

MINUTES
Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
104 SE Kibling Avenue
Troutdale, OR 97060-2099

Tuesday, April 13, 2010

1. ROLL CALL, AGENDA UPDATE

Mayor Kight called the meeting to order at 7:00pm.

PRESENT: Mayor Kight, Councilor Hartmann, Councilor Wand, Councilor Thomas, Councilor White, and Councilor Kyle.

ABSENT: Councilor Daoust (excused).

STAFF: Ron Garzini, Interim City Administrator; Rich Faith, Community Development Director; Debbie Stickney, City Recorder; David Ross, City Attorney; Charlie Warren, Public Works Director and Erich Mueller, Finance Director.

GUESTS: None.

Mayor Kight asked is there an agenda update?

Debbie Stickney stated we would like to add a resolution to the consent agenda as Item #2.3; a copy of the resolution has been provided to you. We would also like to pull Item 2.2 off of the consent agenda and bring it back at a future meeting.

Mayor Kight stated that Councilor Wand has asked that Item 2.3 be taken off of the consent agenda and be moved to the regular agenda after Item #4.

2. CONSENT AGENDA:

2.1 ACCEPT MINUTES: February 11, 2010 and February 18, 2010 Goal Setting Work Sessions.

~~**2.2 RESOLUTION:** A resolution authorizing the Mayor to sign an Intergovernmental Agreement with Maywood Park for building services.~~

~~**2.3 RESOLUTION:** A resolution ratifying the Purchase and Sale Agreement between the City of Troutdale and New Line Development, LLC for property adjacent to Glenn Otto Park. *This item was moved to the regular agenda after Item #4.*~~

MOTION: Councilor Hartmann moved to approve the Consent Agenda. **Seconded by Councilor Kyle. Motion Passed Unanimously.**

3. PROCLAMATION: Proclaiming April 17, 2010 as Arbor Day in the City of Troutdale.

Debbie Stickney read the proclamation.

4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

None.

2.3. RESOLUTION: A resolution ratifying the Purchase and Sale Agreement between the City of Troutdale and New Line Development, LLC for property adjacent to Glenn Otto Park.

Councilor Wand asked is it our intention to pay for this from Park's acquisition SDC's?

Ron Garzini replied yes.

Councilor Wand asked is the construction complete on this particular adjacent development from the seller, and do we know if the property that we are purchasing is to remain free of mechanics liens?

David Ross replied I don't believe that construction is complete on any of the lots that are adjacent. One of the conditions of the contract is that we receive the property free of any trust deeds, and they are in the process of obtaining a partial release to get this particular track released from any of the obligations. We are examining the title right now.

Councilor Wand asked so at closing there will be a construction affidavit where they assert that there are no unpaid contractors that have done work, or design professional or engineers or things like that.

David Ross replied yes.

MOTION: Councilor Thomas moved to adopt the resolution ratifying the Purchase and Sale Agreement between the City of Troutdale and New Line Development, LLC for property adjacent to Glenn Otto Park. Seconded by Councilor White. Motion Passed Unanimously.

5. PUBLIC HEARING / RESOLUTION: A resolution providing for a Supplemental Budget for the current Fiscal Year 2009-10, budget transfers and making appropriation changes for the Sam Cox Building Maintenance Fund.

Mayor Kight read the resolution title.

Erich Mueller, Finance Director stated as part of the follow through on the creation of the Sam Cox Building Fund by the Council at a previous meeting, the Oregon Local Budget Law requires that if you establish a new fund you must hold a public hearing. We have gone through the process of doing the necessary advance notice and publication required and now we need to hold a public hearing to hear testimony on this supplemental budget. To clarify, the dollar amounts represented on the resolution are not actually transferring any money; it is just part of what is necessary to create a fund. There needs to be a budget for resources and a budget for appropriations; we are not actually moving any money with this, we are simply moving the location where we would receive the money for rental fees subsequent to March 23rd when the Council took the action to create this fund and increase the rental fees.

