

# CITY OF TROUTDALE

AGENDA  
TROUTDALE CITY COUNCIL MEETING  
COUNCIL CHAMBERS  
TROUTDALE CITY HALL  
104 SE KIBLING AVENUE  
TROUTDALE, OR 97060-2099

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7:00 PM --- OCTOBER 10, 1989

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
  - 2.1 Accept: Minutes of 9/12/89 AND ~~9/26/89~~
  - 2.2 Accept: Business License Report Month of September
  - 2.3 Accept: Bills for month of September, 1989
- (A) 3. PUBLIC COMMENT:  
Please restrict comments to non-agenda items at this time.
- (I) 4. REPORT: Setback Violations
- (A) 5. RESOLUTION: Authorizing the Mayor to Enter into an Intergovernmental Agreement Between the City of Troutdale and the Sandy Drainage District, City of Wood Village and Multnomah County for Financial Participation in Master Drainage Plan.
- (I) 6. REPORT: Downtown Road Utility Undergrounding & Street Lighting Improvement Project Report from Public Works Department - L.I.D. 90-002
- (I) 7. DISCUSSION: Public Facilities Plan/Transportation
- (I) 8. DEPARTMENT REPORTS:
  - 8.1 Public Safety
  - 8.2 Finance
  - 8.3 Community Development
  - 8.4 Public Works
  - 8.5 City Attorney
  - 8.6 Executive
- (A) 9. COUNCIL CONCERNS AND INITIATIVES
- (A) 10. ADJOURNMENT.



Sam K. Cox, Mayor

Dated: October 5, 1989

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MINUTES  
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7:00 PM --- OCTOBER 10, 1989

ITEM #1 - PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE:

Mayor Cox called the October 10, 1989 Regular City Council meeting to order at 7:00 p.m. Mayor Cox called on Councilor Bui to lead the Pledge of Allegiance.

Mayor Cox called on Valerie Raglione, City Recorder to call the roll.

PRESENT: Bui, Burgin, Cox, Fowler (7:05), Jacobs, Schmunk, Thalhofer (7:18)

STAFF: Christian, Collier, Gazewood, Raglione, Wilder  
City Attorney, Jim Jennings

PRESS: Cable Television Crew

GUESTS: Bob Skipper, Multnomah County Sheriff; Mark Jensen, Columbia Crossing Development; Alex Jones, Linda Marino, Tony Marino

ITEM #2 - CONSENT AGENDA:

Mayor Cox called for comments to the Consent Agenda. Christian stated that for the public comment #3, there would be brief comments made by Sheriff Skipper.

MOTION: Councilor Schmunk moved to approve the Consent Agenda [2.1 - Minutes of 9/12/89, omitting Minutes of 9/26/89; 2.2 Business License Report Month of September; 2.3 Bills for month of September, 1989] omitting the minutes of 9/26/89. Councilor Bui seconded the motion.

YEAS: 4  
NAYS: 0  
ABSTAINED: 0

Councilor Schmunk stated that the Minutes of 9/26/89 were omitted since they weren't included in the packet.

Bui - Yea; Burgin - Yea; Jacobs - Yea; Schmunk - Yea

ITEM #3 - PUBLIC COMMENT:

Mayor Cox called for any comment from the audience.

Bob Skipper, Multnomah County Sheriff spoke to support passage of the County levy being mailed on October 18. The levy is to add 210 beds to the Inverness Jail in Parkrose and add 120 drug/alcohol treatment beds. It would be a part of one levy amounting to \$40 million. One half of that is a continued operation of the Inverness Jail which was constructed a couple years ago. The remainder is to built/construct an additional 210 beds. The operational levy for the next three years as well as the 120 drug/alcohol treatment beds.

Sheriff Skipper stated that the purpose was to shut off the valve where 300 people are still being turned loose per month into the community. These people should be held for the first court appearance and the County isn't able to do that. The persons with drug, burglary and theft charges are being turned back into the communities. The consequence is a "revolving door". If they could be kept into the system long enough, they could get to court and get into the system.

Sheriff Skipper stated that the City, County, State and Federal governments had been cooperating with one another to help prosecute bank robbers, major drug dealers and had been quite a help.

Mayor Cox called for questions of the Sheriff.

