

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

7:00 P.M. -- JUNE 25, 1991

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

Mayor Cox called on Councilor Schmunk to lead the pledge of allegiance.

City Recorder, Valerie Raglione, called the roll.

PRESENT: Bui, Cox, Fowler, Schmunk, Thalhoffer, Thompson,
ABSENT: Wakeman

STAFF: Christian, Cline, Gazewood, Raglione, Wilder

PRESS:

GUESTS: Kris DeSylvia, Karen Burger-Kimber, Gussie McRoberts, Ethan Seltzer, Robin Cook, Sally Wakeman, Oscar Dyrdaahl, Viki Dyrdaahl, Dick Piland

Mayor Cox asked City Administrator Christian if there were any agenda updates.

Christian asked that Item #15 be heard after Item #5 since there was a Multnomah County Sheriff present to discuss the issue and present materials.

ITEM #2: CONSENT AGENDA

Mayor Cox called this agenda item.

MOTION: Councilor Schmunk moved to approve the consent agenda as written [2.1 - City Council Minutes 5/28; 6/11/91; 6/4/91; 6/11/91; Councilor Bui seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #3: PUBLIC COMMENT

Mayor Cox called for public comment to non agenda items.

Robin Cook, 545 SW 8th. Mr. Cook stated he was before Council to request permission from the City, as the property owner, to use a vacant lot to sell berries from his van. He stated that he would like permission to use the property for approximately one month.

Councilor Schmunk asked staff if there was a liability waiver form that Mr. Cook could agree to sign to waive any liability to the City for occurrences from this type of use?

Christian stated that there was and a temporary roadside sales permit would need to be taken out from the Building Division. Mr. Cook met all the criteria and needed only Council permission for use of the vacant property [located on Historic Columbia Scenic Hwy].

MOTION: Councilor Bui moved to authorize staff to allow the procedures for Mr. Cook to proceed with a temporary roadside sales permit for berries to be sold from Mr. Cook's van for a period of thirty (30) days. Mr. Cook will be required to sign all necessary documents releasing the City from any and all liabilities which might occur while Mr. Cook is doing his business and Mr. Cook must pay the usual and customary permit fees. Councilor Schmunk seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM 3: PRESENTATION: Views/Information Regarding Metro's Adoption of RUGGO's.

Mayor Cox called on Gussie McRoberts, Mayor, City of Gresham to make her presentation. He stated that Mayor McRoberts was the cities representative on the Policy Advisory Committee and Ethan Seltzer represented Metro staff in the planning process.

Mayor McRoberts gave a brief overview of materials which were presented to Council by C. Scott Cline at the June 11, 1991 regular Council meeting.

Mayor McRoberts stated that the representation from the counties and cities would include a total of 17 votes comprising RPAC. The Metro 'Bill of Rights' defined roles of the cities/counties/Metro.

Ethan Seltzer, Metro, spoke to the issue and reviewed background information presented to Council earlier.

Councilor Schmunk asked how long before the objectives were to be met?

Seltzer stated a year to a year and a half. Next year the urban reserves vacant land supply won't be able to accommodate the anticipated growth. He stated that the issues and objectives would change as everyone got used to working together and a 'partnership' would be required to meet these objectives.

Christian stated that a consensus for agreement regarding willingness to participate in RUGGO discussions. The purpose of Gresham Mayor McRoberts presenting a report as the East County representative was that they would like confirmation that the committee was leading us in the right direction.

Jim Wakeman was recommended by Mayor Cox as a representative to the RUGGO RPAC. Consensus was appropriate in order to get to business and move forward.

MOTION: Councilor Bui moved to participate with the RUGGO planning process at Tri Met level. Councilor Schmunk seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalsofer - Yea; Thompson - Yea

ITEM 4: RESOLUTION: Authorizing the Mayor to Enter Into an Intergovernmental Agreement Between the City of Troutdale and the City of Gresham To Implement a Multi-Family Dwelling Recycling Pilot Program (913-R) [Tape 1, Side 2 10:00]

Mayor Cox called this agenda item, asked for declarations or challenges. There were none. Mayor Cox then read the resolution by title.

