


# CITY OF TROUTDALE

AGENDA  
CITY COUNCIL MEETING - COUNCIL CHAMBERS  
TROUTDALE CITY HALL  
104 SE KIBLING AVENUE  
TROUTDALE, OR 97060

7:00 P.M. -- MARCH 28, 1989

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:  
2.1 Accept: Minutes of 3/14/89 - Regular Mtg.
- (A) 3. PUBLIC COMMENT:  
Please restrict comments to non-agenda items at this time.
- (A) 4. RESOLUTION: Supporting the Regional Transportation Funding Proposal
- (A) 5. AUTHORIZE: Community Services Director to Prepare Report for North Graham Road L.I.D.
- (A) 6. REPORT: Council Initiated L.I.D. -- Marine Drive/Sundial Road and Authorize Engineering Contract
- (A) 7. ESTABLISH: Oversight Committee for Edgefield Manor Process
- (A) 8. DEPARTMENT REPORTS (Carried Forward from March 14, 1989):
  - Public Safety
  - Finance
  - Community Services
  - City Attorney
  - Executive
- (A) 9. COUNCIL CONCERNS AND INITIATIVES
- (A) 10. ADJOURNMENT.

  
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Sam K. Cox, Mayor  
Dated: 3/21/89

EX[7.31]  
Tue 8:45:07

M I N U T E S  
TROUTDALE CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
104 SE KIBLING AVENUE  
TROUTDALE, OR 97060

MARCH 28, 1989

ITEM #1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Cox called the meeting to order at 7:00 p.m.

Councilor Jacobs led the Pledge of Allegiance.

Valerie Raglione, City Recorder, called the roll.

PRESENT: Burgin, Fowler, Jacobs, Schmunk, Thalhofer, Cox

EXCUSED: Bui - arriving late

STAFF: Christian, Collier, Gazewood, Raglione, Wilder

PRESS: Webb Reubal, Oregonian  
Robin Franzen, Gresham Outlook

GUESTS: Jim Wakeman

AGENDA UPDATE: There were no changes.

ITEM #2 - CONSENT AGENDA:

Mayor Cox read the consent agenda.

MOTION: Burgin moved to approve the consent agenda, as written (2.1 Minutes of 3/14/89 regular Council meeting). Fowler seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #3 - PUBLIC COMMENT:

Mayor Cox called for public comment.

Mr. Jim Wakeman, 1209 SW 26th, Troutdale, Oregon asked if DEQ had contacted City staff regarding a public hearing on the proposed tire recycling plant to be located in the City.

Christian stated that if there were to be a hearing, DEQ would schedule

the hearing themselves because under the City's ordinances, the site in question meets all City standards for that type of use.

ITEM #4 - RESOLUTION (SUPPORTING THE REGIONAL TRANSPORTATION FUNDING PROPOSAL) TAPE 1 2:44 #736-R:

Mayor Cox read the resolution by title.

Schmunk, the City's Joint Policy Advisory Committee on Transportation (JPACT) and East Multnomah County Transportation Committee (EMCTC) representative, gave background information on this item. The Regional Transportation Plan Update of 1988 identified significant transportation improvement requirements for East Multnomah County and the rest of the Portland region for the next ten years. The requirements are the result of area analysis and transportation modeling. The improvements are critical for implementation of local comprehensive plans, continuing economic growth, alleviating existing transportation problems, and maintaining livability of the region. The identification and securing of adequate funds is critical to ensure that the improvements are made within the needed time frame. JPACT and the public-private Task Force on Transit Finance and the Business Task Force on Regional Transportation Priorities have developed funding recommendations to address a balanced system of improvements for both highway and transit needs for the next ten years. One funding source of great concern is the payroll tax. The payroll tax is extended to include all employers (i.e., local governments, private, non-profit corporations, and schools).

Schmunk stated that the City is not being asked to approve a new tax, but to support the whole resolution "package". EMCTC would like to have the four cities' full agreement of the "package" so it can be sent to the State Legislature.

MOTION: Fowler moved not to support the entire Regional Transportation Funding Proposal resolution package. Thalhofer seconded the motion.

Burgin asked Schmunk if Gresham rejected the entire package.

Schmunk stated yes. Gresham voted down the resolution that would have the package go back to EMCTC.

Burgin asked if it would be possible to support the resolution less the payroll tax, and stated that he would be in support of such a resolution.

Schmunk stated that the Council could add the exception of the payroll tax to the resolution before them.