Council had no questions.

Mayor Kight opened the public hearing at 7:12pm and asked is there anyone here to testify on this resolution?

No testimony received.

Mayor Kight closed the public hearing at 7:12pm.

MOTION: Councilor Wand moved to adopt a resolution providing for a Supplemental Budget for the current Fiscal Year 2009-10, budget transfers and making appropriation changes for the Sam Cox Building Maintenance Fund. Seconded by Councilor Hartmann. Motion Passed Unanimously.

6. RESOLUTION: A resolution adopting a Hazard Mitigation Plan for the City of Troutdale.

Charlie Warren, Public Works Director introduced Ken Goettel, our consultant working on the Hazard Mitigation Plan for the City. He has also been simultaneously working with the cities of Fairview and Wood Village on their Hazard Mitigation Plans. This has been funded through grants from the federal government and Multnomah County, with the City contributing \$1,000.

Ken Goettel showed the Council a PowerPoint Presentation (attached as Exhibit A).

Ken Goettel stated the ideal outcome from doing this Mitigation Plan is to identify a few specific high risk situations within this community and go forth to FEMA or the State of Oregon or someplace else and get a grant to assist you with lowering the risk for the community. There are six hazards addressed in this Plan: 1) Volcanic events; 2) Floods; 3) Earthquakes; 4) Winter storms; 5) Wildland/urban interface fires; and 6) Landslides. There are six goals identified in the Plan and they are: 1) Reduce the threat to life safety; 2) Reduce the threats to Troutdale buildings, facilities and infrastructure; 3) Enhance emergency response capability, emergency planning, and post-disaster recovery; 4) Vigorously seek funding sources for mitigation actions; 5) Increase public awareness of natural hazards and

enhance education and outreach efforts; and 6) Incorporate mitigation planning into natural resource management and land use planning. For each of these goals the Plan includes mitigation action items. The Mitigation Plan is not a regulatory document; it is an educational/informational document.

Ken Goettel stated I noticed that your agenda says that you are going to adopt the Plan. This is a draft Plan only. There is a process that is outlined by FEMA for preparing and adopting these plans. We have a couple more edits to make to the draft Plan, and you may have some comments that we may want to include in the draft. Once we make our final edits then we send the Plan to Oregon Emergency Management who will make the initial review of the Plan, then it is sent to FEMA who will review the Plan and provide comments. If additional edits are required I will make those and resubmit the Plan to FEMA for a second review. Once FEMA has approved the Plan they will send the City a letter notifying you that the Plan has been approved. The effective date of the Plan will be the date that the City Council formally adopts the Plan. The Plan is effective for 5 years and during that 5 years you are eligible for all of the FEMA mitigation grant programs. You will have to update the Plan every 5 years.

Ron Garzini stated I was making a list of the fourteen things that have happened during my career and I want to mention a couple of them to see why they are not identified hazards. The city administrators have been talking about a railcar problem. As you know the railroad runs through Troutdale and they occasionally carry chemicals. During my career I actually experienced a railcar spill with toxic chemicals. We have been talking about organizing an exercise in 2011 with the communities in this area. I notice that is not mentioned as a hazard, is there a reason for that?

Ken Goettel replied yes, there are two reasons. FEMA requires communities to consider all of their major natural hazards. They encourage people to also include man-made hazards. I need to tell you about where the money came from to do this Plan. Multnomah County got a grant from FEMA to do a Flood Mitigation Plan, which is only to do the flood chapter of a multi-hazard mitigation plan. A flood only mitigation plan is kind of like a table with three legs, it doesn't work very well, so Multnomah County and myself agreed that we really wanted to do a multi-hazard mitigation plan. Fairview, Wood Village and Troutdale each contributed \$1,000 towards this effort and Multnomah County via the FEMA grant contributed \$25,000. We used the \$3,000 from the cities to say we are going to expand the plan to a multi-hazard natural hazard plan. This was a very tight budget and there really wasn't enough money to consider in detail dam failures, hazmat incidents, utility outages, terrorism, or other types of human caused hazards. Troutdale can amend this plan at any time to include additional hazards, but there really wasn't enough resources and we were already stretching and bending the FEMA rules to include the other natural hazards.