Terry Ege, Ege Sanitation, was in the audience and spoke briefly to this issue. The intergovernmental agreement between Troutdale and Gresham. This particular agreement involved cooperation between the two cities to plan and implement a multi-family recycling pilot project and a resulting recycling plan. The multi-family recycling plan was required under State statute to be submitted to Metro as part of the requirements of the Second Year Annual Waste Reduction Plan.

The pilot project will include submitting an application for matching grant to Metro with the City of Troutdale's portion of the 50% matching grant program being paid with grant money received from a previous program.

MOTION: Councilor Thompson moved to adopt the resolution authorizing the Mayor to enter into an intergovernmental agreement with the City of Gresham for planning and implementing a multi-family recycling pilot project and resulting recycling plan. Councilor Thalsofer seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM 5: DISCUSSION/PRESENTATION -- ORDINANCE: Imposing Water, Sewer, Street, Storm Water and Parks System Development Charges and Repealing Ordinance #566 [Tape 1, Side 2 15:00]

Mayor Cox called this agenda item.

Wilder stated the current System Development Charges ordinance did not comply with statutory provisions dealing with direct cost assignments based upon identified capital projects. The department was in process of identifying a detailed inventory of projects from the past and future that met statute requirements and were assigned SDC values based on capital needs as well. He would be briefing Council on the projects, the impacts and the calculation methodology during the next two Council sessions. At the conclusion of the presentations [within thirty days], an ordinance to address capital needs, system development charge requirements, policies, etc. would be presented for Council action.

Wilder stated that in addition to assessing system development charges for wastewater, water, storm water and road capital improvements, the statute allowed for parks and recreation facilities. The Community Development Department would be reviewing the Park Plan and identifying capital projects allowed under statute. After they are identified, a preliminary SDC value would be established to discuss the potential of including recoverable costs in the SDC ordinance.

Wilder stated that the city currently credited road SDC's for developments abutting State and/or County road systems and it was suggested the credits be removed and monies passed to appropriate jurisdictions, through intergovernmental agreements, to target improvements on County/State facilities that are impacted by improvement in Troutdale. Wilder stated preliminary values suggest SDC's would be competitive with others currently being established in the region but the values would fluctuate dramatically depending on several factors including projects from which the amount was calculated, [i.e., whether or not financing costs were included, consumer price index changes over time, existing excess capacity value].

ITEM #15: ORDINANCE: An Ordinance Amending the Existing Burglary and Robbery Alarm Ordinance Adding a Procedure to Handle Delinquencies in the Renewal of Permits, Increasing Fines, Reducing the Number of Allowable False Alarms, and Altering the Allocation of Revenues [Tape 3, Side 5 23:15]

Mayor Cox called this agenda item and asked for declarations or challenges. There were none.

Dick Piland, Multnomah County Sheriff's Department made a presentation to Council. Piland brought with him the latest draft from Multnomah County to ensure all changes were included with the City's ordinance prior to passage.

Christian stated this was before Council for first reading only at this time.

ITEM #6: PUBLIC HEARING: FY 1990-91 Supplemental Budget [Tape 2, Side 4 5:24]

- .1: Open Public Hearing - 8:35 p.m.
- .2: Declarations, Challenges, Ex Parte Contact
- .3: Summation by Staff
- .4: Public Testimony: Proponents -- City
- .5: City Council Questions
- .6: Public Testimony: Opponents -- None
- .7: City Council Questions
- .8: Rebuttal
- .9: City Council Questions
- .10: Recommendation by Staff -- Supported documents as presented.
- .11: City Council Questions
- .12: Close Public Hearing Process - 8:37 p.m.

ITEM #7: RESOLUTION: Adopting FY 1990-91 Supplemental Budget and Making Appropriation (906-R) [Tape 2, Side 4 11:40]

Mayor Cox called this agenda item and asked for declarations or challenges. There were none. Mayor Cox read the resolution by title.

Gazewood wanted it stated for the public record that the second notice appearing in the Gresham Outlook was not printed as notice was submitted. Multnomah County and Tax Supervising Conservation Commission [Gil Gutjahr] was aware of the error and stated that presenting the information that it was published incorrectly would take care of the problem.

MOTION: Councilor Bui moved to adopt the resolution as written. Councilor Thompson seconded the motion.

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

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #8: RESOLUTION: Providing for Budget Transfers and Making Appropriation Changes for FY 1990-91 (907-R) [Tape 2, Side 4 11:43]

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

Gazewood gave explanation and reviewed materials for Council clarity.