Councilor Bui asked as this relates to the facility in Troutdale, what would be the plan if they get the beds at Inverness?

Sheriff Skipper stated that the plan for the Troutdale facility is to continue to keep the lowest level of unsentenced offender. There is a tiered approach where the most serious offender at the Detention Center downtown; Court House (annex) the more serious; drop by level charge to the Inverness Jail, then Troutdale is the least serious with the exception of the Restitution Center at the old Rashneesh Hotel. He stated that just the people on public works projects (sentenced) at Troutdale but the time wasn't right. He would have to mix outside workers with the inside people and that causes contraband problems within.

Christian thanked Sheriff Skipper for working with the City over the issues over the Troutdale facility because it could have been an issue, but it ended up not being an issue. Christian stated that she also wanted to thank Chief Deputy Sheriff John Schweitzer for his efforts in this issue.

Christian stated that during the last Legislative session, an additional assessment on fines levied by court systems. Fifty percent of the revenues are to go to the counties to be used for correctional facilities. Christian asked Sheriff Skipper if he knew if Multnomah County has anticipated or made any analysis of expected revenues from this legislation in terms of jail operations?

Sheriff Skipper stated that he didn't have enough information on the issue to comment on it at this point. He stated that he could check

into it and get a response back to her.

Mayor Cox called for further comment or questions of Council.

Councilor Bui asked Sheriff Skipper if he would like the City to adopt a resolution in support of the County's levy to add 210 beds at Inverness jail?

Sheriff Skipper stated that that would be much appreciated.

Christian stated that Council can declare that position and ratify the decision with a written resolution at the next regularly scheduled Council meeting.

MOTION: Councilor Bui moved to support Multnomah County's levy for jail facility construction and ratify that decision with a resolution at the next regularly scheduled City Council meeting. Councilor Burgin seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #4 - REPORT: Setback Violations:

Christian stated that after Ken Prickett had inspected all reported setback violations mentioned at the 9/26/89 Council meeting. Prickett is now in the process of writing a full report for both the Planning Commission and City Council. Based on the code in place at the time the subdivision was approved, only one real violation was substantiated. When the 1986 Zoning Code was adopted, one-half of a sentence was unintentionally omitted from the definition section. That omission makes most of the split-entry units built since 1987 in violation of front yard setbacks in regards to the steps from the front door to the ground.

Prickett and Barker are working with the Planning Commission to resolve the error. The Planning Commission is expected to forward to Council a recommendation to correct the existing code. This correction/omission would have had no impact on the appeal hearing of the 9/26/89 Council meeting.

Mayor Cox called for questions or comment from Council. There were none.

ITEM #5 - RESOLUTION: Authorizing the Mayor to Enter into an Intergovernmental Agreement Between the City of Troutdale and the Sandy Drainage District, City of Wood Village and Multnomah County for Financial Participation in Master Drainage Plan:

Wilder addressed this item. The City has budgeted moneys for the preparation of a Drainage Master Plan. Council has authorized an  
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engineering contract to provide for the performance of this study. Staff is concluding final negotiations with the City of Wood Village, Multnomah County, Port of Portland, and Sandy Drainage District for participation in this planning project. Each jurisdiction has agreed to participate at a level commensurate with their drainage impact on systems and drainage ways within the City of Troutdale. This resolution authorizes the Mayor to formalize the financial participation agreements.

Mayor Cox called for questions or comment from Council. There were none. Mayor Cox read the resolution by title.

MOTION: Councilor Bui moved to adopt the resolution authorizing the Mayor to enter into intergovernmental agreements with the City of Wood Village, Multnomah County, Port of Portland, and Sandy Drainage District. Councilor Jacobs seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #6 - REPORT: Downtown Road Utility Undergrounding & Street Lighting Improvement Project Report from Public Works Department - L.I.D. 90-002:

Wilder addressed this item. This report was included in the 9/26/89 Council packet as an informational item in order to give an extended opportunity for review and discussion. At this point, no request is being made for a resolution or ordinance. The purpose of this discussion, is to incorporate Council's thoughts, suggestions or directives into the report that would eventually be utilized through the formal public hearing process. Copies of this report have been provided to all affected property owners and to ODOT. It is hoped that they, too, will have input that will better help the City address the project scope, methods of assessment, timing, etc.

