

CITY OF TROUTDALE

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

7:00 P.M. -- JUNE 12, 1990

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept: Minutes of May 22, 1990
 - 2.2 Accept: Bills Month of May
 - 2.3 Accept: Business Licenses Month of May
- (A) 3. PUBLIC COMMENT:
 - Please restrict comments to non-agenda items at this time.
- (A) 4. RESOLUTION: Award Construction Bid/Cereghino Farms Public Facilities (LID 90-004)
- (A) 5. ORDINANCE: Making the 1990 American Public Works Association Standard Specification for Construction a Part of the City Code First Reading
- (A) 6. MOTION: Authorizing an Engineering Contract for the Reconstruction Design of Sweetbriar Lane from Troutdale Road to 40th.
- (A) 7. RESOLUTION: Accepting Tract "O" as City Property for Open Space and Park Purposes/Sandee Palisades IV Subdivision
- (A) 8. Public Hearing: Comprehensive Land Use Plan Text
An ordinance amending Ordinance 478-0 adopting a revised Comprehensive Land Use Plan as a part of the Periodic Review Process.
 - Open Public Hearing
 - Declarations or Challenges
 - Summation by Staff
 - Public Testimony: Proponents
 - Public Testimony: Opponents
 - Recommendation by Staff
 - Council Questions or Comments
 - Close Public Hearing
- (A) 9. CONSIDERATION BY COUNCIL/ORDINANCE: Amending Ordinance 478-0 Adopting a Revised Comprehensive Land Use Plan Text. First Reading

(A) 10. Public Hearing: Plan Map Changes

An ordinance amending Ordinance 478-0 by amending the land use plan map as a part of the Periodic Review process for a portion of Tax Lot 9, Section 26, T1N, R3E, WM. from I, Industrial to RMU, Regional Mixed Use; the southern portion of Tax Lot 9 and Tax Lot 95, Section 26, T1N, R3E, WM. from LDR, Low Density Residential to RMU, Regional Mixed Use; the northern portion of Tax Lot 8, Section 26, T1N, R3E, WM. from MDR, Medium Density Residential to RMU, Regional Mixed Use; and the northern portion of Tax Lot 35, Section 26 T1N, R3E, WM. from LDR, Low Density Residential to RMU, Regional Mixed Use.

Open Public Hearing
Declarations or Challenges
Summation by Staff
Public Testimony: Proponents
Public Testimony: Opponents
Recommendation by Staff
Council Questions or Comments
Close Public Hearing

(A) 11. CONSIDERATION BY COUNCIL/ORDINANCE: Amending Ordinance 478-0 By Amending the City's Land Use Plan Map.

First Reading

(A) 12. Public Hearing: Zoning District Map Changes

An ordinance amending Ordinance 491-0 by amending the zoning district map as a part of the Periodic Review process for the northern portion of Tax Lot 9, Section 26, T1N, R3E, WM. from IP, Industrial Park to GC, General Commercial; the southern portion of Tax Lot 9, and Tax Lot 95, Section 26, T1N, R3E, WM. from R-7, Single Family to GC, General Commercial; the east portion of Tax Lot 9, Section 26, T1N, R3E, WM. from R-7 Single Family to R-5 Single Family, and from A-2 Apartment Residential to GC, General Commercial; and the northern portion of Tax Lot 8 Section 26, T1N, R3E, WM. from R-5 Single Family to GC, General Commercial.

Open Public Hearing
Declarations or Challenges
Summation by Staff
Public Testimony: Proponents
Public Testimony: Opponents
Recommendation by Staff
Council Questions or Comments
Close Public Hearing

(A) 13. CONSIDERATION BY COUNCIL/ORDINANCE: Amending Ordinance 491-0 By Amending the City's Zoning District Map.

First Reading

- (A) 14. Public Hearing: Supplemental Budget for FY 1989-90
- (A) 15. RESOLUTION: Adopting Supplemental Budget for FY 1989-90
- (A) 16. DEPARTMENT REPORTS:
o Public Safety
o Finance
o Community Development
o Public Works
o City Attorney
o Executive
- (A) 17. COUNCIL CONCERNS AND INITIATIVES
- (A) 18. ADJOURNMENT.



SAM K. COX, MAYOR

LEGAL2[54]

MINUTES
REGULAR CITY COUNCIL MEETING
TROUTDALE CITY HALL
COUNCIL CHAMBERS
104 SE KIBLING AVENUE
TROUTDALE, OR 97060

7:00 P.M. --- JUNE 12, 1990

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

Mayor Cox called the meeting to order at 7:00 p.m. Mayor Cox called on Councilor Thalhofer to lead the Pledge of Allegiance.

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

PRESENT: Burgin, Cox, Fowler, Jacobs, Schmunk, Thalhofer
Bui - Excused

STAFF: Christian, Cline, Chief Collier, Gazewood, Raglione, Wilder

PRESS: Dave Pinson, Outlook

GUESTS: Walt Postlewait, Sally Wakeman, James Wakeman, Darrell Polzel, Louise Anderson, Dick Anderson, Karen Burger Kimber, Jack Richardson, Eric Tschuy, Jim Kight, Carla Culpepper, Jarom Culpepper, Tim Kary, Jean Kary,, Kay Foetisch, Tom Holmes, Mary Szabo, Julie Sorensen, Bob Sturges, Kristi De Sylvia

AGENDA UPDATE: Mayor Cox asked City Administrator, Christian if there were any agenda updates. There were none.

ITEM #2 - CONSENT AGENDA: [Tape 1, Side 1 01:06]

Mayor Cox read the Consent Agenda items -- 2.1 Accept: Corrected Minutes of May 8, and Minutes of May 22, 1990.

Councilor Fowler commented on the corrected minutes for Item #8 - page 11, May 8, 1990. Councilor Fowler stated that it was his understanding that by that motion, it was on hold until there was another meeting or the same subject is taken up again.

MOTION: Councilor Fowler moved to accept the corrected Minutes of May 8, 1990, Item #8 and the Minutes of May 22, 1990; Bills for month of May, 1990; Business Licenses for month of May, 1990. Councilor Burgin seconded the motion.

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

YEAS: 5 NAYS: 0 ABSTAINED: 0

ITEM #3 - PUBLIC COMMENT:

Mayor Cox called for public comment on non-agenda items. There were no comments.

ITEM #4 - RESOLUTION: Award Construction Bid/Cereghino Farms Public Facilities (LID 90-004) [Tape 1, Side 1 02:48]

Mayor Cox called for this agenda item and read the resolution by title.

