



CITY OF TROUTDALE

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

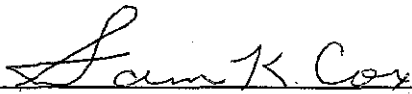
7:00 P.M. -- OCTOBER 23, 1990

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Minutes: 9/11/90; 10/9/90; 10/16/90
 - 2.2 Liquor License Renewals - Troutdale Thriftway, Tad's Chicken N Dumplings, Troutdale General Store
- (A) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 4. ORDINANCE: Changing the Zoning of Tax Lot 26, Section 1, T1S, R3E, WM and portions of the Adjacent Right-of-Way from R7 to R7-CR Community Resource (4220 S. Troutdale Road) First Reading
- (A) 5. RESOLUTION: Awarding Construction Contract/Sweetbriar Lane Reconstruction Phase I (Underground)
- (A) 6. RESOLUTION: Award Construction Contract/Columbia Crest Estates Public Facilities
- (A) 7. RESOLUTION: Accepting Public Facilities/Cereghino Farms [LID 90-004]
- (A) 8. RESOLUTION: Accepting Public Facilities/Archer's Sweetbriar [LID 90-005]
- (A) 9. RESOLUTION: Accepting Public Facilities/Kristin Subdivision [LID 90-006]
- (A) 10. RESOLUTION: Solid Waste Reduction Plan
- (A) 11. RESOLUTION: Supporting a Continued Governmental Coordination in Addressing Parks and Natural Areas and Appointing a Representative
- (A) 12. RESOLUTION: Accepting Property Acquired for Public Park Purposes at the Community Park as Identified in the Park Plan. [Kriepe Property]

(A) 13. RESOLUTION: Accepting Sweetbriar Creek Storm Sewer/South Troutdale Storm Drainage Project [LID 91-001]

(A) 14. COUNCIL CONCERNS AND INITIATIVES

(A) 15. ADJOURNMENT



Sam K. Cox, Mayor
Dated: 10/16/98

ATTEST:



Valerie J. Raglione, CMC
City Recorder

:vjr

MINUTES
TROUTDALE CITY COUNCIL MEETING
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OREGON 97060-2099
COUNCIL CHAMBERS

7:00 P.M. -- OCTOBER 23, 1990

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

Mayor Cox called the meeting to order at 7:00 p.m. Mayor Cox asked Councilor Burgin to lead the pledge of allegiance.

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

ABSENT: Jacobs

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

GUESTS: Jody Fischer, Dave Simpson, Shirley Prickett, Ronda Stull, Susan Adams, Bruce Thompson, Elaine Jones, David Ripma, James Wakeman, Sally Wakeman, Linda Schlechter, Janet Cook, Randy Nystrom

Mayor Cox called for any agenda updates. There were none.

ITEM 2: CONSENT AGENDA:

Mayor Cox called this agenda item. City Recorder stated that the minutes of the 9/11/90 meeting were just handed out in draft form and should be deleted from acceptance.

MOTION: Councilor Schmunk moved to accept the Consent Agenda with the deletion of the September 11, 1990 minutes. Councilor Bui seconded the motion.

DISCUSSION: None.

YEAS: 5 **NAYS:** 0 **ABSTAINED:** 0

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

ITEM 3: PUBLIC COMMENT: [Tape 1, Side 1 2:27]

Mayor Cox stated that there were representatives from the State Highway Department in the audience that wished to comment.

Christian stated that Mr. Simpson had called and wished to make a presentation as a result of the hearings on the Parkway presentation last week. This hadn't been requested until after the notice and agenda had been done. If Council desired it to be a part

of notice for decisions or direction it could be re-scheduled in order to be part of public notice and agenda.

Mayor Cox stated that there had been discrepancies regarding the meeting last spring. He stated that they could respond to the recent article but hadn't requested it in time to submit w/notice that they would be in attendance. The presentation would be for questions only regarding the meetings they had scheduled on October 16, 17, 18. Mayor Cox asked why and how those meetings came about?

Simpson stated that the CAC had determined that 257th be considered as an alternative. The CAC then voted to consider it if the cities were willing to consider it. They then directed their Chairman, Chuck Becker to get in touch with the mayors of each city to determine whether or not it was, at least, viable alternative. The meeting was held between Mayor Cox of Troutdale, Roger Clauson, City of Gresham, Chuck Becker, Chairman CAC, Dave Simpson, Jim McClure, Sheila Arthur, City Administrator/Wood Village, Greg Wilder, City of Troutdale. Simpson stated the meeting was basically instigated as a direction of the CAC to the Chairman to meet with representatives of the cities to discuss whether or not it was reasonable to be considered.

Councilor Fowler stated he didn't want to hear it tonight. He didn't want to hear it period. It was a decision before he was on Council and he was satisfied with that decision. He felt it was running in circles.

Mayor Cox stated that several Council members would like to hear the presentation. There were several residents in the audience and it would be good to listen to what they had to say.

Councilor Burgin stated that last spring, [red line shown on map] was a loose suggestion, which didn't imply any approval by the city or Council. Council didn't formally approve it because they were waiting to see if it was even viable. There was never any Council approve but a strong Council understanding that any suggestion would look something like shown on the map [red lined].

