

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

Tuesday, June 24, 2008

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Thalhofer, Councilor Kight, Councilor Ripma, Councilor Thomas, Councilor Canfield, Councilor Kyle, and Councilor Daoust.

ABSENT: None.

STAFF: John Anderson, City Administrator; Jim Galloway, Public Works Director; Rich Faith, Community Development Director; Paul Hughes, Finance Director; Debbie Stickney, City Recorder; Dave Nelson, Chief of Police; David Ross, City Attorney; Beth McCallum, Senior Planner; Dick Bohlmann, Building Official; and Olaf Sweetman, Engineering Associate II.

GUESTS: See Attached.

2. CONSENT AGENDA:

- 2.1 ACCEPT MINUTES:** June 10, 2008 Regular Meeting and June 10, 2008 Work Session.
- 2.2 RESOLUTION:** A resolution providing for budget transfers and making appropriation changes for Fiscal Year 2007-08.
- 2.3 RESOLUTION:** A resolution supporting the 242nd (Hogan) Avenue Improvement Project in the 2010-13 MTIP and committing to the funding of a local match.

MOTION: Councilor Kyle moved to accept the consent agenda. Seconded by Councilor Canfield. Motion passed unanimously.

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

None.

4. PRESENTATION: National Flood Insurance Program, Community Rating System Award from FEMA Region X.

Denise Atkinson, National Flood Insurance Program (NFIP) Coordinator for the State of Oregon, stated a community can join the NFIP by adopting the minimum regulations and they comply with the minimum standards. Today it is my pleasure to recognize the City of Troutdale as a new member of the Community Rating System. The City of Troutdale has been a card carrying member of the NFIP since September 30, 1988 and you have now joined the voluntary program that goes above and beyond the minimum standards of our regulations. Part of the reward for this is that the residents in your community that have a National Flood Insurance Policy in the flood plain will receive a direct savings because of your actions. Troutdale received a Class 8 rating which equates to a 10% savings on annual flood insurance policies for residents who live in special flood hazards areas. I want to recognize some of the people that helped your community obtain this Class 8 rating: Rich Faith, John Anderson, and Elizabeth McCallum. In Oregon we have 258 communities that belong to the National Flood Insurance Program; only 33 belong to the Community Rating System. It takes a lot of effort to go above and beyond the standards to help your citizens receive this savings on their insurance policy. I wanted to thank your staff for the great job they have done.

Denise Atkinson presented the City with a plaque recognizing the City for its participation in the National Flood Insurance Program Community Rating System and receiving a Class 8 rating.

5. RESOLUTION: A resolution calling an election to submit to the voters the question of contracting a general obligation bonded indebtedness in the amount not to exceed \$4,500,000 to finance the construction of a new police station.

Chief Nelson stated on February 26, 2008 the City Council, in a work session, agreed to put a capital improvement bond on the November 4, 2008 ballot for a new police station to be sited on 2nd and Buxton/Kendall behind the City Conference Building. On June 10th the Council held another work session to discuss the length of the bond. The consensus of the Council was to put forward a 20-year bond. Tonight we have provided you with a revised redlined copy of the ballot title and a revised relined copy of the resolution. The bond that we will be seeking would be for \$4.5 million and it would cost the residents approximately \$.37 per \$1,000 of assessed value of their home, not the real market value (the tax on a \$200,000 home would be approximately \$74 per year). As you may recall during a work session the consultants (via a phone conference call) discussed the results of the phone polling with you. The results of the phone poll came back very positive using the figure of \$4 million and \$.31 per \$1,000. There are two main reasons for the increase from \$4 million to \$4.5 million. One is that the size of the building has increased by approximately 4,000 square feet which drives the overall cost of the project up. The second reason is because the fees are higher than we anticipated. We are comfortable with the \$4.5 million estimate. In my staff report I have provided three options for the Council to consider: 1) approve the resolution as presented (revised version); 2) approve the resolution with amendments made by the Council; or 3) do not approve the resolution.

Councilor Daoust stated I remember that when the phone poll was done, the support from the public grew every time we let them know what the current circumstances were. I was

wondering if we have enough information included in the summary section of the ballot title that describes what the current circumstances are.

Chief Nelson replied we are limited to 175 words in the summary. We will also be preparing an explanatory statement which we will have 500 words to explain the purpose and needs. That has not yet been drafted.

Councilor Kight stated it bothers me when governments are building new buildings and they collect a system development charge, which for all intents and purposes is a tax. Have they explored the idea of either reducing the system development charges or forgiving them all together?

Chief Nelson replied I don't believe that is allowed under state law.

Councilor Kight asked how firm is the number of \$4.5 million?

Chief Nelson replied the most current figure from the architects is \$4.7 million. We will continue to work to reduce that number. Their projection of the building is still larger than what we really need, so we are going to continue to shrink that. There are other areas where we can reduce the costs of the facility.

Councilor Kight stated so unlike other government agencies, when they go out for bond measures it ends up doubling in price, there is no margin for error in this particular case. We are held to that \$4.5 million figure.

Chief Nelson replied we are held to it or we wouldn't build it, or we would have to find additional finances.

John Anderson stated the City Attorney and Recorder had one more additional change to the revised notice of bond election. In the first paragraph, insert Multnomah County after the City of Troutdale.

Mayor Thalhoffer asked is there anyone here that would like to speak to us on this issue?

No testimony received.

MOTION: Councilor Canfield moved that the City Council approve the revised resolution calling an election to submit to the voters the question of contracting a general obligation bonded indebtedness in an amount not to exceed \$4.5 million to finance the construction of a new police station. Seconded by Councilor Kight.

Councilor Canfield stated the fact is we need a new police station and there is no way around that, so I will support the motion.