Wilder stated that bids were opened at 1:00 for award of the construction of this project. There were seven bids received which ranged from a low of \$335,872.35 to a high of \$399,706.30. The City's estimate was \$345,330 and the engineer's estimate was \$405,000. The low bid [\$335,872.35] from Clearwater Construction was re-calculated to check for error [a normal procedure for bids received]. It was found to be in error and was actually \$339,478.35. This still being the low bid, it was staff recommendation to award the bid to Clearwater Construction.

[Bidders: Clearwater Construction \$335,872.35 [Recalculated to \$339,478.35; Wayne Jeskey Construction \$367,597.18; Ken Hood Construction \$379,034.45; Alliance Corp. \$389,800.00; Malar construction \$396,997.79; C&M Construction, Inc. \$398,698.25; Parker Northwest Pavers \$399,706.30]

Councilor Thalsofer asked if their work was checked? Wilder stated that they had done work for the City before and had been found to be ahead of schedule and very fair. All work is inspected by the City during projects and all tests had been passed.

MOTION: Councilor Fowler moved to accept and award the bid to Clearwater Construction for \$339,478.38. Councilor Burgin seconded the motion.

Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

YEAS: 5 NAYS: 0 ABSTAINED: 0

ITEM #5 - ORDINANCE: Adopting the 1990, or Most Current, American Public Works Association Standard Specification for Construction a Part of the Troutdale Municipal Code. (545-0) [Tape 1, Side 1 06:42]

Mayor Cox called this agenda item and read the ordinance by title.

Wilder stated that the City had been working, the past five years, with the APWA for a set of municipal standards for public works

construction. This document was now done and available. The City of Troutdale, along with many other Oregon cities were involved on various committees which put the document together. It was similar to ODOT standards except in place of highways and rural area issues, this addressed City issues and more urbanized issues. The City of Portland, along with many other cities, will be adopting this over the next few months.

Thalhofer asked what the down side of this would mean.

Wilder stated that there is no down side. The City would still use their own set of technical specifications or additions to these standards to deal with local issues.

Christian stated that Wilder had mentioned adding a phrase prior to Council acting on the ordinance.

Wilder stated that was to add "1990 or the most current version" due to the constant changes that would be made.

MOTION: Councilor Thalhofer moved to pass the ordinance with the addition of "or most current," American Public Works Association Standard Specifications for Construction as part of the Troutdale Municipal Code. Councilor Fowler seconded the motion.

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

YEAS: 5 NAYS: 0 ABSTAINED: 0

ITEM #6 - MOTION: Authorizing an Engineering Contract for the Reconstruction Design of Sweetbriar Lane from Troutdale Road to 40th [Tape 1, Side 1 09:40]

Mayor Cox called this agenda item.

Wilder stated that part of next years construction program and budget was the reconstruction of Sweetbriar Lane from Troutdale Road east to how ever far the budget would allow, to rebuild the deteriorating roadway.

Wilder stated that three proposals had been reviewed: Parametrix, Inc., Kent Cox & Associates and David J. Newton Associates. Each of the engineers was provided a tour of the site and asked to put together not only their scope of work but their own proposal on how they would solve the drainage and deterioration problems. Of these, the Kent Cox proposal addressed the three problems very effectively and estimated a fee range for this project between \$14,000-\$16,000. The project would be finished prior to the beginning of the next school year.

Wilder stated that the school district had added an additional \$25,000 to the City's budget amount.

Councilor Fowler asked where the money came from?

Wilder stated that it was budgeted money from the road improvement fund, the majority being from gas tax and some from SDC's.

Councilor Schmunk referred back to the money report and the mention of potential curb changes and widening of the street. She was concerned about changing the curbs and not widening the street. The majority of the people are now half on the curb and half on the street when they park. If the curbs were eliminated that would mean that the street would need to be widened.

Wilder stated that it may well be that many of the curb sections up against the residential section will not be able to be replaced and the mountable curb section on the school side [directly in front of the school] would be replaced with a standard curb section. It would be very costly to remove all the mountable curb section on the residential side...so that may not happen. It would be before Council when the design is finished. The major portion of the widening would be along the ballfield side, there would be ample budget to do so with the \$25,000 additional funds from the school district...to widen it and allow parallel parking up against the ballfield side.

Councilor Schmunk asked about the portion directly in front of the school?

Wilder stated that would not be widened. He stated it would be regular curb there and they wouldn't be able to get up onto the sidewalk.

Councilor Schmunk stated there would probably be static about that once school starts. She stated that the street was narrow now with people parking half on and half off the street...but, with parking completely on the street it would be twice as bad.

Wilder stated that staff recommended the project be awarded to Kent Cox & Associates of Gresham, Oregon and that by motion, authorize the Mayor to enter into an agreement with them for the project.

MOTION: Councilor Fowler moved to authorize the mayor to enter into an agreement for engineering services with Kent Cox & Associates of Gresham, Oregon for the Sweetbriar Lane reconstruction project. Councilor Burgin seconded the motion.

Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

YEAS: 5 NAYS: 0 ABSTAINED: 0

ITEM #7 - RESOLUTION: Accepting Tract "O" as City Property for Open Space and Park Purposes/Sandee Palisades IV Subdivision (818-R)

Mayor Cox called this agenda item and read the resolution by title.

Wilder stated that as part of the Sandee Palisades IV subdivision approval process, a dedication of 19.029 acres for park/open space use was required. Tract "O" was the parcel that the developer of Sandee Palisades IV agreed to donate to the City together with all the peripheral property that is open space and greenbelt area. An agreement was entered into early in the development process with the developer, for this dedication. The City now had the recorded plat and the dedication documents accordingly.

Wilder stated it was by way of resolution that staff was asking for acceptance of the open space/park dedication for public and park purposes.

Councilor Schmunk asked if this was the final piece to hook up with Jackson Park Road?

Wilder stated that there was easement going all the way to Jackson Park Road but this doesn't quite make it all the way, it goes to the bottom of the hill, there is a gate and stable with a sewer line that runs through it [easement] but there isn't title for the balance of BeaverCreek greenway, only the sewer line easement.

Councilor Schmunk stated that many years ago there was a plan to go from Troutdale City Park all the way up and be able to go on up the hill along BeaverCreek.

Mayor Cox read the resolution by title.

MOTION: Councilor Schmunk moved to adopt the resolution and accept the property for open space and park dedication uses. Councilor Fowler seconded the motion.

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

YEAS: 5 NAYS: 0 ABSTAINED: 0

ITEM #8 - PUBLIC HEARING - Comprehensive Land Use Plan Text
An Ordinance amending Ordinance 478-0 Adopting a Revised
Comprehensive Land Use Plan as a Part of the Periodic
Review Process. [Tape 1, Side 1 17:24]

Open Public Hearing: Mayor Cox closed the City Council meeting and opened the public hearing at 7:20 p.m.

Declarations or Challenges: Mayor Cox called for declaration or challenges.