Councilor Burgin stated that he was shocked at the meeting he had attended the week before, to find out all of 257th corridor options straightened out the red curve, shot all the way down 257th and jutting way into Troutdale/taking a sharp right turn up 257th. He was concerned about that.

Councilor Burgin stated the second concern he had was what looked like real dis-information in all the information very carefully spelling out what a parkway is and that this isn't a freeway folks. Then very clearly last week, one of the options was exactly that..maybe not up to interstate standards but it was a freeway. No stop lights, only exits and entrances and cut into our City. When going through such great pains to not call it a freeway and then

one of the major options is a freeway...it doesn't follow the suggested route at all, it cuts right into the City - we've got big problems.

Simpson stated that in one of the designs, Councilor Burgin was right, for all practical purposes it was pretty darn close to a freeway. There were several options and some of them were the other scale of that. How many of those would survive the analyses it was hard to say. It wasn't anything that was necessarily being assumed as it. It was one of the first cuts.

Councilor Burgin asked why there were such great pains, in public relations end of it, to call it a parkway and then present a freeway?

Simpson stated that design wise, as far as configuration, it did look like a freeway but as far as what would be considered a freeway in actual sense of the word it was something less than a freeway. Some of the traffic staff felt something like that may be necessary ...

Councilor Burgin stated that badgering people, when they call it Orient Express, freeway or whatever they want to and selling it on a parkway when it isn't. It is a freeway in that configuration. He asked how the curve, that was merely a suggestion, got straightened out and a straight shot down 257th and would take away the City's entire development possibilities along Stark?

Simpson stated that as far as he knew from the meetings, it was looking at something that ran roughly along the north side of Stark.

Councilor Burgin stated that in considering anything with 257th it was with a clear understanding that it wouldn't take away the City's development possibilities along Stark forever. Anything from a parkway to a freeway eliminates Stark between Hogan and Kane.

Simpson stated there were frontage roads and the intention was access.

Councilor Burgin stated, in his point of view, what Troutdale sought to do in a sense of regional cooperation was to offer a suggestion and the suggestion was acted on in bad faith. What we saw was an alternative that takes away a lot of development opportunities cuts very close to our neighborhoods...He stated that he thought what wasn't well understood by the public is that Troutdale has already given its pound of flesh. We probably gave in too easily, if you remember dozens of acres of the County Farm property were sacrificed for the wide sweeping entrance to the Interstate 84. That constituted a large part of future development possibilities down there. We gave on that in the very beginning, as a contribution as a small participant/small city to the project. We

didn't feel we were being narrow minded at all in the first place in asking for it to go west of 242nd because of what we had already given up. Then to have our suggestion twisted the way it was, Burgin stated he felt it was a breach of faith.

Simpson stated all the discussions he was involved in - they never wanted to look at the red line they wanted to make it somewhere along the north of Stark Street.

Councilor Burgin stated had Council understood that there never would have been an investigation of another route. But, he stated, he could tell him from his point of view that none of the options...you wasted a lot of money in the design, presenting an option not politically viable in Troutdale and it was well known in the beginning that wouldn't be politically viable in Troutdale. It was a matter of pleasing Gresham or someone else by presenting a third option like that and he felt like their time was wasted.

Councilor Fowler agreed.

Simpson stated they felt that way too, if they would have known that.

Councilor Fowler stated over two years ago another character from the State Highway Department had been here stating the same line of bologna and the City said didn't you remember and he said we thought you'd change your mind. Councilor Fowler said we still haven't and we still won't.

Simpson stated that he was led to believe that what was designed...

Councilor Burgin stated it cuts off the northeast corner of 242nd and Stark which is mainly Gresham, by the way. It was just an attempt to cooperate regionally and we didn't feel it was a major encroachment into Troutdale. But, the red curve on the map was what Council came in and looked at and gave advice to the staff on. They said, 'what would you think if the State considered this - not propose it but study it and consider it as an option? We said it goes around the water tower, that's not too bad; at worst it might cut into the Mini storage, okay - let's go ahead and look at it. We aren't saying yes, but go ahead and look at it. Frankly, politically it is a tremendous embarrassment as a Councilman because it gives the impression that what we already signed off on is something we had no idea to expect.

Jody Fischer, Public Information person, stated that what we might keep in mind is that when the CAC suggested that we look at 257th it was in the spirit of trying to come up with a clear consensus on where the parkway ought to be. We had looked at Hogan corridor and we looked at all the options and taken it to its fullest. When the CAC suggested they talk with the City Councils it was to find a way we might at least consider a corridor that was more eastern. Had

some of the aspects that might be more residential than business and compare and begin to weight what happens if you put the two corridors on each side without trying to put something down on paper that was going to effect either Troutdale or Gresham, etc. What has happened, is that because of some of the development that has taken place since that map the route has moved along Stark to an angle that is offensive to you.

Councilor Burgin stated that the City resolution had been read and was clear way back when. We shouldn't have given on it at all and that was regretted now. We gave to the point that we stated we would allow you to look at it and study it without prejudice. So, for you now to say it is offensive, we opened the door and you crashed through.

Fischer stated she felt that Troutdale came crashing back. They certainly heard from the Troutdale residents.