Ron Garzini stated the other one that strikes me here as a possible hazard is a plane crash. For the Council's benefit the communities in the area are in the early stages of trying to apply for FEMA funds to do a mock train accident exercise in 2011.

Councilor Wand stated our biggest natural disaster seems to involve freezing rain and snow. Does FEMA offer grants for undergrounding utility lines?

Ken Goettel replied yes. There are two grant programs that are critical to any natural hazard. There is an annual Pre-disaster Mitigation Program (PDM) and then the Post-disaster Hazard Mitigation Program that is applicable to any natural hazard. Over the years FEMA has funded a fair number of undergrounding projects for power lines, especially if there is a critical link in the system. There is an Ice Storm Hazard Map and the highest risk for an ice storm in the United States is along the Columbia River. There is certainly potential for getting a grant to underground some lines and/or to get some emergency generators to deal with the consequences of power outages from an ice storm for buildings designated as emergency shelters.

Councilor Thomas stated it is very hard to determine the delineation lines on the maps included in the plan.

Ken Goettel replied the maps that are in the original plan will be in color and they show much more clearly the delineation.

Councilor Thomas stated you talk about things of high risk like floods and 2"- 3" of ash, which immediately raised my concern about our waste water treatment plant because it is in a flood plain.

Charlie Warren stated the sewer plant is not within the floodplain because it is protected by the levy system, which is at about 40' elevation and the 100 year flood is 33'. However, a lahar event would take out the levy.

Councilor Thomas asked will staff be determining what we need to address first?

Charlie Warren replied we will continue to fine tune this Plan. The primary suggestion is to try to get the schools more involved, so I will be following up on that. We will also be addressing the other areas that we haven't studied yet, as Mr. Garzini indicated.

Councilor Kyle asked how long does it take for FEMA to approve the Plan?

Ken Goettel replied it will probably take about 3 weeks to complete this draft before it is sent to FEMA. FEMA tries to review the plans within a 45-day period.

Councilor Kyle asked Charlie do you have some grant funds identified that you will be applying for?

Charlie Warren replied I have not thought through that process yet.

Ron Garzini stated the project that we are talking about doing in 2011, Fairview has volunteered to apply for the grant funds for that exercise.

Councilor Kyle stated I would imagine that when we do apply for grants that the approved copy of this plan would go with that grant application. I have the good fortune of living next door to the main sewer treatment line that comes down the hill which has already had some leaks. I am thinking that might be something that should go on the list of hazards.

Charlie Warren replied we can keep adding to our list.

Councilor Kyle stated you talked about the schools involvement and in the event of any kind of large disaster I would think we would want to be looking to the schools.

Charlie Warren replied part of our Emergency Operations Plan addressed the issue of who is in charge and where our base is for fighting a disaster, but we haven't addressed things like where we are going to take all of the people.

Ken Goettel stated typically schools are designated as the primary emergency shelter.

Councilor White stated Councilor Kyle and I both attending a seminar on emergency preparedness and one of the things that we learned was that you are pretty much on your own for the first three days. In a major event your police and fire fighters are going to be forced to take care of their own families and homes. Could you put together an emergency preparedness checklist that we could get out to our residents.

Ken Goettel replied FEMA has publications for a homeowner that has a checklist for emergency supplies and all of the common sense individual preparation. Oregon Emergency Management has a lot of publications available in Salem.

Councilor White stated the lahar event really concerns me. Are we increasing our risk by not dredging the channel through the Sandy River? They use to maintain a channel and then for environmental reasons that has been discontinued.