Wilder stated that the project will reconstruct the Historic Columbia River Highway from just east of Kibling Avenue to Kendall Avenue. These improvements will include new pavement, new sidewalks on the north side of the roadway, the replacement of deteriorating sidewalks on the south, undergrounding of all overhead utilities, ornamental street lighting, etc.

Wilder stated that the project's estimated cost is \$637,650.00. There are some broad assumptions made in putting this report together: 1) The Council would continue its policy of 1/3 of the project involvement costs including the assessments on City-owned properties. 2) ODOT contribution of \$200,000.00 for the structural replacement (leveling, gradework, drainage facilities, etc.) of the roadway itself, excluding curbs and gutters and sidewalks. ODOT's proposed contribution is taken directly from ODOT's own estimates for this CITY COUNCIL MINUTES

project. The remaining private contributions for funding of this project would be \$291,650.00. Exhibit "D" of the report describes the potential benefits to the properties (i.e., aesthetics, structure and more appropriate roadway cross-section wise, sidewalks, replacement of curbs and gutters where necessary in the installation of additional drainage facilities on the north side of the road).

Over the past three years the City has upgraded every other subsurface infra-structure in that area except for underground power. The phone company has nearly completed undergrounding downtown. The waterline project undergrounded everything up to 12" with adequate capacity to provide domestic and fire flow to the central business district. A 27" stormsewer line was placed down the middle of the street and other similar improvements.

This project would complete the project by adding the other facilities that have previously been mentioned. There is enough give and take in the staff estimate to provide for brick paving crosswalks, ornamental street lighting is included. Some street tree planting and furniture would be covered under the existing estimate also.

Two methods of assessments have been prepared (1) area and (2) foot method. Wilder mentioned the third method of zone and termini method, however, the depth of the project isn't adequate for that. Exhibit "G". The City's share of the project would be one-third of the remaining costs after ODOT's contribution of \$200,000. The base amount contributed by property owners would be \$291,650.

Councilor Bui stated that this was part of the downtown plan completed by citizens of the community. Wilder stated that the cross section utilized, including sidewalk widths, bicycle/parking lanes, etc. was taken directly from the Downtown Concept Plan.

Councilor Burgin asked about for clarification on the footnotes on Exhibit "G". Wilder stated that as an example #1 - there was no direct footage on two pieces of property (Workman/Jones) and, as a result would have no applicable costs if a front foot basis was utilized. #2 - There are frontage benefits to properties but they are outside of the L.I.D. boundaries but have access to the front footage (Bank/Marino property) that Council had requested. #3 - Additional City participation depending on area or front foot assessment would be the amount necessary to bring the City participation up to 1/3 of the project costs - after ODOT's \$200,000 participation. #4 - Total base costs spread amongst all the remaining benefited property owners.

Councilor Fowler thought that Wilder had done a very good job on the report. He stated that in conversations with the State of Oregon they were going to take 16' they were going to take without sidewalks on the north side and then leave an 8' sidewalk on this side and they wanted an 8' sidewalk on the opposite side. They set the building back 10' to a maximum of 10' on the sidewalk. That would be working on a 68' basis instead of a 65'.

Wilder said that he had made no assumptions as to what the State's final plans might include. He only utilized the cross section of 65' which was established in the Downtown Concept Plan. He felt he had no basis as staff to exceed that Plan established by the community. If there was a need or requirement to expand the width or additional sidewalk widths he would be happy to at the Council request.

Councilor Fowler stated that the estimate wouldn't change that much the place where it might change is that all the engineering has been done for that 68' wide or 60' state right-of-way 65' and 68' state right-of-way so they didn't have to go through the double design work.

Councilor Fowler stated that #2 - with the State finishing the road as far as Kendall, you have taken the Columbia Crossing property and added it into the LID where it is not any more reasonable to place it into the LID west of Kendall than it is to put the adjacent property west of Kendall in.

Wilder except the sidewalk...

Councilor Fowler, there is a sidewalk in there the cost of sidewalk per foot won't justify the front footage of the remaining costs for the cost of putting the sidewalk in.