Councilor Burgin stated yes, but what they heard was something that was basically okayed by City staff members.

Fischer stated they may have heard that but that clearly wasn't what was said. If that was the impression...

Mayor Cox stated that the map wasn't in the right place, the lines weren't drawn right.

Councilor Burgin stated that he had no political interest at all at this point but he could state that it was politically embarrassing to him to hear from the neighborhood and to hear reports that they got back with how the State interpreted the City's participation in the development of this second draft because the City in no way authorized the route that the State came up with.

Councilor Fowler asked what department drew the map? He asked about the curves and the 35 mph speeds.

Simpson stated their map actually had sharper curves but designed to the degree that are allowable for a 55. Freeways are designed for 70 mph and expressway are designed for 55.

Councilor Thalhofer agreed with Councilor Burgin. He stated that 257th was an expressway in Troutdale, the noise levels on both sides are such that there were sound walls placed. So that no one has the idea that Troutdale isn't just a NIMBI, we have taken our share of negative impacts already. We have given and we have conceded. We certainly aren't willing to go along with the designs that we saw at Gordon Russell school. He hoped everyone understood that now.

Fischer stated that there were strong concerns around neighborhoods, as well as Mt. Hood Community College. The most

disturbing thing that came out of the meetings was the choice on the parkway was a choice between the parkway or staying the same. Not much sense that in fact that the area would grow so much that you would have traffic going up 67% and a grid lock on a number of streets, even ones that enter Troutdale. The choice is a parkway or widen streets that are still too crowded. What the meeting did that was helpful to them was that it showed they needed to get out information about what the real future holds and get out better information about the choices. She knew that Councils knew that and that was why there was multi-jurisdictional involvement in this. She stated that the State could do a better job in getting out the information. She thought they were good meetings. She apologized for the feeling of being ambushed in Troutdale.

Mayor Cox stated that he had flown over the area and there had since been so much build up and the citizens didn't want it. He would like to see it go through now, as well as in the future, that was why Council was willing to look at it. He did want to see them come back after further study.

Councilor Thalsofer stated that he though the Hogan expressway would actually accommodate many more cars than the other options. Gresham traffic was trying to be moved and it appeared from the model that it appeared the Hogan route would be the better one.

Simpson stated that it would be studied and the numbers would then show which would be the better.

Christian asked what an estimated time was that they would be back with more information.

Fischer stated that the first CAC meeting would be November 8 to review the comments from the meetings.

Christian would like to be able to notify citizens, by newsletter, when they would be back with more information.

Simpson and Fischer stated December or January. Schmunk would know and she would report back also.

Christian stated that the meeting between Becker, Clauson, McClure, Wood Village, et al was held before the letter went to the CAC that stated we stood by our resolution. Because the City had been petitioned by citizens in favor of Mr. Horner and Mr. Gappe - who had come to Council with a petition and presentation - they called and stated they would like to discuss it - as well as our representative, Mr. Wakeman, we wrote a letter. On May 17, we made the response to Council instructions that may be an alternative to the Hogan corridors, it was our understanding eliminating anything from 257th and Stark. We didn't prescribe to any route east of 242nd as in the original resolution. And, the red route proposed was with the understanding of sub-grade elevation -- all of the

surface streets would basically remain the same in terms of access. The parkway would be to get traffic under those surface streets without creating major disruptions in the traffic flow. Those were the assumptions that were presented with this option, by direction of Council. Christian stated that she and Wilder were flabbergasted when they saw 1) on east side of 242nd; 2) actually aligned with Stark on the north side. Any option that was understood as being considered was crossing over Stark without total disruption between 257 and 242nd.

Simpson stated that the notice was misleading in the dots showing on the east side.

Christian stated truly misleading. She offered Troutdale's autocad and engineering department to do the next maps. We would make it clear. She stated that she had copies of the original resolution/letter to CAC/City proposed map for interested persons.

Mayor Cox called for further comments. There were none.

ITEM 4. ORDINANCE Changing the Zoning of Tax Lot 26, Section 1, T1S, R3E, WM and portions of the Adjacent Right-of-way from R7 to R7-CR Community Resource (4220 S. Troutdale Rd.) 563-0

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

Cline began by giving background information. This was for an overlay zone to be applied at 4220 South Troutdale Road which is location of a single family residence. The overlay zone requested is for community resource protection. A public hearing is required before the Planning Commission and Council. The actual change wasn't to the underlying zone. There is no addition or deletion of uses allowed on the property. It adds a CR designation to protect the integrity of the resources on the site which has been identified as being significant to the community.

Cline stated that Planning Commission found that due to the site itself - Old Sweetbriar Farm [Althaus residence] zoned R7 for single family purposes and Ripma has no intention of converting the use at this time. The significance found by the Planning Commission was in the site itself in that it was the Old Sweetbriar Farm homestead, original farm and played a significant historical role in the community. Due to the age and condition of the structure.