Councilor Thalhofer stated that he had ex parte contact with members of the Troutdale Area Business Association. There had been a board meeting and a request was made to pass a motion of support for the

Planning Commission recommendation to City Council. Councilor Thalsofer stated that he couldn't discuss it and yielded the gavel during that portion of the meeting. He had spoken with the City Attorney to get an opinion on whether or not it was a conflict of interest. The City Attorney stated that there was not a conflict of interest.

Summation by Staff: Cline began by clarifying that this agenda item and the public hearing dealt with proposed changes in the adoption of the 40 page document text. It was not site specific at this time. There were proposed changes to the County Farm which would be addressed in the other two public hearings following this item.

Cline then discussed changes that were brought about in the Plan text. He stated that it wasn't necessarily a regulating device [i.e., the Development Ordinance] but a vision statement. Periodic Review begins with notice from the Department of Land Conservation and Development. The City addresses factors indicated as needed by Dept. and develops a "Local Review Order". The City began the process in 1987 and Council adopted by Resolution a Local Review Order which specified what factors needed to be addressed during Periodic Review and stated how it was anticipated that those factors would be addressed.

Cline stated the four primary factors which are necessary to address Periodic Review which is an update of Plans and controlling ordinances adopting them. Factor One: a Substantial Change in Circumstances - these changes included the proposed Mt. Hood Parkway, significant amount of industrial development on the north side of Troutdale, proposed development adjacent to the old part of town [Factory Outlet mall] and significant increase in development activity. In addition, the City adopted a downtown concept and implementation plans certain factors and policies have changed within the document to address the changes adopted by the City.

Factor Two: Deals with amended goals or goals adopted since the date of acknowledgment - 1983. This was not directly applicable to changes that were made in this proposed document.

Factor Three: Deals with new and amended state agency plans or programs. [Wetlands and Wetland Management Program - Division of State Lands.]

Factor Four: Additional planning tasks were required at the time of DLCD notes. There is an overlap and one substantial change to the Plan which includes a new Plan Map designation. It did not specify site specifically or specify what areas to be designated as an RMU [Regional mixed Use]. It is a new Plan Map designation included to address certain changes that have occurred within the community. The RMU designation is not a zoning designation, not a wide array of uses as a zoning map would - it allows for a combination of zoning under an umbrella of regional mixed use. Rather than a wide open door to development, it adds a third layer of control requiring a type 3 procedure for any development occurring within that property which

requires a master plan to be submitted to the City and to be approved by Planning Commission prior to any implementation to the Plan. This additional requirement would not be required for an area zoned general commercial. A person could develop a property commercially if it were planned and zoned for that. In this case, even if it may be zoned commercial and the plan designation is RMU, a master plan has to be submitted for that development so it does add another layer of control. That would also require notification, a public hearing before the Planning Commission, notification to all surrounding property owners within 250' of that area.

Cline stated that with these changes that have been made to the Plan document in setting forth this would conclude one phase of one portion of Periodic Review. There are other elements which would be addressed by the Planning Commission in the next two months and conclude Periodic Review by the end of summer.

Councilor Burgin asked if the RMU assumed common ownership and a master plan as a whole?

Cline stated that the RMU didn't necessarily assume common ownership, it could be but the intent was to maintain a large area that holds a potential for master plan development [Tape 1, Side 2] as opposed to having a large parcel cut into smaller parcels and having development that has no relationship to one another.

Councilor Burgin stated that if it wasn't one large ownership it would have a concerted effort by several property owners on a master plan?

Cline, yes it would.

Councilor Thalsofer asked if the master plan went to the Citizens Advisory Committee first or directly to the Planning Commission?

Cline stated there was no specific provision.

Councilor Thalsofer asked if it could be required?

Cline stated yes, if Council desired.

Councilor Thalsofer then asked if it would go to the City Council after the Planning Commission or was the Planning Commission the final word?

Cline stated that type 3 procedure was specified in the Development ordinance and it does not specify that it goes to City Council, however, it could if was the desire of the City Council. Cline stated that depending on the specific request, if it was in the strictest conformance to both the Plan and Zoning designation without requiring a change in either, then under a type 3 procedure it could be approved by the Planning Commission. If it did require an adjustment of any zoning or change in any plan designation, then it would be type 4 procedure which would go to City Council for approval.

Councilor Thalsofer stated that if it was a type 3 procedure, is the Planning Commission the final determining body? There is no way to get it before the Council?

Cline stated no. There would be the appeals process before Council.

Mayor Cox again called for sign up cards and stated that this hearing was not site specific but only on the text.

Public Testimony: Proponents

Walt Postlewait, 1624 SE 28th Court, President of Planning Commission supported their recommendation to approve.

Councilor Schmunk asked if the recommendation was unanimous?

Postlewait believed it was a 6 to 1 vote.

Councilor Burgin asked how Postlewait envisioned the process working?

Postlewait asked if this was to be a personal opinion? It was his understanding that the agenda item for Council was non site specific. That it would relate to any property 80 + acres contiguous. That the developer of any parcel of land in that size would have to submit a master plan for total development of the acreage. Any plan would go before the Planning Commission. In the absence of any zone changes or map changes, the Planning Commission would have final approval. With any zone or plan map changes, it would go to Council for approval.

Julie Sorensen, P.O. Box 245, Secretary, Troutdale Area Business Association. Read a letter of support. [Letter of testimony on file with City Recorder.]

Bob Sturges, 257th at Cherry Park Rd. stated that he wasn't a proponent or opponent. He owned property that abutted the County Farm property on two sides. He had lived there since 1954. The management skills of the County were so dismal that it was pathetic and he would personally rather see the property remain the way it is. He realized, however, that the City had a unique situation with 803 acres of property in the City dedicated to public use, off the tax rolls, that didn't include cemeteries, churches, school property where there are no schools. Reynolds owned property along Troutdale Road, they will never build on it and they don't plan to sell it. They paid \$75,000 and had been offered \$325,000 for it and they still don't sell it but they would like more tax money. Sturges didn't see the property becoming a mall. Historically, malls have to be alongside freeways with ready access. He didn't think a mall would survive and didn't think Gresham's would survive with Tri-Met. He did believe that anything that could be done to get the property sold should be done. He didn't think it would help to muddy up the waters with in-house squabbling that would delay the County Farm disclosing the property and transferring ownership to

private enterprise which would get it on the tax rolls. It was a sizable chunk of property.

Sturges stated that he had done what he could to keep Edgefield Manor from being destroyed. Through the efforts of the Troutdale Historical Society, the property was sold and they were \$500,000 richer.

Sturges had been in business here since 1946 which didn't relate to anything particularly in Troutdale.

Cox clarified that Sturges spoke to the Text and Map Plan. Sturges agreed.