Thalhofer stated that he would be in favor of the resolution with the elimination of the payroll tax.

Mayor Cox asked Fowler if he would like to amend his motion by excluding the payroll tax.

MOTION: Fowler moved to support the Regional Transportation Funding Proposal resolution excluding the portion regarding payroll tax on local governments and school districts. Thalhofer seconded the motion.

Thalhofer asked for clarification on the vehicle registration funding source.

Wilder stated that, as he understood it, the vehicle registration fee would be based on the valuation of a vehicle rather than the current registration flat fee of \$25.00.

Fowler stated that he was not in favor of the resolution package in any way and amended his motion.

MOTION: Fowler moved to send the entire funding proposal back to EMCTC unsigned without any support or changes in any way, shape or form. Thalhofer seconded the motion.

Thalhofer asked for further clarification regarding the vehicle registration fee before he made any other decision to support or oppose the package.

Schmunk stated that the registration fee is only a one-time "user" fee, and that it would only be increased by \$20.00.

Burgin stated that an increase in revenues for public transportation is needed and needs to be funded somehow.

Schmunk stated that one of the problems with transit projects like this is that they are not self-supporting right away, and that they need special funding to get them on their feet and to maintain them so taxes like this are necessary.

Thalhofer stated that he wanted to withdraw his second to Fowler's last motion.

Mayor Cox called for a second for Fowler's last motion. None was given.

Christian stated that about a year ago, Council adopted a resolution for the original regional funding package. In that original package, the increase in the vehicle registration fee was included in that package, but the payroll tax portion was not.

Mayor Cox called for any other motions.

MOTION: Burgin moved for Council support of Regional Transportation Funding Proposal resolution as presented with the exception of Section IV C2 Subsection E (payroll tax). Thalhofer seconded the motion.

YEAS: 4  
(FOWLER) NAYS: 1

ABSTAINED: 0

Burgin - Yea; Fowler - Nay; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #5 - AUTHORIZE COMMUNITY SERVICES DIRECTOR TO PREPARE REPORT FOR NORTH GRAHAM ROAD L.I.D. TAPE 1 24:40:

Wilder stated that the City had received a request from a property owner, Kenneth B. Fletcher, to extend sewer and water services and to construct a new service roadway. A sewer pump station may be required as well. Mr. Fletcher intends to subdivide the property (Tax Lot 25, Section 24, T1N, R3E - .66 acre lot) into approximately six smaller (one acre or so) parcels for a small industrial park or other similar use. Preliminary engineering estimates are that the project will total approximately \$130,000.00.

At this point, staff is requesting Council authorization to investigate the feasibility of this L.I.D. and to prepare an L.I.D. report for Council's review and possible adoption.

Christian stated that with all of these property owner-requested L.I.D.'s going on, the City will be able to have a larger bond sale if the decision is made to bancroft the L.I.D. assessments, which means they would be spread over a ten to twenty year period at a reasonable interest rate for property owners.

Burgin asked what percentage of this project would be City-shared?

Wilder stated none, unless the City contributed to the engineering costs.

MOTION: Burgin moved to authorize the Community Services Department to prepare an L.I.D. feasibility report for Council review. Fowler seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #6 - REPORT (COUNCIL-INITIATED L.I.D. -- MARINE DRIVE/SUNDIAL ROAD AND AUTHORIZE ENGINEERING CONTRACT) TAPE 1 27:52:

Wilder stated that the engineer's estimate for this L.I.D. is \$750,000.00 and that \$100,000.00 is contingency. He stated that the \$100,000.00 will probably not have to be spent, but needs to be left in until the engineering work is finished because of some unknown factors along Marine Drive and Sundial Road (i.e., high water tables, large boulders, glacial eratics, etc.). Because of these unknown factors, staff is asking, prior to the formation of the L.I.D., that Council authorize the contracting of engineering services

Wilder stated both water and sewer lines all the way out Marine Drive underneath the railroad tracks to service the recently annexed property currently under development, as well as serving Port property (the Port is in favor), provide services on Sundial Road where there are none now. Wilder stated that it would require a sewage lift station also. In the future, it would provide services to yet, unannexed areas to the north, however sizing provisions would be made for those future extensions.

Mayor Cox called for questions. There were none.

Wilder stated that staff was asking for authorization of securing services of a consulting engineer. A selection process for that with 4 engineers were reviewed. There were six evaluators in the selection process and the consensus was for recommendation of David Newton & Associates of Portland.

