felt blindsided by the appeal as none of appellant's prior comments had to do with the location of the driveway. He said Mr. Harris' alternatives, to build a roadway at the bottom of the property or a brick wall the length of the property, were unacceptable. Mr. Brosy urged Council to support the Hearings Officer's decision.

Mitch Greenlick, applicant, said Mr. Harris' appeal was frivolous and that, unlike what had occurred on the adjoining subdivision, they planned to keep as many trees as possible on the three lots they plan to build on in Phase 1.

Frank Harris, brother of Chris Harris, asked why applicants had not been required to seek a variance for the road since an exception was granted because of the topography.

Ron Gephart, 11313 SW 33rd, said he was concerned about who would pay for construction of Palatine Road from 35th down to 31st.

Clyde Pope, 11535 SW 33rd, applicant, said this is a modest development of high quality and will not be detrimental to adjoining property owners.

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Fedor Manka, 3115 SW Stephenson, developer of twenty-three lots adjacent to the subdivision said he supports the development but opposes the access and asked for a buffer between his development and the one under appeal today.

Commissioner Blumenauer asked that someone from Transportation talk to Mr. Gephart about the City's street improvement policy.

Commissioner Bogle asked appellants and applicants if there was any hope of compromise.

Mr. Pope said not after fifteen years.

Commissioner Blumenauer announced that the public discussion was ended and the matter would be continued to Thursday May 23, 1990 to allow Mayor Clark and Commissioner Koch to review today's testimony before a vote was taken.

At 4:41 p.m., Council recessed.

A RECESSED MEETING OF THE COUNCIL OF THE CITY OF PORTLAND, OREGON WAS HELD THIS 17TH DAY OF MAY, 1990 AT 2:00 P.M.

THOSE PRESENT WERE: Commissioner Blumenauer, Presiding; Commissioners Koch and Lindberg, 3.

OFFICERS IN ATTENDANCE: Cay Kershner, Clerk of the Council; Ruth Spetter, Senior Deputy City Attorney; and Officer Sheridan Grippen, Sergeant at Arms.

Due to the absence of Mayor Clark and Commissioner Bogle, all items on the Consent Agenda were continued to Wednesday, May 23, 1990.

#### CONSENT AGENDA - NO DISCUSSION

##### Commissioner Earl Blumenauer

- \* 839 Revocable permit to Hamilton Events, to maintain banners on street light poles from July 15 to August 13, 1990 (Ordinance)

**Disposition:** Continued to May 23, 1990.

- \* 840 Revocable permit to Oregon Amateur Sports Foundation, Inc., to maintain banners on street light poles from June 25, 1990 to July 9, 1990 (Ordinance)

**Disposition:** Continued to May 23, 1990.

##### Commissioner Mike Lindberg

- \* 841 Grant a revocable permit to the Portland Rose Festival Association to close portions of city streets prior to the Grand Floral Parade, from 5:00 a.m. to 12:00 noon, on Saturday, June 9, 1990 (Ordinance)

**Disposition:** Continued to May 23, 1990.

- \* 842 Grant a revocable permit to the Portland Rose Festival Association to use propane cooking units in the festival center area from May 31 through June 11, 1990, and waive permit fees (Ordinance)

**Disposition:** Continued to May 23, 1990.

- \* 843 Grant revocable permit to the Portland Rose Festival Association to use Tom McCall Waterfront Park for their annual festival from May 25 through June 14, 1990, waive fees, other than park permit fees, for permits and inspection, and waive code requirements for construction of booths (Ordinance)

**Disposition:** Continued to May 23, 1990.

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- \* 844 Grant revocable permits to the Portland Rose Festival Association to hold the Junior Rose Festival Parade on June 6, 1990, and to vend and sell festival paraphernalia and certain food items along the route during the parade, and waive City license fees other than parade permit processing fees (Ordinance)

Disposition: Continued to May 23, 1990.

- \* 845 Grant revocable permits to the Portland Rose Festival Association to hold the Grand Floral Parade on June 9, 1990, and to vend and sell festival paraphernalia and certain food items along the route during the parade, and waive City license fees other than parade permit processing fees (Ordinance)

Disposition: Continued to May 23, 1990.

- \* 846 Grant revocable permits to the Portland Rose Festival Association to hold the Starlight Parade in downtown Portland on June 2, 1990, vend and sell festival paraphernalia and certain food items along the route during the parade, and waive City license fees other than parade permit processing fees (Ordinance)

Disposition: Continued to May 23, 1990.

- \* 847 Grant a revocable permit to the Portland Rose Festival Association to vend and sell Rose Festival items on downtown City sidewalks, beginning on May 15, 1990, and ending on June 25, 1990 (Ordinance)

Disposition: Continued to May 23, 1990.

- \* 848 Grant a revocable permit to the Portland Rose Festival Association to place overhead decorations within the street area of NE Martin Luther King, Jr. Boulevard between Weidler and Burnside Streets, and NE Sandy Boulevard between 37th and 47th Avenues, from May 15 through June 25, 1990 (Ordinance)

- \* 849 Grant a revocable permit to the Portland Rose Festival Association to erect and maintain flags and banners on the ornamental light standards in downtown Portland from May 15 through June 25, 1990 (Ordinance)

Disposition: Continued to May 23, 1990.

#### REGULAR AGENDA

#### Commissioner Dick Bogle

- 850 Transmit appeal of denial of Secondhand Dealer permit for Robert B. Miles, Jr., dba Thumbtacks to Cadillacs, 5016 NE Martin Luther King Boulevard; recommend denial (Report)

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**Discussion:** Henry Emrich, License Bureau, said granting this permit will aggravate already severe problems in this location.

Lt. Pat Nelson, Police Bureau, said the Police Bureau is adamantly opposed to having any secondhand store at this location, no matter who is running it.

Robert Miles, appellant, said that when he took over as manager of Dave's Shop he had cleaned up that operation and cured every one of the problems associated with it. He said he has a history that shows he can make this operation okay also. Mr. Miles said the neighborhood association refused to work with him and that another secondhand shop is being allowed to operate even closer to the area known as "Crack Alley."

Gary McGrew, License Bureau, said Mr. Miles' association with Echols Ford and David Grigonis leads the License Bureau to believe there would be the same kind of problems with Mr. Miles' operation as there have been with the others.

Commissioners stated their support of staff and Police Bureau recommendations.

**Disposition:** Appeal denied.

At 2:30 p.m., Council adjourned.

BARBARA CLARK  
Auditor of the City of Portland

*Cay Kershner*

By Cay Kershner  
Clerk of the Council