

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

September 23, 1982

Members present: Couns. Banzer, Burton, Deines, Etlinger, Kafoury,
Oleson, Rhodes, Schedeen

Members absent: Couns. Berkman, Bonner, Kirkpatrick, Williamson

Staff present: Andy Jordan, Rick Gustafson, Sonnie Russill, Andy
Cotugno, Steve Siegel, Joe Cortwright

Visitors present: Ray Barker, Ken Martin, Roxanne Nelson, Jeff
Bennett, Bruce Brewmiester, Don Arbenson, Brian
Lightcap, Clarence Kenekey

The meeting was called to order by Presiding Officer Banzer at 7:40 p.m. There were no introductions, written communications to Council or citizen communications to Council on non-agenda items at this meeting.

4. Councilor Communications

Coun. Etlinger requested that Councilors communicate with their State Senators to urge the rescheduling of the Columbia River Scenic Area Conference as soon as possible. This action, he said, could prevent neglect of this important project.

5. Consent Agenda

Motion that the Consent Agenda be approved carried unanimously (Rhodes/Kafoury).

6.1 Resolution No. 82-353, For the Purpose of Adopting the FY 1983 to Post-1986 Transportation Improvement Program and the FY 1982 Annual Element.

Motion to adopt Resolution No. 82-353 carried unanimously (Etlinger/Kafoury).

6.2 Resolution No. 82-354, For the Purpose of Amending the Functional Classification System and the Federal Aid Urban System (FAUS).

Motion to adopt Resolution No. 82-354 carried unanimously (Etlinger/Rhodes).

6.3 Resolution No. 82-351, For the Purpose of Confirming the Appointment of Raeldon Barker to the Position of Council Assistant.

Coun. Banzer explained the selection process for this position and introduced Ray Barker as the selection committee's first choice for Council Assistant. Motion to adopt Resolution No. 82-351 carried unanimously (Banzer/Oleson).

6.4 Resolution No. 82-352, In Opposition to State Ballot Measure No. 3
Limiting Property Taxes to 1½% of True Cash Value.

Motion to adopt Resolution No. 82-352 carried unanimously (Oleson/
Kafoury).

7.1 City of Portland's Request for Reconsideration of Contested Case No.
81-6.

Joe Cortwright reviewed the background of this contested case. Andy Jordan explained the Council was being asked, at their discretion, whether they would reconsider their previous decision. Because this decision was discretionary, the Council Rules regarding deadlines for reconsiderations would not apply, he said.

Ken Martin, Executive Officer of the Portland Boundary Commission, urged the Council to reconsider the case. He said the previous decision did not leave the Boundary Commission with clear direction regarding when property in the Jenne Lynd area could be annexed.

Roxanne Nelson, employee of the City of Portland Planning Bureau, requested Council reconsideration because the recent decision was not clear and therefore, the City could not make a recommendation for annexation procedures to the Boundary Commission.

Jeff Bennett, representing property owner Leonard Anderson, urged the Council not to reconsider their previous decision because annexation decisions were the responsibility of the Portland Boundary Commission. Metro should decide if annexation should occur, not when it occurs, he said.

Bruce Brewmiester, Jenne Lynd resident, asked if any decision made at this meeting would be open to public appeal. Andy Jordan explained since this decision was discretionary, no appeal process would be required but the Council could elect to hear public testimony. Bruce Brewmiester said the majority of residents would not favor reconsideration of the Council's decision.

Coun. Kafoury moved to reconsider the Contested Case No. 81-6, explaining the original decision was unclear and unworkable and the matter should be referred back to the Development Committee for clearer definition. Coun. Deines seconded the motion. The motion carried (Oleson, Deines, Schedeen, Etlinger and Kafoury voting yes; Rhodes and Burton voting no).

A motion to amend the previous motion to reconsider at this meeting and not refer the matter to the Development Committee was made (Burton/Rhodes). Coun. Kafoury challenged the motion but was overruled by the Presiding Officer. The motion carried.

Presiding Officer Banzer invited proponents and opponents of reconsideration of the case to speak for five minutes each.

Roxanne Nelson, City Planning Bureau, again urged Council reconsideration in order to provide necessary direction to the City. She said adequate public services were available to the area should annexation occur.

Don Arbenson, property owner adjacent to the area, asked the Council to make a responsible decision to insure the area would be provided with public services. He said flooding and drainage problems could be worse than Johnson Creek if adequate provisions were not made.

Bruce Brewmiester again spoke against reconsideration. He presented a map which illustrated property owners for and against urbanization of the area and challenged the City's claim that a majority of area residents supported urbanization. He said the City could not afford to provide adequate public services and the land was presently being used for suitable purposes: small farms and stables.

A vote was taken on whether to deny the City of Portland's request to include within the Urban Growth Boundary the parcels of property described as the Jenne Lynd Acres (Oleson, Deines and Kafoury voted no; Rhodes and Burton voted yes; Etlinger abstained).

A motion to refer the matter back to the Development Committee for reconsideration and to report to Council on October 7, 1982, with a recommendation (Oleson/Etlinger); carried.

Coun. Burton said the City of Portland needed to prove to the Council, before a responsible decision could be made, that adequate public services would be available to the Jenne Lynd area if annexation were to occur.

Presiding Officer Banzer announced the Development Committee would meet between the dates of October 4 and 6 and the concerned public would be informed in advance of the meeting date and time.

7.2 Resolution No. 82-355, Authorizing Appeal of Denial of Wildwood Landfill Proposal to Multnomah County Commission

Coun. Burton briefly reviewed the reasons why the County Hearing's Officer had denied Metro's request to site a landfill at Wildwood. Presiding Officer Banzer then invited concerned citizens to speak for or against authorizing appeal of the decision.

Brian Lightcap, Wildwood area resident, said he had followed the siting process closely since 1977 and was concerned that the Council had not seriously considered the available industrial sites. He also criticized the Metro citizen involvement and education process, saying he had volunteered to help with the siting process on several occasions and received no staff response. He urged that Wildwood was not a suitable site and that recycling and burning should be emphasized to resolve solid waste disposal problems.

Clarence Kenekey, Wildwood area resident, criticized Metro for not listening to DEQ and Multnomah County recommendations early in the siting

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process. He said it was obvious to him the site was not suitable and that Metro should not appeal the County's decision.

Motion authorizing appeal of denial of Wildwood landfill proposal to Multnomah County Commission (Rhodes/Kafoury) carried (Oleson, Deines, Rhodes, Banzer, Etlinger, Kafoury and Burton voting yes).

The meeting was adjourned at 10:10 p.m.

Minutes written by A. Marie Nelson