

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

7:00 P.M. -- SEPTEMBER 24, 1991

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

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

Mayor Cox called on Councilor Schmunk to lead the Pledge of Allegiance.

City Recorder, Raglione called the roll.

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

ABSENT: Thalhoffer

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

PRESS: Steve Amick, The Oregonian

GUESTS: Karen Whittle, Justin Gothard, Andrew Lind, Bonnie Lind, Mel Robinson, Josh Rowe, Mike Smith, Matt Rowe, Terry Scott

ITEM #2. CONSENT AGENDA:

Mayor Cox called this agenda item.

MOTION: Councilor Bui moved to accept the Consent Agenda [2.1 Accept Minutes 09/10/91 Regular Session; 9/16/94 Special Session]. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thompson - Yea; Wakeman - Yea

ITEM #3. PUBLIC COMMENT:

Mayor Cox called for public comment on any non-agenda item.

Terry Scott, Public Affairs Manager, Paragon Cable. Scott wanted to introduced herself to Council and distribute Cable Classroom Guides. The Guides were being provided for all the schools in the service area. She stated the City had been added to the subscription listing for a magazine which introduced customers to the educational services available.

ITEM #4. AGREEMENT: Renew City of Troutdale Participation in the Urban County for Program Years 1991-94 -- Multnomah County Community Development Block Grant [CDBG] Tape 1, Side 1 2:12

Mayor Cox called for this agenda item.

Councilor Bui spoke to this issue as the City representative Community Development Block Grant Committee. He introduced Karen Whittle to respond to questions regarding the program. He stated that the City had done very well with the program and was garnering funds [with match] to complete a series of road and sewer projects.

Whittle stated meetings were being held with each of the participating cities [Troutdale, Maywood Park, Wood Village, Fairview, Lake Oswego, Gresham] Gresham would be involved with their own Block Grant program beginning next year.

Whittle stated that the agreement would be for a three year period [92, 93, 94]. She stated that approximately a year ago, her office was able to guarantee that even though the County area incorporated area was shrinking and population shrinking -- primarily due to annexation by Gresham and Portland -- the County and participating cities, will still receive the entire amount of Block Grant funds on an on-going basis. She stated it would shrink as the population base shrinks but the County would still oversee the program.

Whittle stated that the HUD program [parent to CDBG] had passed an ordinance instituting another program called the HOME program. That program would primarily produce housing programs. The amount of money it would bring to the program was unknown but nationwide it was between \$.5 Billion and \$2 Billion -- that translates to approximately \$400,000-\$500,000 for the Multnomah County which would have a similar distribution as CDBG had but, added that it would be a very good compliment to the existing block grant program.

Mayor Cox asked if there were any questions?

Christian asked if the HOME program would be based like CDBG funds in terms of low-to mod income requirements?

Whittle stated yes. It was a little different because the focus was on housing affordability but, it would be aimed at the same type of population for the most part.

Christian stated that she was concerned about how Troutdale would meet the requirements since in the past it was difficult to meet the low to mod income and ended up designating just the downtown area.

Councilor Bui believed that the same targeted area had to be used and asked Whittle if that was correct?

Whittle stated yes, for the first year, she felt that in subsequent years it would change.

Councilor Bui comments on the improvements that have been accomplished in Troutdale due to the CDBG and HUD programs. He felt it was important for the City to continue to participate in plan. He added that Greg Wilder had been a strong support and great help in writing excellent grants for City.

Schmunk asked if there would be a resolution authorizing the Mayor to sign the agreement?

Christian stated yes, it would be prepared.

MOTION: Councilor Bui recommended approval renewing the City of Troutdale as a participant in the CDBG agreement and authorizing the Mayor to sign the resolution and agreement. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thompson - Yea; Wakeman - Yea

ITEM #5. RESOLUTION: Updating the Troutdale Municipal Court Bail and Fine Schedule to Reflect Multnomah County Circuit and District Court Violations Bureau Bail and Fine Schedule. 925-R

Mayor Cox called this agenda item.

Chief Collier gave a brief explanation of the purpose of the resolution. He stated that there were substantial increases in several categories; 270 outstanding warrants, 80 more awaiting entry to computer. He added that only 10% of posted bail was required on outstanding warrants [documentation available in Council packet materials].