James Wakeman, 1209 SW 26th [12:20] Concerning the RMU was the first zoning he had been involved with that had language that specifically pertained to buffering. That was written right in the language with the changes. The people surrounding something like an RMU would be greatly impacted but, as a level 3 before Planning Commission the concerns could be heard and addressed and hopefully, alleviate any concerns regarding the RMU.

Kay Foetisch, 1115 SW Harvest Pl. [13:35] Stated that she supported the overlay and thought that it gave the City the opportunity to put some protections on property and have different options for the City to review. She asked that there be a method by which the Council could review after the Planning Commission. She did state that it could always be appealed to Council and verified that being the case. Since that right was there, she did support it. She did not want Troutdale to be the 'truck stop' of the world and stated that this gave opportunity to look at different things for the City.

Public Testimony: Opponents

Dick Anderson, 1437 SW 13th Pl. [15:36] lived on a fixed income and adjusted his spending accordingly. Likewise, the City should adjust their spending to equal the tax income. Overtly seeking tax dollars through zoning the County Farm property to invite various businesses was short sighted. The City would get tax dollars but give up forever, open space that could be used for a park. People with a vested interest in making the land commercial but really, in the years to come wouldn't it be better to leave a legacy of a park to the children rather than a shopping mall. He stated it was unrealistic to think there could be 270 acres of park. But, living in a single family area that would be impacted by this land in commercial area - it would be wonderful if there could be a buffer zone lying between his property and whatever Council decided upon...maybe a 100 acre park. That way it would please Council and please the residents living in the area.

Anderson was lost with the district map. There was an angle strip with an "O", presumably for Open area. He didn't know how

it was evolved but apparently someone had something in mind as to why it should be diagonal whether it be parking or whatever. Then there is R-5 residential single-family. Anderson stated that on the map it was trapped without roads to it. He stated that whoever came up with the map apparently had something in mind as a purpose.

Darrell Polzel, 1520 SW 13th Circle [18:57] Opposed to the RMU designation due to the ramification that it be sold a 1 block to an individual or consortium of individuals to do what they want to with it as far as commercial businesses go. They are going to put a highway through there but even if they split it in half there would be quite a few acres to put a mall in there. He stated his biggest concern was that close to an artery like that going through there is that is exactly what will happen. If the problem of transportation is understood, to and from a mall area that one artery won't be enough. If any Councilor has been to Fred Meyers in Gresham there is a problem getting in and getting out. That would be the same problem there is. There aren't enough arteries to support it. There is too much traffic in that area now. If you put a lot of small businesses in there that would attract a lot of people, it wouldn't even have to be a mall, you would still have the same problem, traffic. He stated that he lived in a quiet area and maybe was selfish, but would like to keep it quiet.

Polzel stated that he thought the highway put up the hill was going to be noisy but, much to his surprise it isn't as noisy as he thought it would be. That was his concern about the RMU designation. The density, the homeowners in the area in Troutdale would be paying for the sewers and everything else that would go in there...was another concern of his.

Tim Kary, 1438 SW 13th Pl. [23:02] stated that the RMU allowed a wide range varying zoning designations. It doesn't specifically mandate a very narrow scope of development. He stated that it was too imprecise to properly communicate the City's vision for its development, it should be more specific. He was concerned about the impact of an RMU to the community/region. The RMU has to have 80+ acres which means it would have a regional impact and would allow the type of development that would impact transportation, the economy, services that need to be provided. That means it specifically has to be in compliance with the regional transportation plan...Goal 12 for development.

Kary stated that it does invite developments that have a major impact and he stated that accordingly, there should be review at the Council level not just the Planning Commission level. He thought it gave the wider public visibility and opportunity for input. For example, there is currently a large piece of property that is being proposed as RMU and he knew that later on in the meeting there were specific changes relating to that piece of property being considered. That means that if a proposal came in that was in compliance with the zoning designations there is no

review above the Planning Commission level. He thought for a development that would have such a dramatic impact on the city and its citizens, it needed to have a higher level of review and a broader public input into the process.

Kary stated that there should be very specific criteria for the review of any plans that are submitted for development of that property.

Kristi DeSylvia, 1371 SW McGinnis [26:35 Had documents from 1000 Friends of Oregon [filed with City Recorder]. She was in opposition to the RMU designation, the amendment to the Comprehensive Plan, Plan Map and Zone Map. She stated that the RMU designation was ambiguous and didn't reflect City Planning. It offered a freehand to the developer allowing the developer to make choices on behalf of the City. She asked if it wouldn't be better to provide guidelines of acceptability? To provide a plan and to understand the impacts of the specific developments. She understood that the city had been contact by Price Development and she believed that a mall would be the end result. She urged Council to make an educated choice...don't accept the RMU classification until the impact of the choice was known. Don't attempt to make the decision on blind faith. She stated that they were told by the City that there would be no tax investment to the City of Troutdale and that the developer would be responsible for all costs. How can that be true when the City of Gresham had been unable to negotiate that for itself. The City of Gresham paid between \$400,000 - \$1 million on its storm sewers alone. She also presented attachments to go along with her testimony. Numbers that had come across through the media. She stated that if the RMU designation gave more specifics, if it eliminated a regional mall it could still accomplish the same thing. It could still allow for growth, development...it simply says this is something we don't want.

DeSylvia had reports of a traffic study, a trip generation of a 1 million sq. ft. mall. The average vehicle traffic was 37.2 thousand vehicles per day with a maximum of 54,800. On Saturday that increases 45,300 with a max rate of 70,400. On an average weekday if you gave every man, woman and child a vehicle within the City of Troutdale multiplied that by five, that would be the number of vehicles you could expect.

Councilor Burgin asked if there were copies available for Councilors?
[Tape 2, Side 3]

DeSylvia stated no.

City Attorney, Jennings stated that he wanted to make it clear that no only are there documents now but, Tri-Met had asked to review documents that they submitted to the Planning Commission. He suggested that a final decision be deferred until Council had an opportunity to review all written documents submitted in addition to all evidence given now.

Jennings stated that apparently in the form of testimony, testimony on all three issues coming at once by each witness testifying, he suggested that Council, by motion, agree that the testimony heard in this session be allowed to be considered in the other two segments. This so that the witnesses aren't forced to give redundant testimony. Every witness has, of course, the opportunity if they have something to say on a specific issue to do that.

Jennings stated it was confusing issue because first there was the Plan Text and then the actual zone plan amendments. He stated it was more expeditious to continue as is.

Councilor Fowler asked for copies to be made available to him. Councilor Thalsofer asked that he be able to ask questions later.