Councilor Kight stated I think our Police Chief has made a very compelling argument as to why we need a new police station. Our current building was formerly a bank building and it is a cinder block building. The Police Department themselves, with volunteers, built a second level in the building so that they could have locker room space and space for offices on the second floor. They have utilized every square inch of this building and there is no place for them to go. We keep adding more police officers. Those of us that have been in that building realize they have outgrown the facility. The other thing that bothers me is having our police cars in an open parking lot exposing them to vandalism. We really need this new facility and hopefully the voters will support it.

Councilor Daoust stated the more the people know the more they will support this and that was proven by the polling that was done prior to us getting to this point. When you told the people what the current situation was, every point that was passed by them they thought it was all the better idea to have a new police station. It is pretty obvious to me that if we keep at this and point out the need for it the people will hopefully support this, and I hope they do.

Councilor Ripma stated I agree. This is a very badly needed investment and we need to make it for the good of Troutdale.

Councilor Thomas stated this is a challenge. I agree that this probably needs to be replaced. One of the things that I am finding when I am talking to people is I don't think there is the support out there considering the amount of money that they are having to fork out now for taxes and cost of living. I do intend to campaign for this, but as a representative of the people I can't vote for it tonight.

Mayor Thalhofer stated I am certainly going to vote for it tonight. It is something that we badly need. When you have police cars and police equipment and all of the other things that the officers use in their daily work of protecting the public, they need to have the cars and equipment secure, which right now they don't have. I think we probably have the best police department in the state and all of the members of this department need to have room to work. With the City Council supporting this I think there is a good possibility it will pass. It is never easy, we know that. But we also know that we can pass these measures if we all get behind it and go out and talk to the people and explain it to them so that they really understand.

VOTE: Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Kight – Yes; Councilor Ripma – Yes; Councilor Thomas – No; Mayor Thalhofer – Yes; Councilor Canfield – Yes.

Motion Passed 6 – 1.

6. RESOLUTION: A resolution establishing and revising specific fees and charges and rescinding Resolution No. 1821.

Paul Hughes, Finance Director, stated before you is a staff report recommending adoption of a resolution approving an amended fees and charges schedule. Periodically staff reviews the schedule and recommends changes or additions. The latest review did result in several recommendations for both the police department and the community development department. Staff does believe that the recommended fees are reasonable. Within the staff report I have listed out each of the recommended changes or additions to the schedule.

Paul Hughes reviewed the items in the proposed fees and charges schedule that were a new fee or a changed fee (whether it was an increase or decrease). (These items are outlined in the staff report and in Exhibit A of the staff report, which is a redlined copy of the fees and charges schedule.)

Councilor Kyle stated I noticed that we have a police officer charge for special events. Is that for events like SummerFest, Bite and Bluegrass and McMenamins?

Chief Nelson stated historically we were charging people who rented the Sam Cox Building that were going to have alcohol. There are times when we are asked for services that are not associated with a community event. The best example is the Edgefield concerts. They reimburse us for our services. For regular community events we are not asking to be reimbursed for our time.

Councilor Kight stated item 4.u, investigation fee for contractors found in violation for starting work with permits. How is that handled today?

Dick Bohlmann, Building Official, replied that is the way it is handled today and it has been that way ever since I have been here for the last nine years. That is what the state recommends.

Councilor Kight asked how often does that occur?

Dick Bohlmann replied probably at least once a month.

Councilor Kight asked do you believe that during the course of your investigation that it is by intent that they are doing this, or were they unaware that they needed to get a permit for the type of work that they were doing.

Dick Bohlmann replied usually it is intent.

Councilor Ripma stated the sign permit fee, item 4.l, my concern is that the Troutdale Historical Society is raising money for the Centennial Arch Monument and it is going to be built this summer. The monument is classified as a sign and I am concerned that there is going to be a massive fee and I am wondering if I am right.

Dick Bohlmann stated formerly this was based on the Uniform Building Code (UBC) which has been abolished in the State of Oregon. We now have the Oregon Structural Specialty Code and it will be based on the valuation of the sign.

Councilor Ripma stated it is about a \$250,000 sign. Attachment G indicates that anything with a value from \$100,000 to \$500,000 is \$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000. When does this take effect?

Paul Hughes replied upon adoption.

Councilor Ripma asked how much is the fee now for putting up a sign?

Dick Bohlmann replied it is normally done by the valuation of the sign but we have eliminated the UBC language.

Rich Faith stated there may be some confusion between a sign permit under the Development Code versus the sign permit under the Building Code. As we have reviewed this proposed arch, I had determined that it was an exempt sign under the Development Code, therefore there is no need for a sign permit according to the Development Code but that doesn't exempt it from the Building Code if that applies to a structure of this type and I believe that what we are talking about is a structure and it is subject to the Building Code and the permit requirements thereof.

Councilor Ripma asked if someone was building a \$250,000 sign right now, before we adopt this, how much is the fee?

Dick Bohlmann replied the fee would be the same because the UBC has been abolished and we have been mandated by the State to use this fee structure. This is just a language cleanup to remove the language referencing the 1997 UBC because it is no longer in effect. We are utilizing the fee table as set forth by the State of Oregon at this time, and it is the same fee schedule that is used by every municipality.

David Ross stated I think the question is under the code as it exists today, what would be the fee for a \$250,000 sign.

Dick Bohlmann replied it would be \$993.75 plus \$5.60 per \$1,000.

Councilor Ripma stated so there is no change in the fee.

Dick Bohlmann replied correct.

Paul Hughes stated you had asked when these fees take effect and I responded upon adoption, that is incorrect. These fees will take effect on July 1st.

Councilor Thomas stated on the fee for special events it says there is a minimum of 4 hours and the hourly charge will be calculated at the time of the request. What is the basis that we are going to calculate that on?

Chief Nelson replied it would be the hourly rate of the officer that will be working that event. The officers have different hourly rates. The best example is the Edgefield concerts. Officers sign up for the events and we calculate the hourly rate and/or overtime rate, including benefits and we multiply that by a minimum of 4 hours or the actual number of hours if the event is longer than 4 hours.