Wilder stated that it hadn't been broken it out on a specific unit cost for each specific parcel. The line was drawn as established by the Council and includes areas where improves currently do not exist on the highway within that east to west boundary. The undergrounding of overhead utilities should likewise be spread and it would affect the parcel on Kendall to the west and also Plaid Pantry.

Councilor Fowler stated that there are adjustments that need to be made but this is a ballpark that can be worked with here. He stated that from a front footage basis he noticed on the chart that Columbia Crossing had a lion's share of it but they have the lesser amount of front footage than the remaining parcels.

Wilder stated that he had no preference as to the method of assessment. He provided the two methods for Council to decide.

Councilor Fowler stated that from the map the Columbia Historic River Highway to the north where it leaves the Columbia Crossing property and goes to Kendall the front footage of that is lesser than on the south side of the street, from Kendall to the City property.

Wilder stated that he took general LID boundaries that were discussed and asked for by Council.

Councilor Fowler stated that he was very much in favor of the LID and with the adjustments of boundaries [if you put them inside the boundary you've got to charge them, is that correct?]

Wilder stated in one fashion or another. In the case of TL 58 and the Plaid Pantry their assessments would be only in the case of CITY COUNCIL MINUTES

undergrounding of overhead utilities and maybe the installation of ornamental street lighting if it were to be placed out that far. On the north side, up to the point Fowler was speaking about, the assessments that would be tied to the benefiting piece of property would be installation of curbs, gutters, sidewalks, utility undergrounding and ornamental street lighting.

Councilor Fowler, the curbs are already in, there is only the sidewalk. Wilder stated all the adjustments would be made.

Christian stated that there were two points that each entity had a chance to comment. (1) When an ordinance is passed accepting the LID or formation of the LID; (2) Once that is complete and the final costs are incurred for the project, the Council again has the opportunity when there is a hearing to spread the assessments.

Wilder stated that it wouldn't be possible to build until next construction season in any case. A slower approach, also due to the State's involvement is the best approach. A resolution enabling the LID is not on the agenda for this meeting. It would be scheduled at a date Council wished it to be.

Councilor Bui commented about the Community Block Grant Program and much of the area has been improved by that program. He asked if there was a possibility because of that that moneys could be garnered to take the pressure off many of the people involved in the LID by getting CDBG to come up with money in lieu of ?...

Wilder stated that the City had applied for two additional downtown improvements through the Block Grant program. They were both denied due to the Policy Advisory Board's feeling about limited benefit and the City had achieved all the benefit possible through improving the road structure downtown. Unless the City could make an argument for economic reasons, employment, etc. for downtown. Also consider the fact that all the people within the business district boundary probably do not fall under the low to mod income benefit criteria.

Christian stated that there wasn't any legal restriction of the Council finding that particular owner occupied - used for residences that are low to mod income people. The same as was done on the Grade School Access. The City's portion basically paid the citizens that were low to mod income. Because of the qualification and because of the requirement by CDBG that you can't assess low to mod income housing with CDBG projects. That is an option that Council could review.

Wilder stated again, the Workman property and the Jones property have no benefit. It would have probably been more appropriate to draw lines around those two pieces of property since there is no direct access benefit to them or by them. That could be an option that is pushed into the City share as it has been on other LIDs.

Councilor Bui stated that he just felt it it was possible to submit it to CDBG, even though turned down in the past, it was more finite



now and maybe the argument could be made. Wilder stated that the opportunity window was passed at least until after next construction season.

Councilor Fowler asked if there were any actual residences that would be affected? Christian stated that the Workman and Jones residences would be \$7200.

Mayor Cox stated that he would like to see the two residences dropped out of it. Christian dropped out entirely, or the City to assume the potential \$7200? Mayor Cox stated that the City could assume that. These residences have already paid on prior assessments.

Councilor Bui stated that he felt it was worth discussing with the CDBG people, or at least bring it to their attention.

Councilor Burgin stated that on the other hand, with no future restriction on the use of that property, it could create an awfully nice shop - the benefit goes on for years and years.

Councilor Fowler stated that if you were to look at those properties they would sell by their commercial value rather than residential value.

Wilder stated that he thought the rest of the downtown area that has had LID improvements have been on the front footage basis.