MOTION: Thalhofer moved to accept the Community Services Report on the proposed Local Improvement District for Marine Drive/Sundial Road Water/Sewer Facilities Extension; and, authorize commitment to engineering services to David Newton & Associates of Portland. Burgin seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Burgin - Yea; Fowler- Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #7 - ESTABLISH OVERSIGHT COMMITTEE FOR EDGEFIELD MANOR PROCESS  
TAPE 2 2:30:

Mayor Cox stated that the oversight committee would be made up of County and City members. Mayor Cox recommended Sharon Nesbitt and Marge Schmunk to be on the Oversight Committee.

Mayor Cox stated that this was recommendation only. Christian stated that this was a stopgap measure until the Council had the opportunity to hear the entire issue, including Planning Commission recommendations. This would be an extremely shortlived committee.

Consensus of the Council on the recommendations of Sharon Nesbitt and Marge Schmunk was unanimous. There were no other recommendations.

ITEM #8 - DEPARTMENT REPORTS:

Mayor Cox stated that this had been continued from the last meeting.

Public Safety: Chief Collier had nothing to add. There were no questions. Mayor Cox thanked the Department for all the care given to the children at the Easter Egg Hunt.

Finance: Gazewood had nothing to add. There were no questions.

Community Services: Wilder had nothing to add. There were no questions.

City Attorney: Not in attendance.

Executive: Christian stated that the surplus property sale was held on March 20, 1989. The property was sold to the 1 attending bidder...Mr. Donald M. Bennett for the minimum price set (\$171,000.00) The City Attorney will be handling the closing (60 days as established by Council). There will be a report after the closing.

Christian stated that a March 27 memo was before Council regarding Multnomah County discussions with Building/Planning division. The request was for alterations to MCCF for additional bed space. There were no codes or policies that disallowed the remodeling proposed because there was no request for additional floor space. When Hauer and RaLonde began looking into the Building Code it was found that MCCF was over-occupancy at this time. The alterations they are recommending would give them 4 additional (legal) bedspaces. They are exceeding the capacity now by 31 bedspaces.

Christian wanted Council direction as to how to proceed. If approved, there would be 4 additional. They are currently out of compliance (as is every jail in Oregon). Burgin asked if the County had been appraised of that? Are they continuing with the project if it is four 4 beds?

Fowler stated that he saw no reason to let the County jump through hoops that a private party does not have to do...a code is a code.

Christian stated that is what she needs to know. Right now they aren't in compliance and they would have to made those alterations. Hauer had received a call from the County stating that they were considering withdrawing their application, however, they have not yet. It is still a question of being out of compliance with the code.

Thalhofer stated he was in favor of keeping people in jail, in jail. If it meant being out of code a little bit, he was in favor of it. He didn't understand what the request was.

Christian stated that the request was to do interior remodeling which would change office space into dorm rooms. It would create 35 more bed spaces in the dorm. However, they don't meet the code occupancy rating now. The sum total is that they would add 4 more legal bed spaces.

Fowler stated that the building is built wrong, fire protection isn't adequate there is a fire trap there. If it was a private party you would say absolutely no. He didn't see any reason to change that. Cox stated that the building was built a number of years ago and codes have changes substantially since then. Fowler stated that Leslie Hauer and Ernie found that it didn't meet code.

Christian stated that the statement needed to be made now. If the City doesn't make it known now (the feelings of these types of facilities) it is more difficult to make a stand when something else comes up. They are looking at new funding packages for correction

facilities and we could be looking at another request to build a new facility or add on. One of the things that has substantially changes from the original construction was a residential use for work release. That has been eliminated from the facility over the past three years.

Fowler stated that it is hard core and they want to increase the population without adequate space and substandard spaces. He didn't see any reason for the County to be allowed to do something no one else would be allowed to do.

Schmunk asked about the liability the City would be in if the City made the allowances. Is there any way the City could have them sign a waiver that they are not in compliance? Christian stated 'no'. Schmunk could understand the bed space problems but didn't want the City to be liable. If something is not build to code, there is a legal responsible party you can go back to.

Cox asked that the City Attorney review the matter.

Christian stated that she would notify Hauer to respond to the County that they are currently not in compliance.

Burgin stated that there was a need to keep the issues separate (1) is occupancy without compliance; and, (2) any request for remodeling is a separate issue.