Tom Holmes, Lane, Powell, Spears, Lubersky - Attorneys, 530 SW Yamhill, Portland - Not available. Jennings stated that a letter asking Council to consider documents submitted by Mr. Lilly at the Planning Commission.

Rebuttal:

Walt Postlewait, relative to the opponent testimony a) examining the ordinance before Council, there are specific obligations for buffering; b) further examination of documents before Council you will find that the RMU designation for the City of Troutdale is not imprecise in that the RMU requires 80+ acres, with this designation, requires a total development plan for the entire 80+ acres be submitted. Any development, whether it be RMU or any other designation that is a city requirement would have an impact on the City.

Postlewait took exception to the comment that the Planning Commission doesn't have the ability to keep in mind the best interest of the City. That may be personal. Any decision made by the Planning Commission in a type 3 hearing is appealable to the Council regardless of who decides to appeal it.

Postlewait stated that he assumed the suggestion of Council that all testimony be taken for the three agenda items. Is that correct?

Mayor Cox stated that since they overlap into each other, Council can take that but ask if there is anything additional so it repetitious

Postlewait stated that City services for the piece of property in the City that seems to be in the most concern -- City services are in place. The traffic study referred to is not applicable in that it does not serve the specific site. In addition, in opposition to the oppositions comments, any plan for any of property designated RMU in the City must submit a plan to the Planning Commission by order. It is not an 'if/or' situation, it is required under the ordinance. His objections to the submittal by Tri-Met by innuendo is confirmed.

Councilor Thalsofer asked about roads within the development itself? Would it be created for by the owner all the roads internally?

Postlewait, no. I believe that would be part of the total plan development.

Councilor Schmunk asked how Postlewait felt about it going before Council also?

Postlewait, he asked to respond in two ways. Firstly, as President of the Planning Commission, he had total faith in the Planning Commission of carrying out the wishes of this City without a doubt. Secondly, it appears that this has so much emotional contact within the City that I would not object if City Council included in the RMU designation, an automatic appeal.

Councilor Schmunk stated that one of the things Council has tried to look at when it came to land planning and development within the city was to streamline the process by going to Council it makes another layer they have to go to. She asked Postlewait if he thought that was a good idea or not?

Postlewait, no, I do not. To do that would be circumventing the Planning Commission and if that is what is desired then take steps to disband it.

Mayor Cox called for further questions or any further rebuttals by proponents.

Karen Burger Kimber stated that her name hadn't been called yet to speak.

Mayor Cox called on Karen Burger Kimber to speak.

Postlewait stated that he wished to request rebuttal after all opponents speak.

Karen Burger-Kimber, 1675 SW Cherry Park Rd. [Tape 2, Side 3 13:00] stated that she was a member of the Citizens Advisory Committee as well as the Chair of that committee. She asked Council if the Council and Planning Commission positions were appointed or elected?

Mayor Cox stated that the Planning Commission was appointed and the Council was elected.

Burger-Kimber stated that whether the members were elected or appointed, it was his or her responsibility to listen to the constituency of the community. She implored Council to do this now and delay making an ill planned and untimely decision that would adversely affect the livability of Troutdale.

Burger-Kimber stated she had polled the community as a member of H.A.L.T. [Homeowners Alliance for Livability in Troutdale] and received an overwhelming response in opposition to the RMU designation. 92% opposition evidence was submitted at the Planning Commission the beginning of a series of petitions that were circulated. Questions were asked regarding what attitudes and positions were on the issue -- that being the 92% response. She asked that that be considered.

Burger-Kimber stated that she had visited Council officials recently to express opposition to the RMU designation. She was told by the City Administrator that "you are just people". This implied that we have no voice with Council and she stated she took exception to the attitude. As government officials it is your responsibility to represent the citizens of the community. She then read a letter [submitted for evidence, filed with the City Recorder].

[Tape 2, Side 3 15:47]

Burger-Kimber stated that they were being treated like children. They wanted to see planned development in Troutdale but would like to participate in an appropriate and sound decision that better fit the needs of the community. She stated that would take time and consideration. She then told a 'story' [Tape 2, Side 3 17:50]

Councilor Schmunk asked if Burger-Kimber was referring to the petition in front of Council?

Burger-Kimber, yes.

Councilor Schmunk asked if Burger-Kimber was stating that the people signing it were objecting to the RMU designation?

Burger-Kimber, yes.

Councilor Schmunk stated that wasn't what the top of the petition stated.

Burger-Kimber asked if Councilor Schmunk would like to tell her why she felt it was in conflict to the RMU because without the RMU designation a mall couldn't be put in there.

Councilor Schmunk stated that the petition addressed one piece of property and didn't have anything to do with the text.

Burger-Kimber stated that it was very much a part of it because it was very confusing - three points of issue. Without the RMU designation in the development code they couldn't make it available for a developer for a mall. She asked Councilor Schmunk if that wasn't the case?

Councilor Schmunk stated that wasn't her interpretation of the

petition. She asked about the 92% - of what?

Burger-Kimber stated 92% of the people polled.

Councilor Schmunk, who are the people? You mean you talked to 100 people and 92% of them were in favor of not having an RMU?

Burger-Kimber, correct. 92 people out of 100.

Councilor Schmunk stated she understood. That was a lot different than 92% of the population, voters, city or...

Burger-Kimber discussed scientific polling and Gallop poll standards. She stated that if you talked with any kind of a scientist in statistics, they would indicate to you...over 300 people were polled, way in excess of the amount needed to poll a community of this size.

Councilor Schmunk disagreed. She stated that Sweetbriar had more than 300 people living in that one subdivision and was using her example [Burger-Kimber's] and her example [Sweetbriar].

Burger-Kimber stated that she would be glad to provide Councilor Schmunk with evidence similar to what the Gallop poll uses for their polling.

Councilor Thalsofer asked if the RMU proceeded, and was done - what concerns were there that could be addressed or mitigated?

Burger-Kimber stated if the RMU was part of the plan and someone came in to take advantage of the RMU designation to do something with a large piece of property [over 80 acres], one of the concerns would be the resources within the City to negotiate and work with the developers to come up with a good comprehensive plan for the designated area...I do not feel that there is the expertise within the City itself to provide the necessary knowledge that it would take to negotiate a good, sound plan. She didn't feel there were enough people within the City that had any kind of experience with this kind of procedure. As a consequence, she felt the developer would be given a blank check. Doing large scale development involved a lot of negotiating - consistent negotiating - by consistently strong people with good, sound backgrounds. Where do we have the resources to hire people to provide the kind of consulting that we need to represent the community in a fair and adequate fashion? She didn't feel there were the resources within the City, both personnel wise or money wise.

Councilor Thalsofer asked what she would like to see addressed if it occurred?