Councilor Thomas asked is there an administrative fee also added?

Chief Nelson replied we have not been including that, we have just been charging the actual cost to the City.

Councilor Thomas stated that seems fair. The other question I have is about the re-inspection fee.

Dick Bohlmann stated presently the re-inspection fees range from \$65 to \$85. We are trying to consolidate them so they are all \$65.

Councilor Thomas stated one of the concerns I have, and I think we raised the same concern when we were looking at the fire code, was that the re-inspection fee tends to put a bad taste in people's mouth. If you are going out and checking to see if they did the job right you are charging \$65.

Dick Bohlmann replied no, only if they fail to make the corrections or didn't abide by the Code purposely or if they go over the projected assignments for inspections. For example there is a numeric value on everything on an electrical permit, 2 inspections, 4 inspections, etc. If they go over that and have 5 inspections on a 2 inspection job you are supposed to charge for the re-inspections. We normally don't do that unless it is a flagrant situation.

Councilor Canfield stated when I talk to my neighbors about the fees they say we already pay taxes so why do we have to pay extra fees. I never have an answer for them. Can you give me an answer for that question?

Paul Hughes replied that is a very good question and communities address it differently. Some communities want fees that are much higher than any fee in our fee schedule because they want to collect what they call full cost recovery meaning above and beyond what you pay in your property tax you also need to pay for 100% of whatever service you are receiving in the city beyond your normal public safety services. Other cities look at it differently and say that we will collect 50% or 25%. So it is anywhere between some number and 100%. We all know that our general fund can not survive on property taxes alone. The services that we supply to the city far outweigh what we collect in property taxes. If we didn't have our building fees, franchise fees, etc., the services that we would provide to the citizens would definitely depreciate.

Councilor Canfield stated did you try to estimate on the totality of all of these proposed fee increases how much revenue would be generated.

Paul Hughes replied no, I did not go through that process.

Councilor Canfield asked do you have a guess?

Paul Hughes replied I don't.

Mayor Thalhoffer asked is there anyone here that would like to speak to us on this matter?

Kelly Turner, resident, stated as I was listening to the discussion I was thinking that you do a lot of copying and they want to charge a lot of fees for that paper. Some of those possibly could be done in an email document instead of copying. I work at the community college and we are going paperless and so there is a lot of scanning that we do, so that might be a suggestion. I just hear fees, fees, fees. As a resident you just don't know what you are going to be hit with to do something. I have a difficult time with that. Maybe there could be an updated citizen alert. When I first moved here there was a welcome wagon and they brought me a wealth of information. I would like to see something like that. What percentage of the fees actually pay for what? I heard the word general fund. Some of those questions I would like to see answered before any vote is taken to approve any increases. Councilor Ripma, your concern was very valid. You have an interest because of this sign and unless you had that concern you wouldn't have questioned that fee. As you all vote these things in, if you don't have an immediate need or a thought for something, it is easy to say yes.

MOTION: Councilor Daoust moved to adopt the resolution establishing and revising specific fess and charges and rescinding Resolution No. 1821. Seconded by Councilor Kight.

Councilor Daoust stated that was a good point about the concern about fees. I think we all have a concern about fees because we have to pay them also. When I listen to our Finance Director and pay attention to what he says, in order to make the city services whole and be able to provide the services that we do, we need these fees. It is not just a surplus collection, but we actually need them to provide the services. It kind of puts into context this whole charging of fees for a city to survive. I think public education on what these fees are and what they apply to is critical, I thought that was a very good point. We need to make the people aware of what these fees are now if they are going to be doing any kind of activity that requires a fee. Putting it all in context I think we really do need to pay attention to what the fees should be.

Councilor Kight stated I personally am involved in a building project here in Troutdale and some of these increases in fees I am going to be paying, so I am thinking twice about supporting them. We are not charging 100% of the cost recovery. There is the raw materials, whether it is a disc, tape, paper, etc. the higher cost of course if the labor cost of the employee doing the work. I think the building department in the past has been very judicious in determining whether or not some of these fees apply. We have an excellent building department, as well as the building inspectors. I think they try to treat the public fairly as much as possible. I am sure that the increase in the

fees, for all of the departments, will be used to offset some of the costs that otherwise we could not recover, and that is why I am supporting this.

Councilor Kyle stated I wanted to thank the resident for coming and talking to us. I think that anytime you make copies it does take time by the city employee. I think that anytime those city documents can be emailed, it is a great idea because it saves us paper. I know that at least in the last year the City Council received a lot of our communications at our home via email, except for our council packets. We have all made an effort to save the city money and time and we do get those documents in a PDF file and I appreciate that. I don't always print them out. I will support this. I do want to thank you for having the courage to come up here and talk to us.

Councilor Ripma stated I also will support this. Regarding the point made about saving copies, I think the City does allow for folks to receive faxes and not be charged a copy fee so that is an option. When they do use the copier it does cause wear and tear and use of resources. She did make a good point that if there is a fee that you are focused on, that causes you to realize how high the fees are. In the case of my concern about the Centennial Arch, I just didn't realize how much the building fee was going to be, but it is a small fraction of the cost to build it and it will actually take City staff time to review all of the engineering drawings and prepare all of the necessary permits and that is what the fees are for. Once I understood that it didn't really represent a change in that fee, I can support it. That is a good point that you really do focus on the fees that you are faced with having to pay.

Councilor Thomas stated I do appreciate the testimony regarding the fees. I think we need to find a way to let people know what they might need to purchase. I don't know that we do a good job as a city of communicating that. The couple of times that I have done home projects I had to call the city to find out what I needed. I don't know if there is a better way for us to get that kind of information to residents. Hopefully the fees are a cost recovery; that is really what they are intended to be.