Thalhofer felt that he was certainly sympathetic to jail facilities. Releasing criminals due to a lack of jail space is a horrible situation in the Metro area. He agreed that the City Attorney should review the issue.

Fowler stated that if we as a City allow violations of a code and condone violations because it is a public body, there isn't a leg to stand on is someone else comes in and wants to do the same thing. You either have a code or you don't have.

The Council will expect a report from the City Attorney and Hauer would be directed to apprise the County of the non-compliance issue.

ITEM #9 - COUNCIL CONCERNS AND INITIATIVES:

Schmunk - Her packet the past three meetings has included several letters regarding the excellent staff, the Police Chief, and the City Council. She thought it was really nice.

Fowler - Nothing  
Burgin - Nothing  
Jacobs - Nothing  
Thalhofer - Nothing

Cox - Commented on the letters from other cities in the Gorge area regarding hauling trash. He noted Sharon Kelley was present and asked if she could respond to the issue.



Sharon Kelley, Metro, spoke to Council regarding hauling of trash through Gorge. She stated that Metro staff could make arrangements to attend a meeting in the future to give full report of solid waste issues. She did update Council on the contract recently awarded for hauling of solid waste through the Gorge.

Kelley stated that there had been considerable reaction. She added that a portion of Troutdale's overall development had to do with trucking, METRO had mitigation in mind for their truckers that would impact Troutdale. Metro will be going to all cities in the Gorge area to discuss the issues and hopefully resolve problems in setting standards for trucking. The solid waste trucks will be 1% of the overall traffic and 5% of the current truck traffic. There won't be a substantial impact but, Metro could assist with setting standards for the trucking of solid waste.

Mayor Cox asked if there were questions from Council of an immediate concern or would Council prefer to wait until they were on a future agenda to discuss concerns?

Burgin asked if it was a 'done deal' and the issue was resolving matters to everyone's satisfaction. How to accommodate the trucks?

Kelley explained that the contract was signed with Gillam County in Arlington for a landfill in eastern Oregon. The landfill bid was separated from the transportation bid. The purpose was felt that it would be more competitive. Competition is the real issue. Costs of garbage had just begun to increase. \$25M to cover St. John's landfill; \$8-\$12M to build a transfer station in east Multnomah County (East Transfer Station); there is nothing in Washington County yet. The new landfill costs hasn't even begun. It is important to keep costs as low as possible, it is already unaffordable to some.

Kelley stated that with the bids being separate, when the bids came in the trucking industry came in with a considerably lower bid. Jack Gray \$208M (bid for twenty years), there were 3 trucking bids, this was the lowest; the barge bid came in at \$22M more; Union Pacific came in at \$56M more. In the Gray contract 35 trucks one way = 70 trucks on I-84, however will peak at 2,004 when they would reach 220 trucks per day. That, however, is the worse case scenario. (If recycling was never done) Right now there are 52% recyclables; below 25% is being recycled. The hope is that we would never reach, by 2004, the 220 trucks per day. Recycling is important to all of us.

Kelley stated that those were the issues facing the Council that night. Other issues were: (I-84) as an Interstate highway. The Friends of the Gorge saw the trucks on the highway as a Scenic highway. The traffic on I-84 is; trucks = 5,000/day; average vehicle = 18,000/day. The capacity is 45,000/day. Metro didn't see that much of an impediment to the Gorge or the tourist traffic. The mitigation has, however, already begun. The trucks will not run on Sundays. Metro is looking into night driving with the State. Metro has committed to stay off of the Rest stops. The flooding with rain can be mitigated by the truck drivers. If the Gorge is shut down. Part of the contract states that they (Gray) will have to

build special containers to be stored at the East Transfer Station (currently construction under consideration) DEQ has given permission to do that for 3-7 days. Also, an alternate route (Hwy 26) has been selected. There won't be trucks stacked up at the Troutdale truck stops.

Metro has a 30% increase that they will review at the end of every year with a 4% CPI. Part of that review would include the contracting trucking firm would assume up to 30% and Metro would assume any over 30%. There have only been three times in the past ten years that the price of diesel has gone over 30% with the highest being 30.4% In a worst case scenario, given 100% increase in diesel the trucking costs were still lower than barge or rail.

Cox asked if there had been anything regarding differences in costs for a family of four for \$22M-\$50M Kelley stated anywhere from \$1-\$4/family.

