

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

Tuesday, November 25, 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: Dave Nelson, City Administrator; David Ross, City Attorney; Travis Hultin, Chief Engineer, and Sarah Skroch, Deputy City Recorder.

GUESTS: See attached list.

2. CONSENT AGENDA:

2.1 RESOLUTION: A resolution approving a drainage license with McMenamins Inc. for discharge from Well #5.

2.2 RESOLUTION: A resolution recognizing the completion of the public improvements associated with the Estates at Riverbend West residential subdivision and accepting them into the City's Fixed Asset System.

MOTION: Councilor Ripma moved to adopt the consent agenda. Seconded by Councilor Thomas. Motion Passed Unanimously.

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

None.

4. PUBLIC HEARING / ORDINANCE (Introduced 10/28/08): An Ordinance amending Section 12.04.025 of the Troutdale Municipal Code allowing the installation of self-contained toilet facilities in certain outdoor recreational areas.

Mayor Thalhofer opened the Public Hearing at 7:04pm.

Travis Hultin, Chief Engineer, stated I'm here to present the second reading of a proposed ordinance adoption that would allow for the installation of self contained toilet facilities in certain outdoor recreational areas. I brought this to you for the first reading about a month ago. I will try to summarize it quickly. This was first brought to our attention by McMenamins

in the development of their golf course expansion. The concern that they raised was why not provide restroom facilities for their patrons. The location where they would need the restroom facilities was considerably removed from the rest of the buildings and other facilities on the property. They wanted to know if they could install self contained toilet facilities so they would not have to be plumbed to the sewer system which would be somewhat impractical to do. We took a look and determined it was probably something that should be allowed in certain locations where providing plumbed sewer service was not practical. At the first reading of the ordinance a couple of questions were raised that I would like to get back to you on. The primary concerns were relative to odor. One request that the Council made was to include a setback suggested at 200 feet. That has been built into the revised language of the ordinance and simply states no such facility will be built within 200 feet of the adjoining property line. As far as the detectable aspects of odor control as it relates to these types of facilities, I had to do some research. There are two categories for these types of restrooms. The first type is vault style which essentially is a holding tank that has to be pumped out on a regular basis and there is no treatment of the material before it is removed. The other type is a composting facility and it does perform biological treatment within the vault of the facility itself. This biological breakdown is aided by a bulking agent such as wood chips or bark dust which is added on a routine basis to keep that process going. The composting toilets, because of the biological breakdown, reduce the amount of waste material considerably. Both types of facilities use a passive ventilation system. They are designed and oriented so airflow comes in through vents on the side walls of the facility, travels down through the toilet, and out through a vent stack that is raised above the roofline. With the vault style nothing is really done to eliminate the odor, it is just kept away from the occupant. The way the airflow travels, it is forced to travel one direction so it is always going down the toilet and out the vent so the person using it doesn't experience odor problems. However, those odors are vented out the stack and with the right wind could potentially smell. With the composting facilities the odor can be reduced by the biological breakdown process and they claim that there is virtually no odor. There are some ideas out there for treatment of the odor but no one sells a product. You would have to basically make them yourself. The most promising one is a carbon filter, a carbon impregnated foam in the vent stack, and requires an exhaust fan. That would remove a great deal of odor that would pass through it. You would have to make each one yourself and they have to be replaced quite frequently so it is not really practical. That would also require the addition of an exhaust fan which has to be powered but could be solar powered. You asked me to look into odor regulations that might be available from other jurisdictions. What I found is that they are all fairly general. The problem is that odor is not something you can objectively measure. There has been a system designed to measure odor however the way that it's measured is you have a panel of experienced "sniffers" who will smell something and grade it on a numerical scale in a variety of categories that gives you a smell rating. There are instruments out there for aiding that process but they all come back to subjective judgment. When you look at other cities ordinances you just see statements such as shall not produce offensive odors or odors of any kind. But it doesn't list an amount of odor units. The Mayor had some concerns about cleanliness. I tried to look into that and wasn't able to find anything to indicate who, if anyone, regulates the cleanliness of a commercial restroom or if anyone has any duties to inspect or enforce such regulations. I'm not saying that they aren't out there but while I was researching I didn't find anyone like

that. With the addition of the 200 foot setback language, staff would recommend that council adopt this ordinance.

Councilor Ripma stated the ordinance wording specifies that the restroom must self contain waste for periodic removal. That could be for either the vault or composting type?

Travis Hultin replied correct. What we are trying to get out there is that we don't want to suggest that you can put in a septic field, a drain field, or anything that could drain out to the ground water.

Mayor Thalhoffer asked did you speak with the Oregon State or Multnomah County Health Department?

Travis Hultin replied I didn't speak to anyone there. I went to the Oregon State Health Division website and did about a dozen different searches and mostly came up with cosmetology rules. I couldn't get anything in the neighborhood of what I was looking for. A little more time and making some calls, I might be able to get more definitive information on that. Whether or not it affects the ordinance, I'm not sure? I would be happy to do that if you would like me to put some more time into it.

Mayor Thalhoffer stated I've seen horribly unsanitary restrooms before. I think if it's unsanitary to that extent then it could very well cause disease. If you find the time to check it out, it would be good if we made sure that the public wasn't exposed to any diseases because of unsanitary conditions within the restroom. But I'm not going to hold up this ordinance. I think you've done a good job answering the basic questions we've asked you.