Mayor Thalsofer asked aren't all of these fees on our web site and if not can't they be?

Paul Hughes replied yes they can be put on the web page.

Mayor Thalsofer stated I think that anytime people want to do something in this city by way of remodeling their home they can go to our web page and find out how much they have to pay. Fees, fees, fees. We are going to continue to have them. In some cases we try to recover the cost of doing the service but in most cases we are just trying to recover part of the cost. The fees are here to stay whether we like it or not.

Councilor Canfield stated our Finance Director is right; we can not live on the general fund alone. On the other hand I would have liked to have seen a little more information. What are the costs to the services that we are going to be adding fees to and how much would we be recovering. I talk to my neighbors and it is all about what is in it for them. When I do business with the City and have to pay fees, what is in it for

me. The answer always seems to be for the City, well this is what is in it for the city. Maybe we need to do a better job of letting people know what is in it for them; that the general fund doesn't cover it all. We are going to do our best to make sure that not everyone has to pay for everything and that is why we want to charge only those who are using the service to pay for it as much as possible. I hate to do this, but I will support the motion

VOTE: Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Kight – Yes; Councilor Ripma – Yes; Councilor Thomas – No; Mayor Thalhofer – Yes; Councilor Canfield – Yes.

Motion Passed 6 – 1.

7. MOTION: A motion to authorize City staff to post a 25 MPH speed limit on SW Hensley Road from SW 257th Avenue to SW Cherry Park Road, in accordance with ORS 810.180.

Olaf Sweetman, Engineer Associate II, stated I am here to seek your direction on whether to change the posted speed limit on SW Hensley Road. Currently it is posted at 30mph. That appears to be a holdover from when that was part of the primary north/south route. When SW 257th was extended ODOT rescinded that 30mph Speed Order and it should have reverted to 25mph. That didn't happen. The County and the City have maintained that 30mph posting. This was discovered by some research I was doing, prompted by some repeated accidents on SW Hensley Road, especially on the corner adjacent to Sunrise Park. Through this research I discovered this rescinded order and I looked at the state laws as to what the correct speed limit would be. Because there are so many houses and access points off of SW Hensley Road, it turns out that it qualifies as a "residence district" and the correct speed limit would be 25mph. At the 25mph speed limit, it would allow the residents to pursue having speed humps on that road, which may remedy the accident situation. Under the Council adopted Speed Hump Evaluation Plan, you can not pursue speed humps at anything above 25mph. We have provided notice to at least 360 households and properties along SW Hensley Road of this proposed action and informed them of the meeting tonight. I received six written responses (Exhibit B). I would summarize them as having five responses that generally favor reducing the speed limit; however, two of those five and also the sixth response oppose the construction of speed humps.

Councilor Kight stated there are two issues; one is changing the speed limit to 25mph. The second issue is at the corner where vehicles have ended up in the front yard of the houses at 2026 and 2032 SW Hensley. Are we also attempting to correct that problem at this corner?

Olaf Sweetman replied there is not a lot that we can do to prevent that from happening. Last summer we installed some measures to try and increase driver awareness of the corner. We installed larger, brighter signs. We put in some rumble bars to alert drivers that something is coming up. We put messages on the road indicating there is a curve ahead with a speed limit of 15mph. Even with those measures the accidents still continue to occur. We could construct some more improvements along that corner. We looked into building a guardrail,

providing a concrete barrier and that is just not an appropriate site for that kind of construction.

Councilor Kight asked are these houses set back quite a ways off of the road?

Olaf Sweetman replied the houses themselves are, but one of the properties has a block retaining or landscape wall that is probably 10' to 15' off of the road and the next house over has a fence and some landscaping.

Councilor Kight asked have the cars penetrated the concrete block wall?

Olaf Sweetman replied yes, multiple times.

Councilor Kight asked what do you see as the cure for that? Obviously the signage and rumble bars were ignored. Are we talking about drunk drivers here, do you know?

Olaf Sweetman replied it is hard to say because not all of the offenders are captured by the police. I think it is fair to say that most of these are occurring late at night. I believe in one police report they did determine that the person was intoxicated.

Councilor Kight asked what is the lighting like? Is there plenty of lighting at that corner?

Olaf Sweetman replied I imagine there are streetlights along that road, I don't know exactly what the lighting is like at the corner.

Councilor Kight stated I wonder if it is a lighting issue and they are not seeing the curve.

Olaf Sweetman stated I don't think it is a lighting issue because the signs we put in are highly visible. The signs are retro-reflective signs and they shine right back at you and there is a big arrow.

Councilor Kight stated obviously that is not working. What do you see as the next step so these folks stop having cars in their yards?

Olaf Sweetman replied we are going to most likely be pursuing some additional improvements between the curb and sidewalk along there that would possibly increase visibility of the corner. If we were to reduce the speed limit to 25mph then the residents could pursue speed humps and if they were able to get speed humps constructed under the plan adopted by Council, then I think that might limit the number of drivers who are using Hensley Road as a pass-through from 257th to Cherry Park Road. That might reduce the frequency of accidents.

Councilor Kight asked is there any plan in the future on the east side of Hensley as you travel north-south to put sidewalks in?

Olaf Sweetman replied I think there is a plan to do that at some point, but I don't think it is in the near future.

Councilor Kight asked do you think by dropping the speed limit down to 25mph that is going to change anything unless you add some kind of enforcement component to it?

Olaf Sweetman replied I don't think the speed limit by itself is really going to change it that much, unless like you say the police were to step up enforcement. I think the main thing it does is it allows the neighbors to pursue speed humps.

Councilor Kight asked can the speed humps be put just before the curve whether you are going south or east?

Olaf Sweetman replied no, I don't think they can be put right before the curve. That would present a safety issue.

Councilor Kight asked how far back would they have to be in order for them to be effective and also meet the law?