MOTION: Councilor Thompson moved to adopt the resolution as written. Councilor Bui seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #9: **RESOLUTION: Providing for Budget Authority for Local Improvement Districts and Making Appropriations for FY 1990-91 (908-R) [Tape 2, Side 4 16:37]**

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

Gazewood gave explanation and reviewed materials for Council clarity.

MOTION: Councilor Bui moved to adopt the resolution as written. Councilor Thompson seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #10: **RESOLUTION: Certifying the City of Troutdale Eligibility to Receive State Shared Revenues (909-R) [Tape 2, Side 4 19:44]**

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

Gazewood gave explanation and reviewed materials for Council clarity. He stated that the City provided everything except for (2) Fire protection which was with Fire District #10.

MOTION: Councilor Schmunk moved to adopt the resolution as written. Councilor Thompson seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #11: RESOLUTION: Declaring the City of Troutdale's Election to Receive State Shared Revenues (910-R)

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

Gazewood gave explanation and reviewed materials for Council clarity. He stated that the figures included the estimated amount of uncollectible taxes which were calculated at 8.5%.

MOTION: Councilor Thompson moved to adopt the resolution as written. Councilor Schmunk seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #12: PUBLIC HEARING/FY 1991-92 Budget [Tape 2, Side 4 26:01]

- .1: Open Public Hearing - 8:50 p.m.
- .2: Declarations, Challenges, Ex Parte Contact
- .3: Summation by Staff - Gazewood presented materials.
- .4: Public Testimony: Proponents -- City.
- .5: City Council Questions
- .6: Public Testimony: Opponents -- None.
- .7: City Council Questions
- .8: Rebuttal
- .9: City Council Questions
- .10: Recommendation by Staff -- Adoption as adjusted in four funds.
- .11: City Council Questions
- .12: Close Public Hearing Process - 9:08 p.m.

ITEM #13: RESOLUTION: Adopting FY 1991-92 Budget and Making Appropriations (911-R) [Tape 3, Side 5 10:30]

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

Gazewood reviewed Council materials.

MOTION: Councilor Thalhoffer moved to adopt the resolution as written. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

Councilor Bui thanked staff for the work that goes into putting the Budget document together.

Councilor Thalhoffer referred to the bond redemption and stated it was good news. Gazewood stated there were restrictions that Council had on how much to allocate for projects. There could be question as to the bancroft bonding act in terms of Measure #5, it was unknown how it would be totally resolved. Since there were no restrictions it would release monies back up for additional projects again.

ITEM #14: RESOLUTION: Levying Ad Valorem Taxes for FY 1991-92 (912-R) [Tape 3, Side 5 13:19]

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

Gazewood reviewed materials and stated that this was a requirement that specific taxes. The general fund tax base was levied at \$855,589 the debt service general obligations bonds \$7,071 and the total property tax requirements was \$862,660. The total figure included 8 1/2% projected as uncollectible for the first year. In order to realize the maximum amount of taxes to finance the budget the uncollectible figure has to be included in the value.

Gazewood stated that unless there was a large increase in the assessed value [greater than \$100 million] the jurisdictions in Multnomah County won't receive the full tax levied amount that must be certified as being levied. The City was presently looking at a combined amount estimated measure #5 reduction of 30.7% -- a gross value of the \$855,589 a gross of \$262,666 cut; the net would be 8 1/2% projected uncollectible would be a cut of \$240,339. That figure is in the general fund budget as Contingency, as recommended by the Dept. of Revenue. This being in the event that there was a change in the assessed value sufficiently to allow the taxing districts still remain within the \$10.00 limit that would grow to some extent. The best guess is that it may increase from \$35 - \$70,000 and don't expect it to be greater than that. If the assessed value goes up sufficiently that would allow the reduction of 30.7% cut. If that value dropped to less than 30.7 additional funds would be provided within the \$240,339.

The good point is that it cannot be spent unless City Council chooses to do that should there be any increase.

Christian stated that any additional revenue that the City might see from assessed valuation increase would be before Council, as a resolution. As part of the Budget Committee, the Council had already established a priority listing of items that were cut from the budget, should there be funding available.

MOTION: Councilor Bui moved to adopt the resolution as written. Councilor Thompson seconded the motion.