Burger-Kimber stated if it were to occur, she would be adamant that there be more citizen involvement. She felt that as a result of this issue coming up, the City had begun to make a

concerted effort to try to communicate to the community in a better fashion. She wanted to continue to see that expanded on so that the people had a better understanding of what was going on in laymans terms. They wouldn't feel that things were being pushed upon them without feeling like they know or understand the issues. That involves hearing processes, times for studies, reports, etc.

Councilor Thalsofer asked if there were any others, more specific?

Burger-Kimber didn't know if it was appropriate to the question. She was very concerned about the time frame allotted for this decision process. She stated the process had been rushed. As Chair of the Citizens Advisory Committee she hadn't received any documentation regarding the RMU, what it was, what it meant, how it would go about, where it came from and with little to no time to study the issues, poll her constituents. She was pleased that the City decided to lengthen the hearing process and hoped to see more involvement from the community.

Councilor Thalsofer asked where she heard that the City was lengthening the process?

Burger-Kimber stated that she had heard it earlier that evening, that there would be two more hearings on the County Farm property. She stated that everyone knew that, implied or not, the RMU designation was specifically targeting the Multnomah County Farm property.

Councilor Burgin stated that he believed the two hearings were the ones that followed this one, tonight.

Burger-Kimber said originally she was told by the City that this was the last hearing in the process.

City Attorney Jennings clarified the confusion stating that there were three issues being considered and two more to be heard.

Councilor Burgin stated that each one had its own hearing.

Burger-Kimber stated in 10 minutes and then there would be the third hearing? So its all going to be done this evening.

Councilor Burgin stated that Council had asked for copies of the testimony so he didn't feel there would be a decision tonight. Whether or not there would be additional hearings hadn't been decided.

Christian stated that the Council was still taking testimony.

Burger-Kimber stated that she was definitely confused.

Councilor Burgin stated that Council was in the process of taking testimony on the Text and following that would be the Plan Map and following that would be the Zoning District. Council would have to

decide on whether or not there would be additional hearings. In speaking for himself, since he had asked for copies of testimony, and there wasn't anyway he could read it all tonight.

Mayor Cox called for further rebuttal as requested.

Postlewait stated that previous testimony had submitted a petition to Planning Commission. It was understood that petition contained approximately 250 names. Far less than the majority of the citizens of the City. Further, approximately one third of the signatures were not citizens of the City of Troutdale. It was also noted that further signatures are questionable whether or not they are voting members of this City.

He then stated that Gallop, as referred to earlier, would object to a survey conducted on 350 names out of the number of citizens in the City, knowing that the 350 names were contiguous to, or in proximity to, the land use in question. For a poll to be scientific it should incorporate all those affected. He questioned whether or not the petitions, and the testimony thereto do that.

[Tape 2, Side 4 00:00] Postlewait then addressed citizen involvement. He stated it is a part of the Comprehensive Plan of the City that before the Planning Commission can entertain any motion for zone change, it must go before the CAC. He stated that the CAC had heard the matter, the Planning Commission had two hearings on the matter and this evening was the hearing before the City Council. All of the residents of the City were notified through the newsletter. That meant to him, citizen involvement.

Postlewait then stated that if there was a conflict of interest that could be proved there are other avenues. It isn't up to the city to defend a conflict of interest. It was also a matter of public record whether those who serve the City are either appointed or elected. That concluded his rebuttal.

James Wakeman stated that his position as Commissioner when the RMU issue came up he had a lot of concerns and did a lot of studying. One of the thoughts that came to him at the time was an issue such as the RMU compared to the apartment issue on 257th and the expressway issue 2 1/2 yrs. ago...he thought this would be a real donnybrook. In deliberations of materials presented at the Planning Commission, he considered the petition with 350 signatures, there were questions as to how many actually applied to the City of Troutdale and since he didn't know the actual number he considered all 350 signatures. 350 people represent [after corrected] 5% of which approximately 35 to 45 people showed up at the meeting. He stated that he voted the way he did because the issue didn't generate the controversy and weren't talking for the majority. Based on that, he stated that the general consensus of the City was approving the RMU.

Christian stated that the Council had the right of final questions. Because of the newly submitted evidence that Council hadn't read there were options as to how to deal with it. It has been indicated that continuation of the hearing to June 26th. A separate meeting could be scheduled.

Councilor Burgin stated that he didn't mind continuing the hearing from this point now, that is with the testimony closed.

City Attorney Jennings stated that would be appropriate.

Councilor Burgin asked DeSylvia if the written testimony applied to the RMU designation or did it apply to the others?

DeSylvia stated that it applied to each of the three hearings.

City Attorney Jennings stated that Council 1) testimony that has been taken in this open hearing be considered in the next two hearings because the conditions are applicable in the next two hearings; 2) evidence which has been submitted does not say that it is specific to any one particular hearing -- he suggested that the same procedure be followed for all three hearings [all evidence and all testimony be considered] and that all three hearings be continued at the conclusion for the review of the written documentary evidence.

Councilor Burgin asked why would the hearing remain open?

City Attorney Jennings stated after reviewing the documentary evidence, the Council may want to direct questions to staff or further consider evidence that has come to Council attention and staff should comment on before final decision. To close the hearing would foreclose on that possibility. Once the hearing is closed, it is only Council deliberation.

Councilor Schmunk questioned evidence presented and whether it should be considered specifically [i.e., the Text was given to be specifically applied to one piece of property] she questioned deliberating on those documents for the Text.

City Attorney Jennings stated there were two options: 1) exclude evidence as not relevant; 2) give evidence weight appropriate on the issue under consideration. His suggestion was to consider all documents together and give the weight that was appropriate to the specific issue.

Postlewait stated that there is a list of criteria. If criteria is met Council had no choice but to approval. If any of the criteria is not met, Council had no choice but to reject. The introduction of testimony by Tri-Met was a question. In that Tri-Met wasn't a party to the proceedings.

City Attorney Jennings stated that any individual may testify at a hearing. It is a public forum open to all persons. There doesn't have to be a special standing in order to testify.

Postlewait asked if City Attorney was assuming that the Tri-Met materials were relative to the criteria to be considered by Council?

City Attorney Jennings stated that he couldn't make that assumption. That decision had to be made by the triors of fact. It wasn't appropriate for he, or staff to go through the documentation and prune out those which were deemed not relevant to the issue. That is Council decision.

Postlewait asked if it was the same document submitted at the Planning Commission?

City Attorney Jennings read the Tri Met letter to Council [letter from Lilly] 'On behalf of Tri-Met I testified before the Planning Commission extensively on this matter and provided the Planning Commission with a considerable amount of documentation in support of this request. I request that City Council consider that documentation.' What was submitted was another set of documentation. [Filed with City Recorder.]

Postlewait stated if Council had courage to do it they could assume that was the same information presented to Planning Commission, and proceed?