Olaf Sweetman replied I am not certain at this point; I would need to look into that.

Councilor Kight asked do you think that will help that issue at the curve if there are speed humps on either side?

Olaf Sweetman replied I believe so. I think it may reduce the amount of pass-through traffic and I think a lot of the people that are speeding through there are probably trying to get from one end to the other. It would also slow vehicles down in general because it will launch your vehicle if you go over a speed hump at a high speed.

Councilor Kight asked is it your recommendation that there be more than two speed humps on Hensley?

Olaf Sweetman replied I believe there has to be a minimum of two in a row, and there would probably be a set on each approach. Overall there would probably be at least four.

Councilor Ripma stated what we are considering tonight is just reducing the speed limit. The speed humps wouldn't be mandated by something we do tonight, they would just be allowed, is that correct?

Olaf Sweetman replied that is correct. The motion being presented is only to change the posted speed limit. There is a Council adopted Speed Hump Evaluation Plan that requires a number of steps to take place before they are actually constructed.

Councilor Ripma stated if we were to agree to lower the posted speed limit to 25mph, that doesn't decide the speed hump issue either way, it just leaves it as an option for the

residents. I guess if we didn't reduce the speed limit it would decide it because speed humps wouldn't be allowed.

Olaf Sweetman replied correct.

Councilor Ripma stated it sounds like the current posting of 30mph is not supported by a speed order, which is the way speed limits are established in Oregon. I was wondering if it is unenforceable the way it is. If someone was currently given a ticket for going over 30mph and there is no speed order supporting the 30mph speed limit I would think that ticket could be challenged.

Olaf Sweetman stated I have asked about that and you might think that would be correct. However, what I understand is what is actually enforced in court is what is posted on the signs.

Councilor Ripma stated that is a relief.

Councilor Thomas stated I was quite surprised to see that is wasn't 25mph. It is in a residential area and the standard residential area speed limit is 25mph. I know there is a process to go through to get the speed humps, and hopefully the residents will do that to help alleviate traffic.

Mayor Thalhoffer stated I drive that frequently and there is a tendency to go fast through there. 25mph will slow people down a little bit but what would really slow them down is the speed humps. Speed humps can be very effective.

Councilor Canfield stated I don't have any questions about the proposed 25mph speed limit; that is a residential area and that is what the speed limit is supposed to be. I do have a question about the accidents that have occurred on Hensley Road. Has the staff given thought to just putting stop signs on either side of the dogleg there to make folks come to a complete stop?

Olaf Sweetman replied that has been requested but it is not a proper site for stop signs because it is not an intersection, it is just a curve on a road, albeit a very sharp curve.

Councilor Canfield stated so a big stop sign or a flashing stop light, even though it might help reduce the problem of people speeding around the turn and crashing, you are saying that it would not be a proper use of a stop sign.

Olaf Sweetman replied that is correct because it is just a curve on a road and you don't put stop signs on curves. You would probably have high incidents of people disregarding the sign, and then you would have less regard for stop signs in general.

Councilor Canfield stated I have seen that in other cities, they call it a safety stop. There are a couple of them in Eugene. I think the speed humps work also.

Mayor Thalhoffer asked is there anyone here who would like to speak to us on this issue?

Jim Davis, Troutdale resident (lives on Hensley Road), stated about two years ago I borrowed the City's radar speed gun. Officer Storagee showed me how to use it and calibrate it. I parked out on Hensley about midway between the two corners where the park is and where the Post Office is. I found people generally going not less than 35, typically 40mph. There were a few going 45mph. Within 15 minutes I got a 70mph hit on that road. It is long and straight and kids use it for a drag strip. I am really in favor of lowering the speed limit and then doing something else to try and control the speed limit, such as the speed humps.

Karen Davis, Troutdale resident (lives on Hensley Road), stated we live at the site of the most recent accident on Hensley. We have lived there for almost 30 years and there have been numerous accidents. Sometimes we have been able to catch the people because they were in our yard, but more often than not it was late at night and they left the scene and we are left with the damage. This last accident was almost \$6,000 in damage that our insurance company had to pay. There is a park with a cross walk right there. Yes, I have a vested interest because it is my house that is getting damaged, but when someone comes around that corner and there are people walking on both sides of the street all of the time, if that happens at the wrong time I think you would have some responsibility because it is your park. We like the idea of a stop sign. It may not be realistic, but it is probably going to take a lot of different things to slow the vehicles down. Something needs to be done, so we are in favor of lowering the speed limit first but please consider that it is your park.

Kelly Turner, Troutdale resident (property backs to Hensley Road), stated we hear vehicles peeling out in the gravel. Tonight I just walked across the street to the neighbors house to ride here with them and a guy almost hit me right at the cross walk. If folks are traveling too fast then they don't see you trying to cross the street. I think something needs to be done, the stop sign, speed humps or something. You can tell that folks aren't driving 30mph by just listening to the vehicles passing. I support the lower speed limit.

Michael McRae, Troutdale resident (lives on Hensley Road), stated I have the property that the vehicles keep plowing through the concrete wall. On the map in your packet you are not showing the property where the vehicle actually went through the house about two years ago. (Mr. McRae identified this lot on the map for the Council). They came around the corner so fast that they lost control and jumped over the sidewalk and plowed right through the house. I have spoken to Olaf so many times about what to do and there is no recourse for me. I have lost count of how many cars have gone through my wall. The last vehicle that came through actually went over the block wall and through my hedge. The reason I put that hedge there was to show people as they come around the corner that there is a corner there. I want to repair my wall but I can't because numerous times people keep plowing through there; I have to pay for that. If I claim it on my insurance each time, my insurance goes up.