Councilor Canfield asked has McMenamins indicated to the City whether their preference would be for a vault or composting toilet?

Travis Hultin replied I think they are keeping their options open. My impression when we first talked about this was that they were leaning towards the composting facilities.

Councilor Canfield asked is there anything that would prevent us from allowing only composting toilets in this ordinance?

Travis Hultin replied not that I'm aware of. I believe Council could make that restriction if they wished to.

Councilor Canfield stated since the main concern was smell, I think it's something we should probably do.

Councilor Daoust asked have you seen recently on the news about the City of Portland public toilet facility?

Travis Hultin replied I do know that the building code was recently revised to allow such facilities even inside buildings in the State of Oregon. I haven't read that code so I don't know what the parameters or restrictions are. I know that the City of Portland has allowed 7 facilities to be installed.

Councilor Daoust asked do you know if they are hooked up to the sewer system or are they stand alone?

Travis Hultin replied I don't know the answer to that.

Councilor Daoust stated I got the impression that they were stand alone but I'm not sure. The only thing we have in favor here are wind directions. We either have an east wind or south west wind which for the most part of the year keeps it away from the neighborhoods.

Travis Hultin replied that would be in the McMenamins case. That would not necessarily be the only case.

Councilor Kight asked has McMenamins shown the location where these toilet facilities are going to be located?

Travis Hultin replied when they first came in with their pre-application materials when they were planning their golf course expansion they were conceptually located near the east end of the golf course near the jail and the second was far to the west.

Councilor Kight asked how close were they to some of the houses?

Travis Hultin replied on the conceptual plan it wasn't right next to the property line, probably somewhere in the neighborhood of the setback that we specified, if not more.

Councilor Kight stated I think they ought to be using composting toilets. Is there any downside to that particular unit that you are aware of?

Travis Hultin replied no. It's hard to say on cost because there isn't that big of a difference between the two types. If it were me, it would be a no brainer and I would go right to the composting type. There may be other considerations that I'm not thinking about. The only concern that I have with these is that it does require that bulking material be added on a regular basis. The way I've seen that done in some State Parks is that they have a bucket of saw dust and a sign that says when you are finished please put one scoop in the toilet. But they have golf course maintenance folks out there that are maintaining the golf course on a regular basis and I'm sure they can check in on them.

Mayor Thalhofer closed the public hearing at 7:20pm.

MOTION: Councilor Thomas moved to adopt the ordinance amending section 12.04.025 of the Troutdale Municipal Code allowing for the installation of

self contained toilet facilities in certain outdoor recreational areas with the addition of the requirement for composting toilets. Seconded by Councilor Daoust.

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

Motion Passed 7 - 0.

5. JPACT NOMINATIONS: A vote on the nominations for the JPACT Member and Alternate to represent Gresham, Troutdale, Fairview and Wood Village. The 2-year term begins on January 1, 2009.

Member – Shane Bemis, Mayor of Gresham

Alternate – Dave Fuller, Mayor of Wood Village

Mayor Thalsofer stated at the 4 Cities meeting, we nominated Shane Bemis, Mayor of Gresham and Alternate Dave Fuller, Mayor of Wood Village.

MOTION: Councilor Ripma moved that Troutdale endorse the selection and nominate Shane Bemis, Mayor of Gresham as the JPACT Representative and Dave Fuller, Mayor of Wood Village as the Alternate. Seconded by Councilor Canfield.

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

Motion Passed 7 - 0.

Mayor Thalsofer stated we will submit that to the City of Gresham at the earliest possible date.

6. STAFF COMMUNICATIONS

Dave Nelson, City Administrator, stated I have a reminder that the Parks and Facilities Crews are having an open house on Thursday, December 4th between 11:00am and 1:00pm at their new Parks Facility. There will be some light refreshments and tours if any of you can make that. Also, next Tuesday, December 2nd is the Committee Interviews here in the Council Chambers at 7:00pm.

7. COUNCIL COMMUNICATIONS

The City Council wished everyone a happy Thanksgiving.

Mayor Thalhoffer stated I hope we all keep in mind the less fortunate among us and also the men and women in the armed forces who are in harm's way throughout the world, particularly in Afghanistan and Iraq.

Councilor Kyle stated about 6 weeks ago Bess Wills from Gresham Ford was here talking about the Shop Local Effort. This is a really truly a \$1,000 shopping spree. You need to sign up daily and of course shop local. The drawing will be on Monday, December 1st. I believe the website to sign up is www.shoplocal.org. If that is not correct, please contact the local Chamber of Commerce at 503-669-7473.

Councilor Daoust stated the lights in downtown Troutdale look wonderful as we get ready for the holiday season.

Councilor Kight stated we have a lot to be thankful for in this Country. But there are some folks that because of the economic situation have lost employment. The pantries in East Multnomah County, as far as providing emergency food service, are very low. I would remind folks that the next time you go to the grocery store to pick up a couple extra cans of food for SnowCap and other groups. They could certainly use them now.

8. ADJOURNMENT

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

Meeting adjourned at 7:27pm.

Jim Kight, Mayor

Approved February 10, 2009

ATTEST:

Sarah Skroch, Deputy City Recorder