By ordinance the community resource protection can be limited in several different ways. The concern that the current property owner has was modifications which he might need [i.e., barn changes/solarium/]. He was concerned that everytime he wanted to make modifications he would have to be back before Planning Commission and Council for approval and authorization to do so. He also expressed a concern about the large black walnut trees. He

wanted the historic resource protection to specifically apply to those trees in front of the homestead. The Planning Commission recommended that the CR protection be applied but be limited to 1) apply to all structure on the site as actually visible from public right-of-way; 2) large black walnut trees be considered an integral part of the site and as such afforded specific protection [County was notified in case of widening road and County would have to approach City to amend the CR designation]; 3) CR designation doesn't apply to interior of any structure; 4) intent of designating black walnut trees was to protect and enhance integrity of site but doesn't prohibit future improvement of Troutdale Road as long as improvements made do not damage or destroy. [Make attempt to preserve.]

Councilor Thalhoffer asked if he had any plans to make changes.

David Ripma, 4220 South Troutdale Road, stated that he had no plans with the designation. He knew development would be taking place behind him which was happening. It was clear Troutdale was on the edge of development. He always intended to apply for this from the time he bought the house. He had spoken with Mrs. Althaus and had her as a guest recently. She had given him some of the history of the home. He didn't have plans for changes and would like to preserve it that way. He endorsed the staff report in every way. He intended to stay for quite a long time.

Mayor Cox called for further questions.

Councilor Thalhoffer stated his opinion on maintaining historical places in Troutdale.

Councilor Burgin stated that age wasn't the determining factor. In Troutdale in 50 years lots of homes would be 50 years old. However, none of them would match the historical value of this home in 50 years. It represented a period of history that it was the only thing out there.

Mayor Cox commented on the flowers at Christmas time that the Althaus family had several years ago.

Councilor Bui stated he was prepared to move approval of the ordinance upon the Mayor reading the title.

Mayor Cox asked if there were any other public comments. There was none. Mayor Cox then read the ordinance by title.

MOTION: Councilor Bui moved to approve the ordinance. Councilor Schmunk seconded the motion.

DISCUSSION: There was no further discussion.

YEAS: 5 **NAYS:** 0 **ABSTAINED:** 0

ITEM 5: RESOLUTION: Awarding Construction Contract/Sweetbriar Lane Reconstruction Phase I (Underground) - 858-R

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

Wilder gave background information. He stated that the first phase had the bid opening on 10/22/90 and the bids were favorable in comparison to both the staff and engineer estimates. Ranging from \$31,000 to \$18,000 low. Staff was asking Council approval to award the bid to Parker Northwest Paving for \$18,373.00 for phase I of the reconstruction project. There was \$80,000 budgeted for this portion this budget year. The second step would be to replace the pavement.

Councilor Bui asked if based on the estimate, was this lower than what staff had initially estimated for the 1st phase and does that mean that we aren't really talking about all of the \$80,000 budgeted?

Wilder stated he didn't know, the pavement reconstruction we may come in higher and with the fluctuating costs in oil, it was hard to tell.

Mayor Cox read the resolution by title.

MOTION: Councilor Burgin moved adoption. Councilor Fowler seconded the motion.

DISCUSSION: Mayor Cox called for further Council comments. There were none.

YEAS: 5 NAYS: 0 ABSTAINED: 0

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

ITEM 6: RESOLUTION: Award Construction Contract/Columbia Crest Estates Public Facilities [LID 91-003] 859-R

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

Wilder gave background information and stated that the engineering was complete and the project was advertised. The bids were also favorable. Clearwater Construction was the apparent low bidder with \$299,266.55 compared to the City's estimate of \$338,500 and the engineer's estimate of \$330,000 very favorably. Bids ran from a high of \$489,000 to the low submitted by Clearwater. They are pre-qualified in the City and their performance has been very good in the past. Staff and the engineer for this project very highly recommended the award to Clearwater.

Mayor Cox read the resolution by title.

MOTION: Councilor Fowler moved to approve the resolution.
Councilor Bui seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0

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

Councilor Thalhofer asked about why the bids over \$400,000... didn't they want jobs here?

Wilder stated they wouldn't bid unless they wanted the job. There were some contractors that were more hungry than others and some were more mobilized than others -- in the case of Clearwater being in the east county area and they are able to do considerably better in the bidding process as a result. If there was the disparity with no average balance in between, we would be concerned. But, there was a good solid group in the middle of good contractors so staff wasn't concerned about the low bid compared to the high.

**ITEM 7. RESOLUTION: Accepting Public Facilities/Cereghino Farms
[LID 90-004] 860-R [Tape 1, Side 2 17:55]**

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

Wilder stated this subdivision was for all practical purposes, complete. Late in the afternoon, this day, the engineer's statement of significant completion had been received. This doesn't mean the project is finished, just significantly complete but meets the tests for the City to close the project out and the City to accept it. There were minor items on the punch list before the retainage is released. We maintain enough retainage to cover all the items on the punch list. Staff was asking Council acceptance into the public system accordingly.

Mayor Cox read the resolution by title.

MOTION: Councilor Bui moved approval of the acceptance. Councilor Thalhofer seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0

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

Victoria Rizzo, 1603 SE Knarr Court stated that there had been several discussions with City staff and the project engineer. since the beginning of this project. Rizzo stated that the homes in her neighborhood had been flooding and the problems had worsened since the project went in. They had been assured that once the property was sold and it was developed the problem would be solved. Once the streets and sewers were in her house and her neighbors house and flooded inside. Rizzo stated she wanted Council to be aware of the problem and that it seemed to be worse now than before. She stated she had put in considerable work in her yard, since she had been assured the problem would be better, and it was a mud pit.