Councilor Schmunk stated they have all been city streets, right?  
Wilder, yes.

Councilor Schmunk asked if the City has ever participated in an LID to improve state highways?

Wilder, not to his knowledge.

Councilor Schmunk stated that the only one with the State highway was Seaside. She assumed that it belonged to the State. She was curious to know what kind of participation the State did, if any in that project and what participation the city had.

Mr. Schulte, State Aid Engineer, Oregon Department of Transportation., stated that was out of his region, however, it should not be a state highway. The State highway would be #101.

Councilor Schmunk stated that you wouldn't assume it in Troutdale either, it would be assumed as #84. She stated that it was a Historic Highway.

Schulte stated that two sections Scholls and Hall Boulevard is under construction right now. That project has \$373,000 of Washington County LID moneys is in it. The state was not assessed, however, the State and other Federal funding sources made the project whole.

Councilor Schmunk asked if it was a willing participation by the  
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State..The State just jumped in and said the State would help them out?

Schulte stated that it was negotiated, but yes, they were a willing participant in the total financial package on that project. He stated that the State had a pretty good size piece of change in that project. He stated that was an intersection of two state highways out there and very serious accident situation existed.

Councilor Schmunk felt that she needed to know more about how the State would participate in this.

Schulte stated that the documents he had from the City of Troutdale do indicate an assumption of \$200,000 participation. Schulte stated that the Crown Point Hwy is certainly a state facility. They had done plans for Wilder and participated 75% in the cost of preliminary engineering plans that were put together, the City paid the other 25%. That route is called federal aid urban route - as such, the State does not give federal aid urban dollars through the Metropolitan Service District process for funding on facilities such as that. If the State were to fund it it would have to come from total State Fund sources. Together those funds the City and State have to go through the 6 year highway improvement fund process. Schulte stated that right now, nobody could promise the City a dollar for funding the improvement that the City was talking about.

Councilor Schmunk asked if he was telling Council that in order to participate in this LID the City had to get state funds through the 6 year highway plan? Schulte, yes.

Christian stated that there were discretionary funds right? Schulte, what discretionary funds? Christian, within the state department of transportation, they have discretionary funds available for them. Schulte stated that there were state gas tax revenue and federal highway revenue sources.

Wilder stated that at one time in discussions with the District #1 office, they suggested that use of these discretionary funds might be used for this project. As to the process of the 6 year plan, we are all familiar with that and we know as it is mandated for the cities and Multnomah County. It is a project that is unable to compete from a traffic standpoint with some of the other projects, even though submitted, it is unlikely to be funded. However, it is our belief that the State continues to have a financial obligation because of the maintenance responsibility they have to that roadway. Their engineers could draw a line between an on-going maintenance problem that has a very high cost impact to the project over the 10-15 yr. life as compared to making whole a new project now reducing the maintenance costs accordingly.

Wilder stated he wasn't sure that those economic costs analyses had been done, however, if done, it would be found to be a very good investment...assuming that the level of service for maintenance was commensurate with what the road rightfully deserves, which is  
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substantially more than it is getting.

The north half was not overlaid, only the south half.

Christian asked about discussions with Don Adams, Troutdale Business Association meeting, elude to the potential of the State disencumbering itself with some of these roads that are under their jurisdiction now, but not fitting into the scheme of transportation as they now see it, giving those over to the County or City?

Schulte stated that in a lot of areas, they would like to get rid of some of the state facilities, that's for sure.

Christian stated that she offered to take Columbia Hwy. over if the State would bring it up to acceptable standard (either County/City) we would accept the maintenance for that if it was brought up to even a city standard.

Schulte, did you mention to Don Adams that you would consider this? Christian, yes.

Wilder stated that if the 18-20 year life cycle of the project and the maintenance cost there would be associated with it, now being the City, if such an exchange were made possible you would find your \$200,000 suggested investment lucrative.

Schulte plus to have participation of approximately 2/3 of this project funded with LID's City of Troutdale - that is a pretty good package, a pretty good proposal. Lots of local agencies can't say that.

Wilder asked if Schulte was suggesting that if the City puts together a proposal to turn over the road, together with the improvements attached to this LID that there may be some options open for state discussion?

Schulte stated yes, he certainly felt there were options open.