Ken Goettel replied my feeling is that the volume of the lahar is so large compared to the dredging volume that it may make a 1% to 2% difference.

Charlie Warren stated it would basically be like a wall of concrete coming down the river.

Mayor Kight stated will the man-made hazards that Mr. Garzini brought up be included in this resolution, or will that be a separate document?

Ken Goettel replied separate.

Councilor Kyle stated as far as emergency preparedness information, could we put a link on our web site to some critical documents?

Ken Goettel stated there are a lot of things that homeowners can do that are very inexpensive. For example, in an earthquake gas water heaters tend to fall over and break the gas lines and gas leaks can cause fires. For \$20 you can get a strap at Home Depot and a couple of big screws and secure your water heater so it doesn't fall over. There are a lot of simple, inexpensive, and non-structural things you can do yourself.

Mayor Kight thanked Mr. Goettel and Mr. Warren for a good presentation.

7. STAFF COMMUNICATIONS

Ron Garzini, Interim City Administrator stated, over the past few days city staff has been preparing for the budget meetings. You may recall that one of the subcommittees that we established was an Organization Improvement Study Group. In the process of completing the Proposed Budget we realized that during the budget meetings there may be some suggestions on how we could better organize or streamline the city's operations. I realized the stated purpose of the Organization Improvement Study Group Subcommittee did not include a description of organizational improvement, however, it was my intention that this subcommittee would research improvements to the city's organizational structure including but not limited to those brought out in the budget process. I believe that if you are talking about contracting out services or modifying the city's structure that the city administrator should be staffing that subcommittee as well as the finance director. I would ask that the Council modify the stated purpose of this subcommittee as proposed in the redlined draft I have provided to you this evening (copy included in the packet).

MOTION: Councilor Thomas moved to adopt the new description/purpose as defined by Mr. Garzini for the Organization Improvement Study Group Subcommittee. Seconded by Councilor Kyle. Motion Passed Unanimously.

8. COUNCIL COMMUNICATIONS

Councilor Wand stated I appreciate the excused absence from the council meeting last week and I apologize for not being able to make the presentation with Councilor Daoust. There was one minor issue that I wanted to disclose to the council. We brought forward a recommendation as a package, but there is one element of the package that I didn't agree with and I was out voted by the citizen members and that is the council stipend. It was my intention, had I not been ill last week, to let the council know that while I support the recommendation of the committee as a whole; that was a portion of the recommendation that I didn't support. Secondly, we have the issue of the Gresham branch of the Multnomah County Courthouse coming up on April 22nd at the Multnomah County Commissioners meeting at 10am. What I would like to propose is that we vote to advocate in favor of the three courtroom courthouse and that we appoint a delegation so that when they are taking comments we can get put to the front of the line as one of the interested bodies. I was hoping to be part of that delegation. I wasn't sure if any of the other Councilors or the Mayor were intending to go to that meeting. I have been following this issue very closely and advocating for this courthouse for several years. The third issue I have is that I understand

that the City of Gresham is moving forward with Mayor Bemis' proposal to provide a holiday for various permit fees for redevelopment of empty storefronts and I wanted to find out if we had any information about that program and whether we have had the opportunity to look at whether that would work in Troutdale as well.

Councilor Thomas asked do you want a work session on that topic?

Councilor Wand replied I thought the first step would be to find out if staff has looked into it, or maybe give direction to staff to get some information and if it looks like it merits further consideration then we could schedule a work session.

Ron Garzini replied I would be happy to look into it.

Councilor Wand asked do we need a motion on the courthouse issue?

Mayor Kight stated I don't think we need a motion. We are only going to get one opportunity because if the issue dies regarding the courthouse it would probably be several years before it comes up again.

Councilor Wand stated what the County is considering on the 22nd is whether or not to fund the building. Six or eight months ago when we all went to the County meeting the issue then was to allocate funds for the design and for an engineers estimate, and we got that. They held an open house in the Rockwood area just a few weeks ago that I attended and it was well attended by East County. There is overwhelming support. What we really need is the three courthouse building.