Councilor Burgin stated he used to live in the neighborhood and was glad to see the project was, in fact the developer had more costs than usual because of the water concerns -- he was very surprised to hear of the problems.

Councilor Thalsofer asked what was happening there?

Wilder stated that the amount of surface water was physically less than what would have been there had the subdivision not been put in. What had happened was that the developer, in grading the lots for development, had taken away the ditch at the bottom [which he has been asked to restore] until the homes are built in the area.

Wilder stated that it was correct that the developer had gone to considerable additional expense to intercept not only ground water but spring water. He stated the problems won't be totally mitigated until the homes are built and the roof drains are draining into the street, et cetera. The problem is a pre-existing one and won't go away until the development is completed. He could assure that the amount of water was less than what would have been experienced had the development not been in. Other than the ditch being removed, he didn't know why there would have been more problems with the recent rains. He stated that development was encouraged on the lower lots as quickly as possible. Once grass and roof drains are in it will go away.

Councilor Schmunk stated to Rizzo that she had the same problem when she first moved into her home and once the home above her was built and yards, fences and shrubs were put in the problem went away. Once there is something in the ground, a lot of the water will be gone. On extremely heavy rains she stated that there can be 2" of water in their back yard.

Councilor Bui stated since he had made the motion, he was prepared to amend the motion to direct whoever is necessary to do as much as possible to see that the developer resolves the problem.

Wilder stated that staff will ask the developer to do more and he stated that he felt there was enough leverage to work with him to that end. It was an uncomfortable marriage between agricultural and urban environment. At Halsey Station, until 257th went in - to the point of cabbages being down the middle of Halsey St. That was mitigated by 257th...and by the same token as soon as development is complete the problem would be considerably less and he couldn't guarantee the entire problem would be resolved until that occurred.

Wilder stated he didn't feel that it could be legally required of the developer. He thought that the same end could be resulted by staff working with the developer.

Councilor Burgin asked if by the 10% that is retained, could the Council direct that be held until... Wilder stated that would be

holding the contractor hostage for something that isn't his fault. It isn't the developer's retainage.

Councilor Bui asked to be kept posted on this issue.

Councilor Thalsofer asked if Cline needed Council direction to withhold permits?

Cline stated that one of the things that isn't happening now was rainfall not being directed by roof drains back into the street - which would then be in the city storm sewer system. It then wouldn't be flowing in a sheet flow across all the vacant land that there is now. That will be required when the lots are actually developed. [Tape 1, Side 2 30:00]

Councilor Thalsofer asked what could be done to put as much pressure on the developer to fix the problem. These people need relieve and someone needs strong direction that Council wants the problem remedied and remedied as soon as possible.

Wilder stated that there was direction and staff would work with the developer to get ditching and trenching in over the curb and into the street.

Councilor Burgin asked how soon?

Wilder stated that it would be done this week.

Council asked if it could be pumped into the street now? Wilder stated it would be very difficult and difficult economically. He stated there were other measures that could help the problem as much as possible. Wilder stated that this problem had been occurring every year, he still felt that the development would do the most to control the problem. Bare land, the water sheet flows across the top.

ITEM 8. RESOLUTION: Accepting Public Facilities/Archer's Sweetbriar [LID 90-005] 861-R Tape 2, Side 3 2:51]

Mayor Cox called this agenda item.

Wilder stated that like the previous subdivision was significantly complete. There was a letter from the engineer establishing substantial completion of the project. Staff was asking Council to accept the project as a fixed asset into the system.

Mayor Cox called for questions.

Councilor Fowler stated that the letter states once these corrections had been completed to the satisfaction of the City personnel the engineer recommends acceptance by the City Council, has it been completed?

Wilder stated there was a punchlist, as most other projects, of things that aren't quite finished but within the scope of the amount of retainage City holds. He has minor things to change and clean up.

Mayor Cox read the resolution by title.

MOTION: Councilor Fowler moved to accept the resolution. Councilor Burgin seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0

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

ITEM 9. RESOLUTION: Accepting Public Facilities/Kristin Subdivision [LID 90-006] 862-R [Tape 2, Side 3 4:40]

Mayor Cox called this agenda item.

Wilder stated that this was the same story as the previous item. There was a different consulting engineer, but same as Cereghino. There was a letter of substantial completion. The project likewise had a punchlist within the scope of the amount of retainage held. Staff was asking by way of the resolution for Council to accept this into the system and authorize staff, after completion of the punchlist, to release the retainage.

Mayor Cox asked for Council questions. There were none. He then read the resolution by title.

MOTION: Councilor Bui moved to approve the resolution. Councilor Thalhofer seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0

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

Councilor Thalhofer stated that he would like to commend staff for all the hard work that was created by all of the projects going at the same time. He stated they had done a good job and wanted it recognized.

ITEM 10. RESOLUTION: Solid Waste Reduction Plan [Tape 2, Side 3 6:15]

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

Christian stated this was before Council as confirmation of Council consensus of agreement at the previous meeting in endorsing and accepting/submitting Troutdale's annual waste reduction plan to Metro. Tony Norris had presented information at that meeting.

