

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

Tuesday, July 24, 2007

1. ROLL CALL

Mayor Thalhofer called the meeting to order at 7:47pm.

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

ABSENT: Councilor Thomas (excused) and Councilor Daoust (excused).

STAFF: John Anderson, City Administrator; Debbie Stickney, City Recorder and Dave Nelson, Chief of Police

GUESTS: Gus Lian, Gresham Fire Marshall

2. Discussion: A discussion regarding backyard burning ban.
--

Chief Nelson stated Gus Lian has asked to speak to the Council about a possible ordinance change to implement a backyard burning ban. Mr. Faith informed me this morning that a member of our Citizens Advisory Committee (CAC), Glen White, has indicated that if there is going to be an ordinance regarding a backyard burning ban he would like to have the CAC take a look at this issue.

Gus Lian, Gresham Fire Marshall, stated I have presented this information to the Three City User Group and each of the participants agreed that this should be brought forward to the councils at the three cities. In the spring I had a dialog with the Gresham Council regarding a change to our ordinance dealing with burn requirements due to the increased densities that we have throughout the jurisdiction. I need to stress that is not just in Gresham, it is throughout the jurisdiction. With the densities we have had increasing complaints from neighbors because of noxious smoke odors. We are finding that people who are burning backyard debris aren't just burning yard debris, they are burning plastics, rubber, construction material and in many cases their garbage. So this is really a health risk to many people. We are not the small agricultural community that we use to be and we have seen a great influx in building in which Troutdale has been a major part of as have the other cities. With that change we are always having to address the livability of our citizens. Many jurisdictions throughout our area have already enacted burn restrictions. One of the things that goes with this is the ever increasing response calls that we have. Across the jurisdiction we respond to over 300 calls; there are over 200 when an engine company has to respond; an additional 50 that we have responses by the investigators; another 50 the calls turn out not to be an illegal

burn but there is a complaint involved with that. Anytime we take an engine company out of service we are delaying them from responding to a real emergency. We run at about 87% medical calls in the jurisdiction. It also causes wear and tear on our apparatus. Since enacting this in Gresham our complaint calls are down. In Troutdale there were 16 calls last year. It is not a large amount, but if you take those 16 calls and average that out to what could have been an emergency medical call during that time, if even one of those was an engine company out of service for a medical call, that is significant. There are many alternatives to backyard burning. The recycling efforts with the curbside pickups; folks are composting; we have organized community clean-up days; and local recycling centers. Metro has a program where they allow neighborhood associations up to a \$5,000 credit for recycled material. So if a neighborhood association arranges for a dumpster and they collect yard debris in the dumpster, Metro will accept that free of charge up to \$5,000. The way I designed this program was in the first few years we would allow people to burn ten days in the spring and ten days in the fall. I felt that the ten days was fair for the first few years to get people use to other methods of getting rid of their year debris. I realize that it will take a great deal of public education to get this program off and running because people have been burning for years. I have provided you with a copy of some of the material we provide to help educate folks (copies included in the packet). We have also included language in Gresham's ordinance that makes a violation of this code a Class A violation and we can now cite folks into court under our code.

Councilor Ripma stated Troutdale is different then parts of Gresham. I am not in favor of adopting an ordinance which would eventually ban burning. I think the DEQ rules have worked well for Troutdale. If we adopted an ordinance like Gresham has, I am not sure if that would cause more calls or fewer calls. I have lived here a long time and I just don't recall any problems with yard debris burning.

Mayor Thalhofer asked what kind of calls were the 16 calls you had in Troutdale last year?

Gus Lian replied they were illegal burn calls in which a fire engine and crew are dispatched.

Mayor Thalhofer stated I have never received any requests for imposing regulations for more burning prohibition then we already have. With only 16 calls in a year from Troutdale, that is not very many. I understand that an engine has to go out on all those calls.

Gus Lian stated when I receive complaints I haven't been forwarding those to you, I just handle them.

Mayor Thalhofer asked are those complaints included in the 16 calls?

Gus Lian replied no. There are times when we can handle the complaint over the phone or by sending an investigator or inspector out.

Mayor Thalhofer stated some of us don't want to impose more regulations on our citizens. I am not opposed to having the CAC visit this issue and make a recommendation to the Council.

Councilor Canfield asked were all 16 calls actually illegal burns?

Gus Lian replied yes, they were burning on a non-approved burn day.

Councilor Canfield asked so if we restricted burn days how would that reduce the calls?

Gus Lian replied because people are use to burning and they think they can burn whenever they want to. If you enact the burn restrictions to the degree that people understand that they can't burn and there will be a penalty if they do burn, then folks will seek alternatives. What I told the Gresham Council is that we won't go out and just start citing people because they were burning, we would educate them.

Councilor Canfield stated I am on the fence on this. I wouldn't object to having one of our committees look at this, but I think the Public Safety Advisory Committee (PSAC) would be the proper committee.

Councilor Kyle stated was there any property damage on the 16 calls last year?

Gus Lian replied if there was property damage that would come in as a fire call not as an unauthorized burn. It would take me a considerable amount of time to try and figure that out.

Councilor Kyle stated I think this is something that the CAC should look at. I wouldn't support this based on the information that we have tonight but I would be open-minded if I had some information that tells me that maybe we should consider it.

Councilor Kight asked did any of the 16 calls contain illegal material?

Gus Lian replied I don't know; that information is not in the report.

Councilor Kight stated I am wondering if we came up with some language that addressed repeat offenders where a fine could be imposed, if that would help with the enforcement.

Gus Lian stated if we came out of this with some code language in Troutdale that addressed the folks that repeatedly violated the established burn regulations, that would be a step in the right direction.

Councilor Kight stated I think I share the rest of the council's idea to have this go to the CAC or the PSAC.

Mayor Thalhofer asked is it the desire of the Council to defer this to the CAC?

Councilor Canfield stated actually I would like to hear the Chief's opinion on where he thinks this matter should be deferred to.

Chief Nelson replied when we created the PSAC they were set up to deal with police, fire, medical and emergency management issues. This issue would fit under those criteria. I think we could hold a joint meeting with the CAC for this issue.

Council agreed to have the PSAC and CAC hold a joint meeting to discuss this matter.

3. Adjourn:

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

Meeting adjourned at 8:38pm

Paul Thalhofer, Mayor

Dated: Approved Aug. 28, 2007

ATTEST:

Debbie Stickney, City Recorder