Jim Jennings, City Attorney, stated that in dealing with the state the City was looking as those the only way they could be brought into this LID was willingly. He didn't think the issue was closed legally, in Oregon, about whether or not the State has to be asked to willingly participate. If there is a benefit from the LID being in place and they could be in the same boat as everyone else, they get a vote but if they lose, they are assessed. Where the funds come from then is not Troutdale's concern, but the State.

Councilor Schmunk stated she had a problem with setting the LID up on an assumption of the State contributing \$200,000. Spending City funds to maintain state highways was also a concern -- if the State relinquished the road to the City, she might feel differently. Other roads within the City will suffer, i.e., setting some of the maintenance aside for other roads in order to spend money on the state highway. If there were a vote to form the LID, she would have

to vote no since she was uncomfortable with the assumption of state participation. She would be willing to testify in Salem again if necessary.

Wilder stated a state/city agreement could be done for a turnover in exchange for the State's \$200,000 participation and City 20 years maintenance responsibility. He stated there would be 6 months or so for Council to pursue/review that possibility.

Councilor Bui addressed some of the functions coming up for the Lewis/Clark and sponsoring of huge events to draw tourism into the areas; if the City is to participate in these -- he felt the state should be working with the cities in order to help facilitate these programs happening.

Councilor Thalsofer stated that the entire LID needed a lot of study and discussion. He wasn't ready to say yes at this point. Questions that he had were: 1) research the concern that Jennings discussed \$when Jennings suggested the possibility, he felt comfortable with the suggestion, what would be assessed would be the right-of-way and that question hasn't been resolved† Thalsofer was interested in whether there could be a negotiated compromise with the state on the transfer of the road to the city.

Wilder stated that this item was for discussion, review, comments from the public and wasn't scheduled for action at this time.

Mayor Cox called for comments from the public.

Linda Marino asked about the difference between the 100' frontage and why there were two different amounts on #11 and #12 Edgeley #11 for 100 feet showed 9,600 and #12 for 100' showed 12,990? Wilder stated that there was a calculation error and thanked her for pointing it out. She asked about the 36,800 with a footnote (2) - Wilder stated that was property shown outside of the boundary and not as it is currently configured, subject to any assessment.

Mark Jensen, Columbia Crossing stated concern on some of the cost estimates. In the research they had done ornamental lamp posts at \$1500 seemed high with \$500 to install. They found some posts similar to the downtown plan and the cost was \$800 each. He stated that they might have some good input if the City would allow input from them for ideas, they would appreciate it.

Wilder stated that the costs were only based on the downtown plan. The undergrounding costs from PGE at \$160,000 was a very good estimate and reasonable for this work. The road and improvements to the road estimates were established by the Dept. of Transportation, not staff, and they appeared to be reasonable. The street lighting and installation was estimated at \$80,000 out of \$637,000 and he was certain that street lighting could be found that is different than that identified in the downtown concept plan. The community had already identified these and staff made no assumptions as to what would be best for the community.

Christian stated that the City was a part of a street lighting district and there were minimum standards that had to be met. They would have to be accepted by the County lighting district. If we were over, there was a possibility of negotiating with the County district in terms of if they would or wouldn't participate. We don't call out their standards. If we do anything over and about those standards, we are responsible for it.

Mayor Cox stated that it could be looked into. The economy of scale is a considerable and this could be looked into.

Mark Jensen stated that Columbia Crossing was in favor of the project. However, there were significant points to be addressed before any decision is made.

Alex Jones, Troutdale, Or. stated that he felt the highway, as a Scenic highway, should be improved. He didn't want to be obligated in any way, he had no frontage and was not helped financially in any way. He had been included in the Harlow Street LID and it was expense to him. He didn't want to be included in the project.

Councilor Fowler asked if Design Review and a committee pick out a specific street light situation meeting a standard of this lighting district. He stated that they were standards based on performance, not color.

Christian stated the standard was a wood pole, x number of feet, they didn't do decorative lighting. That's what you do if you want the lighting district to put it in.

Mayor Cox stated if we put in something else, it does have to meet with the districts' approval. Christian stated that in a subdivision the developer is responsible for establishing the lighting standards, as long as it meets the County standard, they are acceptable. The developer pays for anything that is beyond that specified; they are then turned over to the city and accepted as part of the project; the City then turns them to the lighting district as part of that district.