Mayor Cox called for Council questions. There were none.

MOTION: Councilor Burgin moved adoption. Councilor Fowler seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0

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

ITEM 11. RESOLUTION: Supporting a Continued Governmental Coordination in Addressing Parks and Natural Areas and Appointing a Representative [Tape 2, Side 3 7:14]

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

Christian stated this was a follow up to the previous meeting when Metro Councilor McFarlane made a presentation on the natural areas and open space. This resolution was requested by Council in supporting the program that Metro was proposing to local governments in the region.

Mayor Cox called for Council questions and read the resolution by title.

Christian clarified that this resolution was not what appeared nor submitted by Metro for adoption. This was the version of the resolution being passed by most cities within the Metro region because they are asking for recognition of their Comprehensive Plan and Comprehensive Land Inventories in this process. That safeguards some local comment and input into that final designation of open space and natural area. The last two paragraphs were the only changes.

MOTION: Councilor Thalhofer moved for adoption of the resolution. Councilor Fowler seconded the motion.

DISCUSSION:

Councilor Thalhofer stated that in order to retain livability of the region and Troutdale, the resolution was well taken. Maintaining open space with the grow that is occurring will be important in protecting the livability.

Councilor Burgin stated his concern was that land use in Oregon was already more controlled than anywhere in the United States with the dept. of Land Conservation and Development. By supporting a cooperative effort of Metro [which always seemed anxious to gain more control under its auspicious] we would, in an area that is already designated an Urban Growth Area, further restrict development. There is no other place other than within urban boundaries to further development. To put together a cooperative organization to subvert any developers plan through condemnation, he felt was unwieldy and an unworkable solution. Any government can purchase property if they have the money to do so, on the open market. He stated this would open the door to further land use planning that isn't needed and was detrimental.

Mayor Cox stated that it was his opinion that it would be a good thing. Troutdale had more parks, other than Portland, than any city in Oregon. He was hesitant initially, because of an additional layer of government. He referred to the cost of the mapping that was recently purchased at a reduced cost through Metro.

Councilor Schmunk stated that it was important to be a regional player and Metro was trying [i.e., 40 Mile Loop] there is a broad picture of how things can go together for those that don't think like us about things like parks and open spaces -- they are left by the wayside. Metro would alert you to those things and keep us abreast of these issues and would help in showing how systems could be tied together. She stated that she had no objections to it.

Councilor Bui stated that he felt Councilor Burgin brought out some good points. Councilor Fowler agreed.

Councilor Bui stated that on the other hand he did hope that regional process was a good way to go as long as it was advisory and they, in the final analysis would have to go back to the local government to get approval of whatever they do. If we lost that, it would be an altogether different program. He stated he wasn't scared of it.

Councilor Fowler stated that Councilor Burgin had brought up good points and possibly it needs to be redone before doing anything - our plans are paramount in our City [insofar as planning/zoning, et cetera] to anything that they want to do.

Christian stated that she hadn't had that direction from Council at the previous meeting and she would be glad to include whatever language was necessary to accommodate Council pleasure.

Councilor Burgin stated he would voted against it on a philosophical basis not because it was written poorly.

After further discussion, Christian recommended that #2 on Page 2 could be changed to read ... "identified in local Comprehensive Plans. and to develop funding strategies for acquiring and managing natural areas, with the intent of establishing a regional natural areas system.

Christian stated that #3, The City of Troutdale RETAINS EXCLUSIVE JURISDICTIONAL AUTHORITY IN IDENTIFYING AND MANAGING CITY OWNED PARKS AND OPEN SPACE, THE CITY DOES, HOWEVER, SUPPORT a cooperative regional planning process that recognizes and abides by the local planning process as established within each jurisdiction.

Councilor Bui discussed the Parks Advisory Board and stated that their inclusion for these types of properties would be a good idea also.

Mayor Cox stated that this could be included in the next Council meeting with additions to the wording to beef the language to protect the City's authority within the City.

MOTION WITHDRAWN: Councilor Fowler withdrew his motion. Councilor Fowler withdrew the second to the motion.

Councilor Thalsofer asked if the Parks Advisory Committee had reviewed the document?

Christian stated that they had reviewed it and they didn't have changes.

Councilor Thalsofer asked that the Chair of the Parks Advisory Committee be in attendance at the next Council meeting to state their approval so there is no misunderstanding.

TABLED

ITEM 12. RESOLUTION: Accepting Property Acquired for Public Park Purposes at the Community Park as Identified in the Park Plan [Kriepe property] 864-R [Tape 2, Side 3 24:50]

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

Wilder stated this was for the acquisition of property in City Park. The property was available and money had been budgeted. Approval of the resolution means that the property would be accepted to the City Park property and put a close to this issue. The property was a small piece on the east side of Beaver creek.

Wilder stated that at one point the owner wanted to fence the property and City had responded to the fencing permit. Council direction was to acquire the property, which was done. There had been delays in closing on the property but the title had been cleared and closed during the week.

MOTION: Councilor Burgin moved to approve the resolution. Councilor Fowler seconded the motion.