City Attorney Jennings stated Council could decide to chose to review or not review this documentation.

Councilor Burgin stated a motion was needed to continue the hearing?

City Attorney Jennings agreed.

MOTION: Councilor Burgin moved to continue the hearing and allow staff time to duplicate the materials submitted, with the exception of the Tri-Met document - but make that available for the Council members in the next two weeks at City Hall to review...maybe check out for the evening if they want to. But, specifically not have that huge document xeroxed at the City's expense.

City Attorney Jennings stated it would be appropriate before the hearing was continued to move that the evidence heard and taken in this hearing be considered in the other two hearings and that should be done before this hearing is continued.

MOTION: Councilor Burgin moved that the evidence heard and taken in this hearing be considered in the other two hearings. Council Thalhofer seconded the motion.

DISCUSSION:

Councilor Schmunk asked about the petition before Council related specifically to the one piece of property and she submitted that it

shouldn't be in evidence as to the Text.

Councilor Burgin asked if the judgment couldn't be made on each piece of documentation as it was reviewed for each issue?

Councilor Schmunk stated that was how she felt about it. The petition shouldn't have been entered as evidence in so far as the Plan Text. She wanted to state that clearly.

Mayor Cox called for the question.

YEAS: 5 NAYS: 0 ABSTAINED: 0
Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

MOTION: Councilor Burgin moved to continue the public hearing regarding the Comprehensive Land Use Plan Text to the June 26 meeting and direct staff to copy written testimony distributed with the exception of the Tri-Met document. Councilor Thalsofer seconded the motion.

Mayor Cox called for discussion. There was none.

YEAS: 5 NAYS: 0 ABSTAINED: 0
Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

BREAK: Tape 2, Side 4 17:47

ITEM #9 - ORDINANCE: Amending Ordinance 478-0 Adopting a Revised Comprehensive Land Use Plan Text

Mayor Cox called this agenda item.

MOTION: Burgin moved to postpone consideration of Item #9 to the June 26 meeting. Councilor Schmunk seconded the motion.

YEAS: 4 NAYS: 1 ABSTAINED: 0
Burgin - Yea; Fowler - Nay; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 10 - PUBLIC HEARING: Plan Map Changes

Mayor Cox called this agenda item and asked for Declarations or Challenges.

City Attorney Jennings stated that comments from before would be understood as reiterated and would be taken as being the same as Councilor Thalsofer spoke before.

Mayor Cox called for the Staff Report.

Cline began by pointing out that the hearing and agenda item was dealing with Plan Map changes. The Plan Map brings the vision to

paper in the form of a land use map -- how the City would like to see the land uses in Troutdale designated at a future time when it is developed as opposed to the Zoning Map which is an implementation tool of the Plan Map. The Plan is a translation from a vision to paper in form of a map. The Zoning is the actual regulation of the land use itself for what is going on paper.

Councilor Burgin asked City Attorney Jennings if it was reasonable to expect the public to comment and give testimony on a designation that the City may or may not use in the RMU. That wasn't part of the Text and hadn't been approved yet. He stated it was shaky ground to have testimony on something that wasn't part of the Text.

City Attorney Jennings didn't know about shaky ground but could certainly be something that didn't need to be done if the Council, at its next meeting voted not to include the Text amendments.

If something came out in this hearing which were inadvertently by the trior of fact considered in the first hearing and shouldn't have been it might then make the decision subject to challenge. There would be a risk there.

Councilor Burgin was concerned about the reasonableness of the process. To ask for comment in a public hearing on a Plan Change based on a designation that hasn't been approved yet.

City Attorney Jennings agreed. The original agenda was scheduled so there would be three decisions following one right after the other; or, there would be a decision on the first and no need for the other two.

City Attorney Jennings stated that the option has been opened up for the evidence to be considered at all three hearings and at the first hearing already entertained evidence that pertains to the second and third issue. His preference was to continue the hearing process and recognize that Council was taking testimony in lieu of a decision made on first one.

Councilor Fowler asked if Council would be going through the same people testifying on the same thing again?

City Attorney Jennings stated that the same people didn't have to testify again. The testimony taken at the first hearing, at least by motion, was to be considered at all three hearing so there wouldn't need to be repetitive testimony. It doesn't preclude people from testifying again if they choose to.

Christian stated there were people testifying for the second two hearings rather than the first, so a decision would have to be made.

City Attorney Jennings stated Councilor Burgin could move to have the two hearings held in abeyance until there is a decision on the first.

Councilor Burgin stated that is what he wanted to do. Have all this

written testimony to consider and consider the oral testimony on the 26th on the next two issues if a decision is made on the first issue, without asking for more oral testimony tonight.

MOTION: Councilor Burgin moved to defer the two hearings on the Plan Map amendment and Zoning Changes to the June 26, 1990 meeting for oral testimony at that time and asked for written testimony to be submitted prior to that date. Councilor Fowler seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0
Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

[Tape 3, Side 5 00:00]

Mayor Cox closed the public hearing.

City Attorney Jennings stated for the audience that Council Agenda Items 10 through 13 were deferred to June 26 for consideration following a decision on RMU designation.

Councilor Schmunk clarified the process of public hearings and closure of Council for public hearings regarding land use issues.

Councilor Burgin apologized to the people in the audience that may have been in attendance for testimony on the other two public hearings, as well as staff time for their preparation of materials on those two items.

City Attorney Jennings stated that if possible, as a convenience to the audience, these issues be scheduled at the beginning of the June 26th agenda.

Christian agreed.

ITEM 11 - ORDINANCE: Amending Ordinance 478-0 by Amending the City's Land Use Plan Map

DEFERRED TO JUNE 26.

ITEM 12 - PUBLIC HEARING: Zoning District Map Changes

DEFERRED TO JUNE 26.

ITEM 13 - ORDINANCE: Amending Ordinance 491-0 by Amending the City's Zoning District Map

DEFERRED TO JUNE 26.

ITEM 14 - PUBLIC HEARING: Supplemental Budget for FY 1989-90 [Tape 3, Side 5 6:00]

Mayor Cox called this agenda item and opened the public hearing.

Gazewood stated that the supplemental budget had been approved by the Budget Committee on April 17, 1990. It had been submitted to Multnomah County Tax Supervising Conservation Commission which they have provided certification to. Two public notices for public hearings were submitted, according to law for the adoption of the supplemental budget. Gazewood pointed out one word change in the resolution in Section 1: third line the word total should be appropriated and would be changed for final printing.

Mayor Cox called for testimony. There was none.

Mayor Cox closed the public hearing [Tape 3, Side 5 8:26]

ITEM 15 - RESOLUTION: Adopting Supplemental Budget for FY 1989-90 (819-R)

Mayor Cox called this agenda item and read the resolution by title.