Councilor Fowler asked if the lighting district had certain minimum standards? Christian, yes. Fowler, then you can exceed those in quality, quantity in any direction but, you can't be less than that standard. Councilor Fowler stated then the Design Review specifies.

Councilor Burgin stated that the district wouldn't pay for over lighting. There are performance standards as well as installation standards.

Linda Marino thanked Marge Schmunk for having the forethought that all this would all be scraped if the State doesn't participate in the \$200,000, it would change all the figures dramatically. She stated they were stuck with \$27,000 with the sidewalks on 2nd street. It didn't do anything. She felt that wasn't improving Troutdale. This

would cost them a lot of money also. Rent wasn't raised but to get stuck with this again, what will happen to most of the major businesses there. The people can't afford to pay more and it won't do any good to have the main street done with no businesses on it. She thought the idea was great and a lot of work had gone into it. She felt that the major issue was the State participation.

Councilor Thalsofer stated yes, there was a lot more information needed and that was the purpose of this meeting. We didn't expect to vote on this tonight. We would try to work with the State and see what can be done. Downtown Troutdale isn't a nice downtown area, it isn't now and hasn't been. Part of the reason is owners of downtown property. The City wanted to make it desirable for the many tourist that come through the area. He asked if Marino had looked at the Downtown Concept Plan, she responded no. Thalsofer stated that as a major landowner, she should take a look at it.

Linda Marino stated that if this is what came up a few years ago, they were the only one that would have had to put money into it and she stated they don't have the money. It has been a sore topic, she realized that they had the major businesses, but they didn't have the money to decorate the town...much as they would like to.

Councilor Thalsofer stated that it wasn't just the decoration but infra structure too. He stated that the Council was trying to make downtown enticing for people to come and buy things.

Marino stated that they have a conflict with meetings on the 3rd Tuesday of the month and hadn't been able to attend the TBA meetings.

Councilor Bui stated that staff could look into the issues discussed and come back to Council with responses to those concerns. The City has discussed this for several years and there are 7500 people living here and it should look like it.

Councilor Schmunk reviewed what Council was asking staff to do, she wasn't sure.

Wilder and Christian listed: 1) Dialogue with the State Dept. of Transportation to see if an agreement could be reached for transfer of roads in exchange for upgrading to an acceptable standard or contributing to this program; 2) the City Attorney would review LID method of forcing the state involvement; 3) Fowler's issues of more refinement of the assessment as it relates to precise improvements on that particular piece of property; 4) lighting district issues; 5) City tax moneys being spent on state highways -- what have other cities done on spending City dollars on state highways?

Mayor Cox asked for any other comments? There were none.

ITEM #7 - DISCUSSION: Public Facilities Plan/Transportation:

Wilder stated that issues of access to Stark Street had recently brought some concerns forward. In considering methods of preparing

the transportation element of the public facilities plan - a lesson was taken from the state in the corridor concept of the highway. He prepared a map which indicated possible corridor concepts rather than a precise route. He reviewed the map for Council.

Wilder stated that substantial changes had been made to the public facilities transportation element to address concerns that had been raised recently.

ITEM #8 - DEPARTMENT REPORTS:

8.1 Public Safety: Nothing additional. Councilor Thalsofer stated that he noticed an article in the paper with Troutdale assisting Gresham.

8.2 Finance: Nothing to add.

8.3 Community Development: Barker was on vacation. Christian would address concerns. There were none.

8.4 Public Works: Wilder stated he was continuing to meet with the consulting engineer that's working with the East Troutdale Sanitary Sewer L.I.D.. This L.I.D. will be scheduled to be heard again by Council at the first meeting in November. The application to the Forest Service is pending and will be submitted this week for this project.

8.5 City Attorney: Jennings stated that he had nothing to report.

8.6 Executive: Christian stated that she had several additions: 1) The Planning Commission had a four-hour work session on 10/9/89 regarding the Draft Comprehensive Plan and bits and pieces of the Development Code. Council will, hopefully, will be seeing parts of these documents at the next Council meeting. Several hearings on the Comp Plan and the Development Code will be scheduled over the next few months as will Council. Christian stated that all Planning Commission meeting will now be televised, although no Cable TV crews will in attendance, there is now a stationary camera mounted in the Council chambers that will be taping the meetings.