Kelley stated that the overall solid waste plan hasn't been completed and it is difficult to guess at this time. St. John's could be covered twice for the \$25M for what it would cost to negate the contract. Metro has a time crunch and a contract has been signed with Oregon Wastesystems. The only legal way to get out of this would be to start over again. There is no legal right to jump over the trucking industry to the rail industry. If Metro did that they would be in jeopardy not only with the contract, but ODS also. The transfer station wouldn't be completed in time. The transfer station must be consistent with the mode of transportation. If it is rail, it would have to be a rail spur; if barge, it has to be waterfront; and, trucking would be next to a freeway. She stated that the costs attached aren't just the \$22M-\$55M there would be legal costs as well as other costs to the overall system.

Thalhofer asked what the trucks would look like, tarps with garbage flying down the freeway, or what? Kelley stated that they are large trucks 7 axle truck carrying 28-30 tons of garbage which are totally sealed. All garbage will be taken to the transfer station and compacted...it won't be loose garbage. The compacted loads will be loaded into the totally sealed trucks. They will look similar to any other truck. Unless they are identified, you won't know there is garbage in them. Painting them green with trees to match the Gorge has been suggested, advertising has been suggested. It is really up to all to decide what goes on the outside.

Kelley stated that the trucks will barely be under the acceptable weight limit for the highway. They will be weighed at the transfer station prior to leaving. \$35M in road taxes is the estimated costs to Gray. Trucks do pay their share of road costs.

Burgin stated that since the interstate is a public highway Metro has every right to use it as anyone else. It has been a courtesy that Metro addressed these concerns.

Kelley stated that the only alternative is if Metro built another

highway that would intercept the Gorge. A lot of small cities beyond the Goerge depend on the highway for their bread and butter. Courtesy standards will be set and perhaps it can be passed on to all truckers.

Bui stated that there has been a big push for the 15,000 skiers going to Mt. Hood to take alternate routes from Hwy. 26. They are saying that there are 35 ways to get to the resort area and what they are talking about is Hwy. #35 out of Hood River to get to Hwy. 26.

Cox asked about the percentages of traffic again. Kelley stated 5% of increase in truck traffic and 1% in overall traffic.

Schmunk commented on the article and the work done on the Zoo...not in the top ten but eleventh. Kelley stated that at the Community Park in Troutdale on Saturday morning there was a film (Sandy River) and talk about Regional Studies being given at 10:00-12:00. She invited all interested persons to attend.

Kelley stated that she was our representative and felt it necessary to bring this issue forward.

Cox read the letter from McDonald's Corp. about the helpfulness and professionalism of the staff assistance (Greg Wilder, Leslie Hauer, Sue Barker) received by them in their recent building/planning permit.

Bui had been at a meeting discussion multi-service centers for the homeless. For east Multnomah County it looks like it will be at 122nd after starting out at SE 47th Avenue.

Thalhofer asked Schmunk what the procedure would be on the Resolution from East County Transportation. Schmunk stated that she would take the Resolution back and they will probably pass it over again. If there is not a Resolution set up by ECT like Troutdale's, she will have to vote no. She stated it wouldn't be the first time.

ITEM #10 - ADJOURNMENT:

MOTION: Burgin moved to adjourn. Bui seconded the motion.

YEAS: 6

NAYS: 0

ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

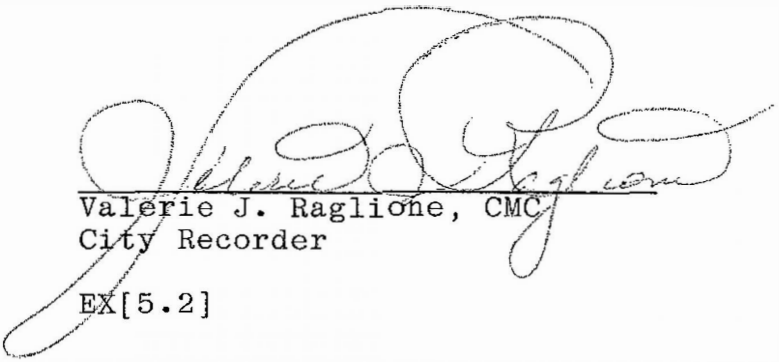
Christian reminded everyone that there was a Budget Meeting on Tuesday, April 4, 1989 at 7:00 in the Council Chambers.



Sam K. Cox, Mayor

Dated: 4/12/89

ATTEST:



Valerie J. Raglione, CMC  
City Recorder

EX[5.2]