MOTION: Councilor Thalsofer moved to adopt the resolution. Councilor Jacobs seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0
Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 16 - DEPARTMENT REPORTS:

Public Safety - Nothing to add. No questions.

Finance - Nothing to add. No questions.

Community Development - Nothing to add. No questions.

Public Works - Wilder stated the project list was growing and he would respond to any questions.

Councilor Fowler asked about the Wastewater Treatment Plan Pre-design Analysis portion of Wilder's report regarding the chlorine stabilization process.

Wilder stated that his understanding from the direction that City could begin negotiations on contract to do the expansion design of the Treatment Plant excluding chlorine stabilization. Otherwise nothing can be done on the treatment plan expansion or include/exclude chlorine stabilization and he stated that the City couldn't afford to do nothing.

Councilor Fowler asked why? How could Wilder go opposite the motion of the Council. At the last meeting Council hadn't given any direction and Wilder stated he didn't know how to proceed at the last meeting. Council held this over on the chlorine stabilization and now Wilder stated he had direction to go ahead without it.

Wilder stated that he assumed from the last Council meeting that he had direction to go ahead without chlorine stabilization.

Councilor Fowler stated the motion should be changed then.

Christian stated maybe clarification should be asked for again from Council if there was a question.

Councilor Fowler stated that motion was made from Council to table that.

Christian stated it was not tabled it said to set it aside for further review at another date. That was different than tabling it. Nothing was done at this point but, Wilder was preparing to.

Councilor Fowler asked why, when Council did not determine to check into chlorine stabilization - Wastewater Management specifically, that's how he read the motion.

Councilor Burgin stated it was his understanding, at the time, from what Councilor Bui moved, that Council was not going to consider it until...in his mind it wasn't a consideration. And, it did not preclude staff from pursuing the rest of the alternatives.

Councilor Fowler stated ...and, I don't have a problem with that. He had a problem with the 'setting it aside for another date'.

Councilor Burgin stated it was his understanding it was a dead issue, not hold it in abeyance for something to happen and hold everything else up. He stated he would be happy to make another motion if now was the time.

MOTION: Councilor Burgin moved that the City specifically not spend the money to study the chlorine stabilization process period and to go full bore on the other program. Councilor Thalhofer seconded the motion.

DISCUSSION: Councilor Thalhofer asked if Wilder was going to present something on this issue?

Wilder stated that a request for Council authorization to begin negotiating a contract for the budgeted engineering for the treatment plan expansion at one of the July meeting dates.

Councilor Thalhofer asked if that would be consistent with this motion?

Wilder, yes. Otherwise, staff could do nothing at this point until some unknown future date and to be honest the City couldn't afford to proceed with the treatment plant expansion design.

Councilor Burgin called for the question.

Councilor Schmunk asked that the motion be read back for clarification.

City Recorder Raglione read the motion back. There was no 'at this time' in the motion.

Councilor Fowler asked that there be a re-wording to completely eliminate nothing about expending the money but basically forget the chlorine and go, however you want to word it.

City Attorney Jennings stated that there was a call for the question nothing else could be heard absent a vote on the question.

Councilor Burgin wanted to leave it the way he said it.

YEAS: 3 NAYS: 1 ABSTAINED: 1
Burgin - Yea; Fowler - Nay; Jacobs - Yea; Schmunk - Abstained;
Thalhofer - Yea

Councilor Schmunk abstained because she still didn't understand the motion.

Councilor Thalhofer stated that if someone wasn't clear on the motion, he felt that whatever time was necessary for clarification should be spent rather than calling for the question.

City Attorney - Nothing.

Executive - Christian stated that the budget would be before Council at the next meeting.

Oregon Tourism Alliance - TABA and Historical Society representatives and Christian had met regarding applying for an OTA tourism grant for some remodeling of the police station to combine the city Historical Society museum building. Christian wanted a consensus on the appropriateness to apply and in order to expend money, a resource is required to be shown which she wanted to include in the budget and show it as a grant resource. If the grant isn't received, the work wouldn't be done. Christian stated she would also like to carry over consultant money from her department budget for staff development for department heads. It wasn't new money, just carrying over existing money.

Councilor Thalhofer stated he was at the meeting as a representative of the TABA. Mayor Cox was also in attendance and was aware of it.

Councilor Thalhofer stated that it would give a visitor information center manned at least on the weekends for the summer months and this would help move ahead in the tourism department.

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


ITEM 17 - COUNCIL CONCERNS AND INITIATIVES

Councilor Thalhofer asked Wilder about the East Troutdale Sanitary Sewer and making a final determination on spreading the assessments and wondered if final figures were known yet? Wilder stated that acceptance of the project would be before Council at the next regular meeting, after that meeting the final spreading of the assessment role would be after that and unless there were direction otherwise it would be in accordance with the plan that was approved as part of the formation of the LID.

ITEM 18 - ADJOURNMENT


MOTION: Councilor Burgin moved to adjourn. Councilor Fowler seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0
Burgin - Yea; Fowler - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea



Sam K. Cox, Mayor
Dated: June 28, 1990

ATTEST:



Valerie J. Ragnione, CMC
City Recorder

CC4[4]
6/20/90 Wed 15:42:46

THIS IS A PUBLIC ATTENDANCE RECORD. PLEASE LIST THE FOLLOWING INFORMATION:

EASE PRINT NAME	ADDRESS	TELEPHONE
James Wakeman	1209 S. W. 26th - Troutdale	
James Wakeman	" " "	
Darryl Pold	1520 S.W. 13 th Circle Troutdale	
Edna Pold	" " "	
Louise Anderson	1437 SW 13 th Place	665-5069
Dick Anderson	1437 SW 13 th Pl.	"
Karen Burrows-Kimball	1675 SW Cherry Plc Rd	661-6496
Fred B. Bishir	1365 S.W. McGINNIS	661-7787
Eric W. Tschuy	1675 S.W. Cherry Park Rd.	665-7477
Jim Knight	950 Jackson Pl Rd.	661-5736
Carla Culpepper	1437 SE 26 th Ct.	661-0840
Jarom Culpepper	" " "	" "
TIM KARY	1448 SW 13TH PL., TROUTDALE	661-1067
Jean Kary	1448 SW 13 th Pl Troutdale OR	661-1067

THIS IS A PUBLIC ATTENDANCE RECORD. PLEASE LIST THE FOLLOWING INFORMATION:

EASE PRINT NAME	ADDRESS	TELEPHONE
Kay Foetisch	1115 SW Harvest Pl	667-9359
Tom Holmes	520 SW Yamhill Portland	226-6151
Mary D. Szabo	2401 SW 22nd	667-9074
Dave Snow	(Circuit)	