2) The assessment center for the Community Development Director will be on Saturday, 11/4/89. Three names have been submitted by the Planning Commission as potential assessors. One other City Administrator, Marilyn Holstrom, City of Fairview, has volunteered to be an assessor. Christian stated that three other people (i.e., members of the community, Council members, etc.) are needed to complete the assessment panel.

3) The Multnomah Cable Regulatory Commission has made two discretionary changes to the cable T.V. franchise. If Council is interested in reviewing them, there is 30 days to do so. Christian stated that she would put this issue on the agenda if Council wishes to review these changes.

ITEM #9 - COUNCIL CONCERNS AND INITIATIVES:

Mayor Cox called for Council concerns and initiatives.

Councilor Burgin stated that there had been information received from the City Attorney regarding need for Declarations during certain matters coming before Council. Burgin asked that on matters before Council, resolutions, ordinances, appeals, that regarding property LIDs, SDCs, or related matters there be a formal addition to the agenda asking for declarations/challenges at the beginning of each item so that viewers and citizens would be apprised on interest that we as Councilors have in the matter.

Jennings stated that it isn't a legal requirement but can be a Council requirement.

Councilor Thalsofer asked for clarification, did Burgin want this on everything?

Councilor Burgin stated that if there was a matter of discussion on an LID where the discussion may shape the ultimate distribution or cost allocations, in his mind that was taking the form of preliminary negotiations and he felt the Councilors owed it to the public to make it known whatever interest the Councilor(s) may have if they are in effect affecting the open negotiations. Because there is that potential, Burgin felt it should be done.

Mayor Cox asked for a consensus of the Council.

Fowler agreed; Schmunk agreed; Bui agreed; Jacobs agreed; Bui - agreed; Burgin - agreed.

Councilor Bui commented on the Municipal Court report. Discussions regarding the Court operating more often. Christian stated that she had just met with the Judge. We are currently booked 8 months in advance for trials. After discussion with the Judge an additional trial date each month on the afternoon of the day of night court. There is one day and one night court each month. It can be tried for the last six months of this budget year. The Judge is trying to schedule all of the trials of one officer at a time in order to facilitate scheduling. That was one of the biggest issues. Also discussed was the need for professionalizing the court. There is a considerable volume of people and the need for formalizing procedures within City Hall will be addressed.

Councilor Bui then discussed a Fire District 10 report he received in the mail. He stated that he had the report and it was available for anyone interested in reviewing it. The report stated that the City of Gresham had refused to take over the service of Fire District 10. The way it stands now, Fire District 10 has been winning and dining the Tualatin Fire & Rescue in Clackamas County to form a consolidation. They are getting out of the City of Portland contract and don't feel that Portland has been treating them well. The equipment at Fire District 10 is being depleted and in bad shape.



ITEM #10 - ADJOURNMENT:

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


YEAS 6

NAYS: 0

ABSTAINED: 0

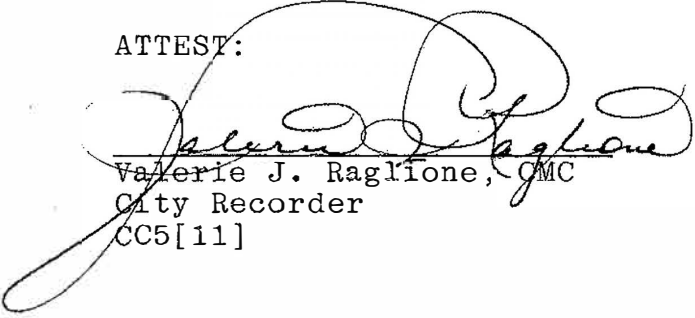
Bui - Yea; Burgin \_ yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea;  
Thalhofer - Yea

The meeting adjourned at 8:38 p.m.

  
\_\_\_\_\_  
Sam K. Cox, Mayor

Dated: October 25, 1989

ATTEST:

  
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Valerie J. Raglione, GMC  
City Recorder  
CC5[11]