Mr. McRae explained to the Council what he has heard and seen happen with the most recent accidents that have occurred. I appreciate the questions that some of you were asking; that is the question that I have been trying to ask Olaf, why can't they put a stop sign

here. It should slow people down. I am in favor of reducing the speed limit and for speed humps. I don't think that dropping the speed limit is going to help any except that it will then allow us to get the speed humps. You brought up the lighting issue; there is no light in the corner. There is a light where my mailbox used to be, it is not on the corner. A light in the corner would definitely help. I just want to know what can be done so that I can finish my wall and feel like I can pull out of my driveway without getting creamed.

Councilor Thomas asked Mr. Galloway, is there a way that we can get the lighting authority to put in some additional street lights?

Jim Galloway replied we can ask the Mid County Lighting District.

Councilor Thomas stated I think that would be worthwhile. I know it will take six months or so to get through the speed hump process.

Michael McRae stated the speed humps are a good thing. I think the immediate thing that could happen right now is stop signs. I have asked Olaf but he feels it isn't something that would help.

Lorne Mitchell, resident, stated obviously there is no argument about changing the speed from 30 to 25mph. The rumble strips are meant to give you a heads up that something is coming, but they are too far away. There must be a reason that they are placed where they are. If you go with speed humps I would like to have some kind of guarantee that people will be able to drive over those speed humps at the speed of 25mph. I have a speed hump in my neighborhood and you can not go over that speed hump at 25mph without first making sure that your shocks and springs work in your vehicle. I read in one of the letters in the packet that an individual had indicated that there is no parking for Sunrise Park. I come up 257th and turn right on Hensley and I have seen up to as many as six vehicles parked in the corner and some of them are starting to stick out into the roadway. You may want to think about providing some parking further south of the entrance to the park. That would eliminate a lot of the vehicles being parked on the corner. Lowering the speed limit, all I can say is that right now you have people that are doing 35mph in the 30mph zone; if you lower it to 25mph they will be doing 35mph in the 25mph zone. I would like to see the statistics that the police department may have regarding accidents in this area, i.e. age group, alcohol involved, condition of the vehicle, etc. They only mention three accidents. It is a dangerous corner; it is especially a dangerous location for a crosswalk. You do need some additional lights there. Going east bound on Hensley towards the curve, right at the curve there are four fir trees that are fully matured and they cause a lot of shadowing at night on that corner, which makes it one dark corner at night.

Michael McCrae stated after this last accident I went to the police department and asked why we couldn't use the radar trailer to collect data so that you could see the true speed that people are driving in this area. The answer I got was that it is just sitting there; that is the only response I received. I am trying to understand why that can't be used; it seems like a very logical thing to do.

Chief Nelson stated I do know that we had to get the speed radar re-calibrated so we were not using it for awhile. That has now been completed, so it should be ready to go.

Jim Davis asked Chief Nelson, does the radar trailer just show the speed or does it log data?

Chief Nelson replied it logs data into the computer that is in the trailer and then we download the information.

Jeri Anderson, resident, stated we have lived on Hensley for 25 to 30 years so we have seen a lot of changes. I use to walk my children to the bus stop around that corner when it was still the pit/dump and the trucks were traveling through there. We made adjustments and we went to the schools and asked for the bus stops to be changed and they finally acknowledge us when someone got hurt. I am hoping that this isn't one of those situations. I do like the idea of the stop signs. I don't like speed humps, but again we do what we have to do with the changes that are there. I did send an email, which I am sure you have read. I have several concerns, one of which is you don't even see the 30mph speed sign because it is up in the trees. When they put in the little strips in front of my house you didn't even notify me. I would think that you would like to humor us and maybe put stop signs in and try them out, along with some of the other fairly inexpensive ideas. You could actually go 55mph around that corner if you want to; I have seen them. It is very scary and it is very dangerous.

Councilor Kight stated Olaf, I heard your comments about the stop sign but as indicated by the people who live on that corner they would like to see stop signs. If we were to go ahead and put stop signs at that corner, at the same time could we also put speed humps behind the stop signs?

Olaf Sweetman replied I think both of those would be recommended against by the general engineering practices. You don't put a stop sign at a curve and you don't put speed humps right before a curve.

Councilor Kight asked is there ever an exception?

Olaf Sweetman replied it sounds like there might be one in Eugene. I would say we tend to shy away from going against the general engineering practices.

Councilor Kight stated obviously we have a problem with people driving through people's yards and houses. I don't really hear a cure to the problem. Why couldn't we try it? Is there any state law prohibiting us from trying it?

Jim Galloway, Public Works Director, stated I think Olaf has given a pretty good explanation of why a stop sign would not be appropriate. There is a national document, the Manual of Uniform Traffic Control Devices which has some very explicit language citing that stop signs should not be used for traffic calming purposes. The state has adopted that document and I think the city has as well. I don't know that I would go as far to say that it would be illegal for the City to put up such a sign. I would advise against it. You are the decision makers and we are going to do what you tell us to do. I think that we need to keep in mind that if we do

deviate from the general engineering practices as Olaf has explained, I think there is some risk associated with that and we would probably want to consider those before we make that decision.

Councilor Kight asked are there other traffic calming devices that we could put in? I know that the City of Portland uses a lot of different types of devices to get people to slow down. If the stop signs will not work, what other device would work on that corner? Obviously the rumble strips aren't doing anything.

Olaf Sweetman replied they are probably increasing awareness somewhat. Personally I think the speed humps would be the best option at this point. We did look into some other options such as the planting strips but in order to put something like that in the road it would affect the alignment in a way that we didn't like. The basic issue is that is a very sharp curve and in order to improve the alignment you would have to obtain right-of-way.

Councilor Kight stated then we are coming back full-circle to the stop signs. I know what the data supports but this is maybe an unusual situation and we have to experiment on our own and see what actually works. Is that true?

Jim Galloway replied I don't believe that you are breaking any law. You are certainly going against standard practice by putting a stop sign there. One of the things to consider is that you have folks who are causing the problems now who are disregarding the speed signs and disregarding curve arrows. I am not sure what makes us think that they will suddenly start obeying stop signs.