Mayor Kight asked are the other Mayors from East County onboard? I assume Mayor Bemis is.

Councilor Wand replied absolutely. I am unaware of any dissent from any leader in East County to the courthouse proposal. I can't say that I have called every single leader in East County and specifically asked them, but I have been to the public meetings and I have looked around and I have talked to the people there and I have never once heard any dissent at all from anyone from East County.

Mayor Kight stated and we have the support of Commissioner McKeel.

Councilor Wand replied absolutely.

Councilor Thomas stated I would be happy with Councilor Wand being our point person to represent our perspective.

Councilor Hartmann stated you have my support.

Mayor Kight stated and mine as well.

Mayor Kight stated I want to talk for just a moment about the system development charges. The City of Gresham is kind of creating a stimulus package by forgiving system development charges and building permits on buildings under 5,000 square feet. I would ask our staff to see if we have any applicable buildings within the City. Gresham has a much larger downtown than we do but we may have some buildings such as the Thriftway building or some of the storefronts in our downtown that might otherwise expand except for the barrier of the system development charges. To that end I have asked Mr. Garzini and Mr. Faith to come up with a report regarding creating an Enterprise Zone for our downtown area. Once we have all of the details we will be bringing that to the Council.

Mayor Kight stated I would also be willing to testify regarding the courthouse if the Council would like me to appear on their behalf at the meeting on the 22nd.

Councilor Wand stated I would like us to work as a tandem if that is acceptable to the rest of the Council.

Council agreed.

Councilor Thomas asked are you talking about taking the existing Enterprise Zone and expanding it?

Mayor Kight stated that is a possibility and is probably more favorable. However, some of the restrictions of the existing Enterprise Zone may not work or be applicable to our downtown retail area.

Councilor Thomas stated I understand that but the process of creating a new one is more complex than adding to an existing one.

Councilor White stated I have a concern with the upcoming swim season. My concern is what happens if the weather gets nice prior to the Lifeguard program starting. We had a drowning last year with that very same scenario a week before the Lifeguard Program started. I was wondering if we should look at some possible solutions to avoid that from happening again.

Mayor Kight stated that program is administered by AMR. I am wondering if we couldn't contact them and ask them if they could respond and provide cover if we should happen to have an unseasonably warm weekend before they are activated. I know they go through a training process a week or two before they actually start the program.

Councilor Thomas stated they have in the past started before Memorial Day weekend when the weather has been warmer than expected, and they have ran past Labor Day when the weather has stayed warmer.

Councilor Wand stated I would want us to be cautious and make sure that AMR doesn't feel like we already have our hand out to them and now we are asking for more. Maybe we could ask that question in the sense of what would it cost and can we partner with you.

Councilor White stated we could also promote it through the media to let people know when the Lifeguard Program starts; that might be helpful.

Councilor Kyle stated regarding the conversation about waiving application fees and system development charges. If we are going to put something together I would like to see how that is going to impact us. I know the economy doesn't look like it is recovering that much right now. I don't know how successful this has been in Gresham. We have recently looked at our lack of system development charges, so I would want to be well informed before I make a decision on that. On Saturday I attended a dedication ceremony at the Troutdale Elementary School. One day a year the Kiwanis Club has a Global Community Service Day and so the Columbia River Kiwanis Club decided to paint a map of the United States in the playground at Troutdale Elementary School. The map is 20' by 30'. The Kiwanis Club put the stencil on the ground and painted the outlines and then it was up to the school kids to paint the rest of the map. I have photos on my web site at Troutdale-Oregon.com.

9. ADJOURNMENT:

MOTION: Councilor Thomas moved to adjourn. Seconded by Councilor Hartmann. Motion passed unanimously.

Meeting adjourned at 8:43pm.

Jim Kight, Mayor

Approved May 25, 2010

ATTEST:

Debbie Stickney, City Recorder