YEAS: 5 NAYS: 0 ABSTAINED: 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 13. RESOLUTION: Accepting Sweetbriar Creek Storm Sewer/South Troutdale Storm Drainage Project [lid 91-001] 865-R [Tape 2, Side 3 26:35]

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

Wilder stated that this LID was complete as was the punchlist. The project was originally estimated by the City at \$75,727 and \$5,000 reserved for construction contingency for a total project cost

availability of \$80,727. The actual finished cost for the project was \$78,518.85. Staff was asking Council to accept the project as part of the City's fixed asset and infrastructure system.

Councilor Thalsofer asked Wilder to explain how the quality of life would be improved for the benefitting properties.

Wilder stated it provided a long needed and necessary system to allow continuing development in the area. It would discharge water into a natural drainage way - Sweetbriar Creek. The adjoining developers have been asked to seriously consider the dedication of adjoining property to enable continual maintenance of the natural creek system. It would be an issue of drainage law. City was required to use the drainage way and there would be complaints in the long term of this. The developers submission of a plat for Sweetbriar Meadows in relation to this drainage and City staff is doing what can be done to make sure the impact would be as minimal as possible on Sweetbriar Creek.

Wilder stated that he did expect to see some complaints but stated he was confident there would be solutions to those complaints. He stated the Creek was in the greenway and the conduit for this project was all buried underground and the impact on the greenway was negligible. It was a benefit to existing homes that would otherwise be flooded but he expected complaints from people that had constructed bridges and ornamental areas in their yards through which this passes - as well as the greenway area.

Councilor Schmunk stated that there had been a lot of flooding at one time at the end of Sweetbriar Lane but a lot of underbrush had been cleared out, she stated it was much more aesthetically pleasing since the work had been done. There had been a lot of puddling due to the pasture that had been there. Councilor Schmunk stated that initially the neighbors were up in arms and with Wilder's help, they understood much more what was going on.

Wilder stated that he had walked the area, discussed it and reviewed the plans with some of the neighbors and stated they were generally pleased.

Mayor Cox read the resolution by title.

MOTION: Councilor Bui moved to approve the resolution. Councilor Thalsofer seconded the motion.

YEAS: 5 **NAYS:** 0 **ABSTAINED:** 0

Bui - Yea; Burgin - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM 14. COUNCIL CONCERNS AND INITIATIVES [Tape 2, Side 4 3:50]

Mayor Cox called this agenda item.

Councilor Fowler asked about the impacts of Ballot Measure 5 if it passed. He asked about 25% of the taxing money and what percentage was that of the total budget?

Christian stated that the tax revenues were 31% of the general fund.

Councilor Fowler stated so then that is multiplied by 3 times? How many million dollars were budgeted for City operations next year?

Discussion ensued about general fund and enterprise funds. The enterprise funds were for sewers/water/streets.

Councilor Fowler stated saying 25% of the City budget wouldn't be available was very confusing. It wasn't 25% of the budget it was 25% of what the citizens are taxed.

Gazewood stated that part of the budget was capital construction [i.e., local improvement districts] that within itself would impact the operational part of the budget as it relates to taxes. He didn't think that including the capital construction should be included as part of the cost factor that Councilor Fowler was eluding to.

Councilor Fowler stated that his household budget would be cut 25%, how much is that of the total household budget? Operating money for the City - fees and license were received/fees from State/gasoline/liquor taxes and 7% from the telephone bill. What is this in relationship to the total City budget?

Christian \$182,000 as a portion of \$2,484,810. That was the total general fund, expenditures that were affected by items that Fowler named off. It was 7.3% Christian stated that there were greater impacts other than tax loss. There was 3% of the \$2,484,810 wouldn't be lost until succeeding years due to State Shared Revenues. The State would be looking for other places to come up with matching school funds - that's from the State Revenue Office and the League of Oregon Cities.

Councilor Fowler stated that was their opinion.

Christian stated that it wasn't a significant number in terms of percentages until you compare \$776,516 that the City receives in property taxes for the year - the police budget alone was \$830,000. Property taxes aren't even supporting one department alone in terms of just taxes.

Councilor Fowler stated there was tax everywhere you turn -- liquor, gasoline...you name it. The budget is so much, taxes are so much of that budget and the change will make 7.3% change in the total bucks if there was an identical budget next year as this year.

Gazewood disagreed. When dealing with a budget process you aren't dealing with any given revenue in a given year. The portion of the resources to finance a budget were cash carryovers at the end of a year and those were carried into the new year and helping to finance the new budget - it is approximately \$300,000. When dealing with 7% on a \$4 million dollar budget you must deal with new monies, otherwise you will use the cash carryover and you wouldn't have that for the next year - you wouldn't replenish that. To take \$300,000 out of the budget, you don't have anything carried over into the next year and the budget is cut astronomically immediately. The City of Troutdale couldn't even start to address the maintenance at the current level. It would mean horrendous cuts in this City. To remove \$182,000 out of the tax base + shortening up the cash carryover figure. The term 'only 7% of the budget' - he disputed using simply because of the cash carryover figure.

Councilor Fowler asked if there had been a reduction in taxes locally just the past year? By increased assessed valuation?