Councilor Kight stated I am saying a stop sign in combination with the speed humps. I think a case could be made when you have a crosswalk that people use to go to a park.

Councilor Canfield stated you mention risks involved with putting up stop signs. What risks would you be referring to?

Jim Galloway replied if there should be some type of a situation that occurs there, an accident of some sort, and the party to that accident were to complain that the accident occurred because there was a stop sign there, I think the City would be in a difficult situation having put up traffic controlling devices in a situation where they were generally prohibited by standard practices.

Councilor Canfield stated we can have staff look into what kind of a risk we would be talking about.

Jim Galloway stated I am not sure exactly what the risk is unless something happens. That is kind of hard to predict.

Councilor Canfield asked what would be the risk if the City failed to mitigate the current cause of the crashes?

Jim Galloway replied I don't know that there is any liability there, but we can look into that.

MOTION: Councilor Thomas moved to authorize City staff to post a 25mph speed limit on SW Hensley Road from SW 257th Avenue to SW Cherry Park Road, in accordance with ORS 810.180. Seconded by Councilor Kight.

Councilor Thomas stated I think that we should have had a 25mph speed limit there all along; I always thought it was. I think in addition to that I think we should ask staff to look at the other options, street lights for example and hopefully raising better awareness of that corner. If we can't see the signs we should make sure those are visible. I hope that the neighbors pursue the speed hump process. I think that would be the best resolution to try and slow down the speed.

Councilor Kight stated this probably should have been done some time ago. I think we are a little remiss in reacting so slowly to this. Mr. McCrae made some compelling arguments as to why we need to take extreme measures, not only to protect the immediate property owners from having their property damaged and potentially their lives, also the people using the crosswalk to access the park. There is a whole host of different ways to address this. One would be stop signs. I know it is not standard practice but it could be tried and see what happens. I think that in combination with the speed humps makes a lot of sense. We need to increase the lighting in the corner so they can see it. There are a lot of mature trees there blocking the light. I think enforcement is really important. I hope we get that motorcycle officer out there again; that is very effective. And then lets move the trailer out there so we can see what speeds people are traveling through that neighborhood so that we can have some documentation maybe before and after.

Councilor Kyle stated I am going to support this and hopefully the neighbors will get on the speed hump process. Jim, were you going to check on the lighting there?

Jim Galloway replied yes.

Councilor Daoust stated I use Sunrise Park a lot and I have used the crosswalk on the corner and it is a scary feeling going across that crosswalk because there are blind spots. The speed limit is the easy part and I will obviously support the change. I think it behooves the Council to direct staff to look into the other things also. It would be very prudent for us to do that.

Councilor Ripma stated I am glad this is a situation where we can lower the speed limit because it isn't that easy most of the time. I live on Troutdale Road and we had to fight for years to get the speed limit changed. In this case we can lower the speed limit to 25mph because of the anomaly that it doesn't have a speed order and it is a residential area and I certainly support doing that. I support the lighting idea, which is going to be looked into. If stop signs are not an option, I understand the rationale but I would be willing to risk that. Maybe some sort of center curb around the corner or something. There has to be other things to look into. This is obviously a dangerous

situation. Lets do the 25mph speed limit change which will allow the neighbors to petition for speed humps and keep working on it.

Mayor Thalsofer stated what we are really talking about here is posting the speed limit at 25mph and that will allow the neighbors to petition for the installation of speed humps. I think speed humps will do a lot to slow people down. We need to light up that corner and I think we can make that happen. We can try those measures and if those don't work then we can try something else until we find something that will work. It is a very dangerous corner.

Councilor Canfield stated I will support the motion to make the speed limit 25mph but I think we have all agreed we need to do the other things such as the extra lighting, extra enforcement. I know that the standards are there for a reason, but I would bet that if the people who created those engineering safety standards came to this specific intersection I think we could change their mind about proper use of stop signs as a traffic calming device. To me it is common sense, some people might go through the stop sign but most people will not. If we don't do anything someone is going to get killed there.

VOTE: Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Kight – Yes; Councilor Ripma – Yes; Councilor Thomas – Yes; Mayor Thalsofer – Yes; Councilor Canfield – Yes.

Motion Passed 7 – 0.

Mayor Thalsofer called for a break at 9:16pm and reconvened the meeting at 9:30pm.

8. DISCUSSION: Process for selecting the next City Administrator

John Anderson, City Administrator, stated I have recently announced my retirement effective October 31, 2008. The purpose of this agenda item is to provide Council with some general guidelines and options for filling my position. If the Council would like to hold an executive session, which councils often do for the interview process, there are four steps that the City needs to go through: 1) advertise the vacancy; 2) adopt regular procedures for hiring; 3) give the public the opportunity to comment on the employment of a new city administrator; and 4) adopt standards, criteria and policy directives that will be used in the recruitment and hiring process. Having the staff report this evening and giving the public the opportunity to address it meets those standards. We have provided you with two options for your consideration. Option A is to conduct an internal recruitment process and Option B is to conduct a broader regional, state-wide or national recruitment. There are two exhibits with the staff report, the current job description and draft city administrator selection process guidelines.

Councilor Daoust asked on Exhibit A, the job description, when we say that the grade is "on contract", what exactly do we mean by that?

John Anderson replied that means that it is an exception to the city-wide pay ranges. We have three contract employees, the City Administrator, City Attorney and the Municipal Judge

so those are set separately and are not part of the matrix that sets the salary for all other employees including department heads.

Councilor Daoust stated but we list the starting salary as \$100,030.

John Anderson stated that is a reference to what my currently salary would be effective July 1, 2008.

Councilor Daoust stated in the job description when you talk about experience and education it states that a typical way to obtain the required knowledge and abilities would be to possess a Bachelor's degree in public administration or, and this is where my question is, a related field with a minimum of five years of progressively responsible local government management experience. Could you interpret that for me?