Wakeman asked if similar to County increases recently?

Collier stated nearly every Municipal Courts had gone to this schedule, or were in the process of going to it.

Mayor Cox read the resolution by title.

MOTION: Councilor Bui moved to adopt the resolution updating the Troutdale Municipal Court Bail and Fine Schedule to Reflect Multnomah County Circuit and District Court Bureau Bail and Fine Schedule. Councilor Wakeman seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thompson - Yea; Wakeman - Yea

ITEM #6. PROCLAMATION: Disability Employment Awareness Month.

Mayor Cox called this agenda item. He then gave the purpose of the Proclamation for the benefit of the audience.

MOTION: Councilor Bui moved for approval of the City of Troutdale proclaiming October as Disability Employment Awareness Month. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thompson - Yea; Wakeman - Yea

ITEM #7. DISCUSSION:

DARE Program:

Collier stated that the Budget of \$1,500 did not reflect any officer costs. Officer Newton performed this service last year and he was moved into investigations after an employee had left the city's employ. There was another officer that was still in training and calls for services in the City had increased dramatically. Collier stated that he simply cannot find the manpower in-house to do the program this year. Increases in calls for service example given: House checks 288 Aug. 90 - 472 Aug. 91; business checks 203 Aug. 90 - 2,000 Aug. 91 etc.

Collier stated this had been a tough decision. He had, however, researched and found that Sheriff Skipper would have a Deputy, that had received DARE training, available to put DARE program on in Troutdale Elementary and Sweetbriar Elementary schools. This would entail three days each work week [an estimate of \$40/hr. manpower costs].

Mayor Cox stated this was a worthy program and supported continuing the DARE program in these two schools.

Councilor Fowler asked if the \$1,500 was already donated to the program?

Christian stated yes. She added that one Sergeant position was yet unfilled also. The DARE training was only put on once per year and Troutdale would have to wait until it was offered again in order to train another officer.

Councilor Bui stated that the kids were a winner in the program also. He would like the program to continue, even if the City wasn't able to put it on in-house. He mentioned that the School District might be able to assist with funding next year in order for the City to put it on in-house.

Schmunk stated neighbors knew County putting on program so no need to be present at Council meeting to express displeasure with no program.

Public Works Director Position Vacancy:

Christian stated that this item was included for purposes of clarification. A letter regarding the Assessment Center and the recommendation from the consultant, Helen Terry, was included with Council material. Assessors were: Councilor Schmunk, Tim Hayford [Sandy Drainage District], Randy Oliver [Division Mgr. PGE]; Jeff Sarvis, Public Works Director, City of Fairview.

Christian stated that there only remained 1 candidate after the process was completed and she didn't feel that a hiring decision should be made strictly by the fact that only one candidate remained available.

Councilors Schmunk, Thompson, Bui, and Wakeman commented on the inappropriateness of a letter [recently received by Councilors and the Mayor]

Christian stated that Jerry Ortega would be filling in as Acting Public Works Director. He had been managing projects going on and would have the basic skills and training necessary to effectively handle most activities until the position was filled. Consultants would be hired when and where necessary in the interim period.

Councilor Fowler stated if he was capable, why didn't he apply for position?

ITEM #8. DISCUSSION: Summary of Comments -- Gorge Draft Management Plan [Forest Service National Scenic Area] Tape 1, Side 1 26:00

Mayor Cox called this agenda item.

Cline gave an overview of the materials provided to Council. He stated Council had periodically been updated on Plan. Comments were submitted on the Draft Plan now with plans to adopt the Plan by October 16th.

General Introduction - 1st Position statement: Even though the City commented on the Plan, it was not to be construed that the City was in support of adopting all the recommendations. These were observations and comments on problems that the City staff saw in terms of implementation. The City believes that the area of the City on the east side of the Sandy River was included in the NSA at the

last minute...without full recognition of what the impacts of taking that area into the NSA were. It referenced that the City retains the right to pursue other options, including potential removal of the area from NSA and/or designation of being an urban area or some other type of a modification.