Gazewood state not necessarily, the basic tax rate in the Code of Troutdale was within a 50 cents/\$1,000 cut. Quoted in the newspaper was a \$29/\$1,000 was actually in a Code area that was outside Fire District 10. When the basic Troutdale Code area that has Fire District 10 you aren't looking at the same reduction. He had used the base with Fire 10 because the smaller Code areas aren't accessible by staff so there was no way to determine the overall impact of those Codes.

Councilor Fowler stated that his impression was he got only half of the story when he received the materials - it didn't tell him anything it was actually affecting other than one item of a source of revenue which was the smaller source of all the rest of sources.

Gazewood stated the intent of the memo was to give the visible impact of the one revenue source. The 6% only added approximately \$60,000 to the tax base each year and would in no way cover the cash carryover loss.

Mayor Cox stated that it was his thought that the State would fund the schools out of the gas/cigarette/liquor tax money which amounted to \$19/per -- The City had been depending on this in the past and that was one fund that the State can tap and they would do it. He stated that attending several of the meetings on this issue had been important in understanding the impact that this measure would have on the City.

Mayor Cox stated that the Planning Commission would be meeting at 7:00 on October 30 with the Council for the Urban Growth Boundary policies and proposals. Everyone would be notified. Planning Commission members had set the date at the past meeting.

Councilor Burgin stated regardless of individuals stand on Measure 5, it must be recognized that it will tremendously devastate the City budget. People would need to be willing to accept the consequences. As a Council the obligation must be together in that if it passed there would need to be a meeting to begin discussing what to do next. Regardless of for or against, Council would need to work together.

Councilor Burgin stated that he apologized for the sensitivity of an issue but wanted to address a concern regarding the noticeable absence of one of the Council members. During the past 8 years, in general he was impressed by most of the Council members and their commitment to being present and representing the citizenry. However, there was one member that had been absent a tremendous amount of time during the past year. He would like Council to consider a Charter Amendment to go before the voters at the earliest opportunity to enable the Council to take action on repeated absences. There presently was no mechanism nor form of admonishment, removal when someone was repeatedly absent. Mrs. Jacobs was a wonderful person but her absence has meant a lack for the citizens.

Councilor Burgin offered the recommendation that either through an Advisory Committee or a Council work session come up with something to go before the voters that will tell all candidates that intend to run for Council that their attendance is required. He stated that a call to the City Recorder shouldn't qualify for an excused absence. Council was responsible to the voters. The voters should have the opportunity on the ballot to write into the Charter the minimum standards they expect from Council members.

Mayor Cox spoke to the issue and stated that due to job related and school requirements...

Councilor Burgin stated that there was no reason that could be given that would change his opinion of the necessity to attend the meetings. The citizens voted for representation and that's what they could be provided.

Councilor Thalsofer agreed that it should be addressed in a work session. He then brought up the issue of Woodale and the open space.

Christian stated that Mr. Baxter was sending a letter with costs and processes which City had to go through to appeal to the County Commissioners. Baxter stated it was approximately \$1,200 to the best of his recollection but the letter would be forthcoming to Council. If Council wished to appeal the costs of maintenance. Council couldn't appeal the costs of the back taxes.


Councilor Bui discussed a survey done by Fire District 10.

ITEM 15. ADJOURNMENT [Tape 2, Side 4 22:19]

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

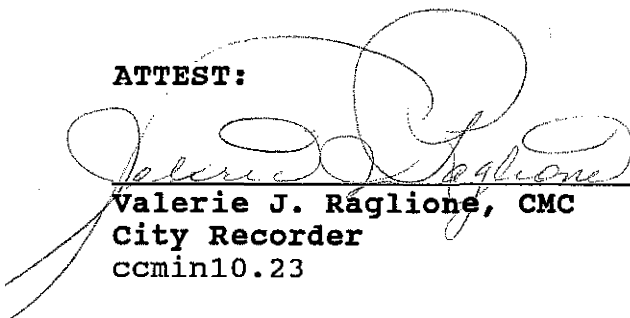
YEAS: 5 NAYS: 0 ABSTAINED: 0

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



Sam K. Cox, Mayor
Dated: November 15, 1990

ATTEST:



Valerie J. Raglione, CMC
City Recorder
ccmin10.23

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

EASE PRINT NAME	ADDRESS	TELEPHONE
Andy Fischer/Dave Simpson	ODOT	653-3243
Scott Cline	City of Troutdale	665-5175
IREG WILDER	"	"
Bob Hazewood	"	"
Sue Conner	Troutdale Police	"
Lily Puckett	2617 SW INDIAN JAW PL	667-5412
Tommy Hill	2716 SW Hope Circle	669-1812
Lynn Adams	2634 SW Abbott Ct	661-2319
Bruce Thompson	2640 SW Abbott Ct	661-2861
Elaine Jones	2334 SW 22 nd	666-1999
David Rouse	4220 S Troutdale Rd	666-8462
JAMES A. WAKEMAN	1309 S.W. 26 TH ST	667-5937
Doreen Thompson	1309 SW 26th	Ditto
LINDA S. HLESHCH	4052 SW KIBUNG CT.	661-5301
122 Janet Cook	2320 SW 22	666-2781