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

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #2: CONSENT AGENDA [continued]

Mayor Cox addressed a request was received by Ginsburg Craig for a temporary event. He stated that staff had reviewed it and it was the Mayor's recommended to proceed with the permit.

MOTION: Councilor Thalhoffer moved to authorize the temporary event. Councilor Schmunk seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

ITEM #16: DEPARTMENT REPORTS: Continued from 6/11/91 Meeting

- O Public Safety - Chief Collier was not in attendance. Councilor Thalhoffer asked when there would be a tour of the new facility? Or, should it be done on an individual basis. The Mayor would be setting a dedication date.
- O Finance - Gazewood had nothing to add.
- O Community Development - Cline had nothing to add.
- O Public Works - [22:43]Schmunk asked Wilder to explain the MOU between ODOT/County/Troutdale. Wilder stated this was a staff draft forwarded to Salem for review and approval for signatures. The MOU establishes guidelines for future agreement to transfer ultimately the Columbia River Scenic Hwy. to Multnomah County and provide the City up to \$240,000 for cross section improvements to the roadway. Under City direction and guidance on behalf of the County. It would transfer 257th in its improved condition with a widened bridge from Columbia River Scenic Hwy. to a future signalized intersection at Frontage Rd. to the County; transfer right-of-way to the City for access to the Treatment Plant and set basic guidelines under which three jurisdictions would work and agree to meet these ends.

Wilder stated that it was expected to be forwarded back to the City in the next two weeks for signature by the City Administrator [staff level agreement]; from that the draft agreement would be done and then before Council for entering into a three party agreement.

Wilder reviewed projects underway and complaints that may arise from the amount and location of some of the projects.

- O City Attorney - No report.
- O Executive - Raglione stated that Council members were invited to an introduction of the Multnomah County representative, Ned Louke, to the Metro Charter Committee member at 11:45 a.m. June 27, 1991, City of Fairview and lunch would be provided.

ITEM #17: COUNCIL CONCERNS AND INITIATIVES

Mayor Cox discussed the Urban Renewal Advisory Committee and names of persons that had contacted the City expressing an interested in membership on the Committee. Mayor Cox recommended Co-Chairmans to the Committee as Jim Kight and Neil Handy.

Christian stated that Jim Kight had donated considerable time, effort and materials into a second letter that was mailed out to enlist more volunteer committee members. It was hoped that this effort would bring a more favorable respond that City currently had. She announced that July 2 would be the first meeting of the Committee.

CONSENSUS ON CO-CHAIRMAN RECOMMENDED

Councilor Schmunk discussed routes considered [including Williams Ave] by the TAC regarding I-84/Hwy 26. She asked for Council concurrence for still agreeing to the Resolution that was passed by Council on May 18th. She stated that the discussion of Williams Avenue had resulted in a 4 to 3 vote to not look at the eastern by-pass or have it go to EIS. She stated her concern was that Gresham had new players and that usually resulted in wanting to begin again. It was her feeling that the CAC had looked at the eastern route and the City of Troutdale made their decision on how the route should go -- the City of Gresham should stick by their commitment. Earlier on they had stated they too wouldn't consider the eastern route. However, now they are not agreeing to that. She felt that they should re-look at how the CAC works.

Wilder added that something that had come up more than once in the TAC was that the State staff people felt the Williams [eastern route] may be reviewed in spite of the decisions reached by the Policy Advisory Committee if their [Gresham] Council demands it.

Councilor Schmunk stated that we too could demand it but citizens had spoken and stated they didn't want to look at it. Schmunk stated there had not been a public meeting on Williams Avenue itself and she was unhappy about the public process regarding this particular highway.

Councilor Fowler stated that there had been no indication that the City of Troutdale Council had changed their mind and he saw no reason to discuss it further.

Councilors Bui supported the resolution already adopted. Thalhofer supported the resolution. Thompson supported the resolution. Fowler supported the resolution. Schmunk agreed.

COUNCIL CONSENSUS

ITEM #18: ADJOURNMENT

Mayor Cox called this agenda item.

MOTION: Councilor Schmunk moved for adjournment at 9:55 p.m. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thalhoffer - Yea; Thompson - Yea

Sam K. Cox, Mayor

Dated: _____

ATTEST:

Valerie J. Raglione, CMC

City Recorder

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