Section 2 - Implementation/procedural issues - The City [Cline, Christian] attended a meeting September 3 with the Gorge Commission and had a one on one roundtable discussion and raised the issues of implementation. The Act is specific it states that Counties will adopt ordinances to implement the Management Plan, but doesn't give authority to do so to cities. At the time the Act was written it didn't consider that there would be any incorporated areas affected by the Plan. In the entire area of the National Scenic Area there are designations of General Management, Special Management Area and Urban Areas. Urban Areas which are specifically referenced by the Act are not subject to the regulations of the Plan...This is an oversight which was pointed out. City sees problems with the Plan recommends that the County adopt an ordinance to regulate land use inside corporate limits of Troutdale. Cline stated it was his opinion that was in direct conflict with Oregon Land Use Planning Law. The County doesn't have land use regulatory authority within the corporate limits of Troutdale. It needs to be addressed within the Plan itself.

Councilor Thompson asked if Troutdale was the only city that had this problem.

Cline stated that Troutdale was, in that it was the only area in which there can't be a modification unless something changed within the Plan or the Act. Cline stated that yes only area where no allowance for modification. City of Troutdale didn't have an urban area that could be modified at this time - and there was no recognition outside NSA.

Section 3 - Uniqueness of City of Troutdale Cline stated that even though the area of Troutdale lying within the NSA was relatively small, it was significant to the City of Troutdale. It constituted less than .03% of the total area within the NSA yet 3% of the corporate limits of the City. Cline stated that in March, 1991, the Gorge Commission overturned a Director's decision and allowed for the establishment of a commercial/recreation restaurant and public garden on a ten acre tract at Woodard Road. Due to this action, there were now no direct conflicts between the land uses designated by the Management Plan and the Comprehensive Plan of the City.

Residential Land Uses - Even though the Management Plan would allow it, the City doesn't allow for establishment of a mobile home in the case of a family hardship, even on a temporary basis. The City could impose more stringent conditions within these areas. The Plan should clearly state that implementing ordinances may be more restrictive than the Management Plan for General and Special Management Areas.

Commercial Lands - The act is clear in terms of not allowing any regulation outside the boundaries of the NSA, the land uses adjacent to the NSA cannot be ignored for the impacts they would have on areas within the boundaries of the NSA. This raises a question of conflict with state land use planning laws. The area inside Troutdale is within the Urban Growth Boundary of the Portland Metropolitan Area the City is mandated by state law to make these lands available for urban intensive land uses. Cline stated there should be recognition of the fact within the Plan itself. Recognizing the fact would

help the Plan be more compatible with the state land use goals and objectives through a review by LCDC.

Christian: Resolution may be one that Troutdale doesn't like since the ex-director was now the director of LCDC.

Cline stated that this was an overview of comments presented in response to the Draft Management Plan and for Council update purposes at this time. No action was required to be taken by Council.

ITEM #9. COUNCIL CONCERNS AND INITIATIVES

Mayor Cox called this agenda item.

Mayor Cox stated that he would like to reappoint Councilor Schmunk as the representative to JPACT. He added that the cities of Wood Village and Fairview have already submitted their letters nominating Schmunk.

MOTION: Councilor Bui stated that since Schmunk carried considerable history of Troutdale he would like to nominate her to continue membership on JPACT. Councilor Thompson seconded the motion.

YEAS: 4

NAYS: 0

ABSTAINED: 1 [SCHMUNK]

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thompson - Yea; Wakeman - Yea

Mayor Cox stated that Lisa McQuade had contacted him regarding an upcoming Town Hall discussion of lottery monies and invited any interested persons and Council members to attend. Any supporters of lottery/gambling generating monies for the State.

Mayor Cox reminded the Council and audience of the Harvest Faire which would be held the upcoming weekend. He stated that Mr. Rowe would be in attendance to advise on the value of their 'antiques'.

Councilor Schmunk gave comments on an agenda she received. She stated the agenda items indicated she had participated in setting the items and, she had not.

ITEM #10. ADJOURNMENT.

MOTION: Councilor Schmunk moved to adjourn the meeting at 7:50 p.m. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Bui - Yea; Fowler - Yea; Schmunk - Yea; Thompson - Yea; Wakeman - Yea

The September 24, 1991 regular City Council meeting adjourned at 7:50 p.m.

Sam K. Cox, Mayor

Dated: _____

ATTEST:

Valerie J. Raglione, CMC

City Recorder

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