John Anderson replied a person in a department started out in a lower level position and became a supervisor and then became a department head, they have had progressively more responsible management experience. They are on a more career oriented track so they might have become an assistant city manager or a deputy city administrator. More and more the market place has gotten very tight and cities are more frequently hiring internally.

Councilor Kight asked you indicate that the current job description and salary may need to be updated. Have you identified those areas that need to be changed in the job description?

John Anderson replied in that case I wasn't referring specifically to the elements in the job description. I was referring to the salary, as it is currently set, in looking at comparable cities that have been recruiting for this position in the last two years that are of similar size. It is salary related not the job description.

Councilor Kight stated so lets focus on the area that needs to be changed. You already indicated in your comments that the job market is tight. Are you saying that we are under market?

John Anderson replied yes. That doesn't mean that you can't be successful, I am just relaying what is happening currently.

Councilor Kight asked give us an example?

John Anderson replied the City of Damascus, which is a new city, is around 10,000 in population. They had a difficult time filling the position but the city manager there was hired at \$120,000. The City of Dallas, Oregon which is at approximately 14,500 population recently advertised at \$100,000 to \$130,000 and they ended up hiring internally.

Councilor Kight asked in Exhibit B, is there anything that needs to be updated other than the salary that we just discussed?

John Anderson replied that is the only item that needs to be updated. This was the guideline that you used to fill the position when you selected me.

Councilor Ripma stated the proposal is to post the in-house posting from June 23rd until 5pm on July 1st. Is that a fair amount of time? It seems kind of short.

John Anderson replied it is relatively short but we generally use three days for internal recruitments. It can run longer than that.

Councilor Thomas stated I don't have any questions. I actually favor doing the internal recruitment first.

Mayor Thalhoffer stated it seems to me that where ever possible in any organization when you have vacancies if you can promote from within your existing work force that does wonders for your morale, if you have qualified people. I think we have qualified people in our organization who can do the job and that is why I strongly recommend it.

Councilor Canfield stated I don't have any questions. I also think we should go through the internal recruitment and selection process first. There are qualified candidates according to the Mayor and we should give our employees the first chance if that is the case.

Councilor Kight asked what are we looking at timeframe wise?

John Anderson stated the idea is that you have a work session scheduled for July 8th. If you have screened the applications by then, you could schedule the interviews that evening following the work session. While you are looking at Exhibit B, if you look at item number 1, it says starting salary to be determined by contract. The salary I listed there will give you a benchmark of where I would be. Depending on the level of experience the person you hire has, that is something that you would be negotiating.

MOTION: Councilor Thomas moved to approve the job description for the City Administrator position, as defined in Exhibit A, as written. Seconded by Councilor Canfield.

VOTE: Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Kight – Yes; Councilor Ripma – Yes; Councilor Thomas – Yes; Mayor Thalhoffer – Yes; Councilor Canfield – Yes.

Motion Passed 7 – 0.

MOTION: Councilor Thomas moved to approve the City Administrator Selection Process, Exhibit B, as written, which includes the draft in-house job posting. Seconded by Councilor Daoust.

Councilor Thomas stated I think the schedule is very doable and it gives us an opportunity to move quickly on the process. If there is a qualified person within the city to bring into that position it will allow them time to start working with our existing City Administrator to learn the ropes and it will provide for a much better transition.

Councilor Daoust stated I am comfortable with the process as it is outlined.

Councilor Kight stated I think this is a great process. It allows people within the organization to move up.

Mayor Thalhofer stated I favor the process.

Councilor Canfield stated I support the process. With everything going on we need to have this done sooner rather than later.

VOTE: Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Kight – Yes; Councilor Ripma – Yes; Councilor Thomas – Yes; Mayor Thalhofer – Yes; Councilor Canfield – Yes.

Motion Passed 7 – 0.

9. STAFF COMMUNICATIONS

None.

10. COUNCIL COMMUNICATIONS

Councilor Kyle reminded residents that the Troutdale Bite and Bluegrass Festival will be held on July 12th in downtown starting at noon.

Councilor Daoust stated that the Troutdale Booster Club met earlier today and they decided to donate \$1,000 to the Centennial Arch Monument. The Forest Service is working on a new parking lot at the Sandy River Delta. There will be a work day this Saturday from 9am to 1pm where people can volunteer to help build a one-mile trail that will go out to the Confluence Projects, Maya Lin's Bird Blind that will be built out by the Columbia River. The dedication of the Bird Blind will be held on August 23rd.

Councilor Kight reminded folks to be safe on July 4th and to use common sense when handling fireworks.

Councilor Ripma thanked the Booster Club for their donation to the Centennial Arch. The Booster Club, like anyone else who donates \$1,000 or more, will have their name permanently inscribed on the monument. We are guaranteeing that anyone who makes a

\$1,000 or higher donation before July 15th will have their name on monument. Construction should begin in August and should be completed by our 101st birthday. Happy 4th of July.

Councilor Thomas wished everyone a happy 4th of July.

Mayor Thalhoffer also wished everyone a happy 4th of July. I will be participating in the Corbett parade, as I have every year. The Corbett parade is one of the finest parades around. I want everyone to be safe and to also think about why we are celebrating the 4th of July. Folks should think about the folks serving in our armed forces helping to keep our country free.

Councilor Canfield stated the Mayor is right; the Corbett parade is the best parade around. I want to thank Greg McIntire and the rest of the staff at the City's Water Pollution Control Facility. I went on a tour of the plant and I had a lot of fun seeing how the plant operates; it is a fascinating process.

11. ADJOURNMENT:

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor Kight. Motion passed unanimously.

Meeting adjourned at 10:00pm.

Paul Thalhoffer, Mayor

Approved July 22, 2008

ATTEST:

Debbie Stickney, City Recorder