



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. -- JULY 13, 1993

NOTE: All times listed are approximate; items may not be considered in the exact order listed.

- 7:00 (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- 7:05 (A) 2. CONSENT AGENDA:
2.1 Accept Minutes - June 8, June 22 Regular Sessions 1993
2.2 Business Licenses - Month June of 1993
2.3 Liquor License - Fortuna Chinese Restaurant
2.4 RESOLUTION: - Intergovernmental Agreement with Portland Police Bureau.
- 7:10 (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- 7:25 (A) 4. PRESENTATION: Years of Service Certificates to City of Troutdale Employees.
Mayor Thalhofer
- 7:35 (A) 5. APPOINTMENT: Stan Hymel to Planning Commission Vacancy.
- 7:45 (I) 6. DISCUSSION: Request from Resident of Jackson Park Road to Connect to City Sewer.
Galloway
- 8:00 (A) 7. RESOLUTION: Approving the Year Four Waste Reduction Plan.
Galloway
- 8:15 (A) 8. RESOLUTION: Establishing Monthly Collection Rates For Garbage and Recyclables.
Galloway
- 8:30 (I) 9. PUBLIC HEARING: Establishing a Storm Drainage Utility.
FIRST READING
PUBLIC HEARING:
.1: Open Public Hearing
.2: Declarations, Challenges, Ex Parte Contact

- .3: Summation by Staff
- .4: Public Testimony: Proponents
- .5: City Council Questions
- .6: Public Testimony: Opponents
- .7: City Council Questions
- .8: Rebuttal
- .9: City Council Questions
- .10: Recommendation by Staff
- .11: City Council Questions
- .12: Close Public Hearing Process.

8:50 (I) 10. PUBLIC HEARING: Forfeiting Vehicles For Certain Traffic Offenses. FIRST READING

- PUBLIC HEARING:**
- .1: Open Public Hearing
 - .2: Declarations, Challenges, Ex Parte Contact
 - .3: Summation by Staff
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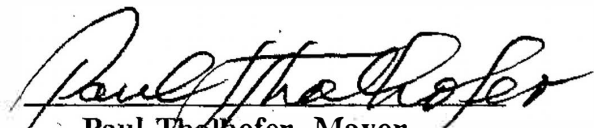
9:10 (A) 11. RESOLUTION: Authorizing the City to Enter into an Agreement with Multnomah County For Road Improvements. Galloway

9:20 (I) 12. DEPARTMENT REPORTS:

- Finance
- Public Safety
- Community Development
- Public Works
- City Attorney
- Executive

9:40 (I) 13. COUNCIL CONCERNS AND INITIATIVES

9:50 (A) 14. ADJOURNMENT.


 Paul Thalhoffer, Mayor
 Dated: July 7, 1993

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

7:00 P.M. -- JULY 13, 1993

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called the meeting to order at 7:00 p.m. and asked Councilor Burger-Kimber to lead the Pledge of Allegiance.

Deputy Recorder Martinez called the role.

PRESENT: Burger-Kimber, Lloyd, Prickett, Ripma, Schmunk, Thompson, Thalhofer.

STAFF: Barker, Christian, Cline, Collier, Galloway, Gazewood, Lantz, Martinez.

PRESS: Nakvasil, Rubel.

GUESTS: Glen and Jane Milligan, Kris Desylvia, Lynda Kotta, Ann Hymel, Mike Sorensen, Don McGinnis, Tony Odiermo, Mike and Sue Stasi, Jim Tappert, Jerry Ortega, Vern Cook, H. G. Hanson, Spiro Sassalos, Sarah Stasi, Nicole Stasi, Lynn Coulter, Cheryl Stewart.

2. CONSENT AGENDA

Mayor Thalhofer called this agenda item.

MOTION: Councilor Thompson moved to accept the consent agenda; 2.1 - Minutes of June 8th and June 22, 1993; 2.2 - Business Licenses - Month of June 1993; 2.3 - Liquor License Fortuna Chinese Restaurant; 2.4 - Resolution, Intergovernmental Agreement with Portland Police Bureau. Councilor Ripma seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Mayor Thalhofer stated he would like to address agenda item four at this time.

4. PRESENTATION: Years of Service Certificates to City of Troutdale Employees

Mayor Thalhofer called this agenda item.

Mayor Thalhofer presented years of service certificates to employees that were present, Jerry Ortega 5 years; Mike Sorensen 10 years; Pam Christian 15 years; and read the names of those who were not, Jodi Anderson 5 years; Cheryl Schnor 15 years; Ken Smelser 15 years.

Mayor Thalhofer presented the new City of Troutdale sign and thanked the Multnomah County Sign Shop for the work they did on the sign.

3. PUBLIC COMMENT

Mayor Thalhofer called this agenda item.

Vern Cook candidate for County Chair stated that when he was with the City of Troutdale as City Attorney he felt Mayor Glen Otto did an excellent job as mayor and that he was the one primarily responsible for obtaining the Troutdale City Park Property and he deserves more recognition for what he has done for the city. He felt that he would enjoy being County Chair and he could do a good job. He felt that the roads issue should not be acted upon until all of the East County cities could be in agreement. If he is elected he will respect the wishes of Troutdale just as much as he would any of the other cities no matter what size.

Patty Polly 410 SE Penguin Place stated that with her were Carolyn Taylor and Cecelia Pavlick organizers and officers of The Friends of Beaver Creek. People live in Troutdale because of its beauty the trees and wildlife the wonderful quality of life. Last summer the voters of Troutdale told us by more than a two to one margin that Troutdale is special and is should stay that way. The owner of the Skyland Pub has stated in no uncertain terms that it is his land and he will do what he wants to do with it, no compromise. As a Planning Commission member I know that there are short comings in the Comprehensive Code. Time and time again we have been caught with our pants down, this is one of those times, we are in the process of revising the code. Deforestation is one of the issues we will be addressing, but Beaver Creek can't wait, there is now wet soil running into the creek. The Division of State Lands can not

get involved until the course of the creek has been changed. The regional director stated that this will happen unless mitigation is immediate. It needs your attention now to protect the creek and to protect our way of life. I am asking you please consider a three month moratorium on all development including land grubbing which is what they consider this to be, land clearing and tree removal except for hazardous conditions and no exposed dirt on slopes within 100 feet of Beaver Creek until such time legal language can be incorporated into our code to protect the quality of Beaver Creek. Beaver Creek is recognized by the State of Oregon as a natural fish habitat. I hope you thought of all of the land owners along the creek and the devastation that could occur because of the blank spaces in our code.

Councilor Ripma asked what type of Mitigation?

Polly stated that DSL and DEQ suggested ivy, brush or mesh or even straw to prevent and further runoff.

Councilor Ripma asked Jennings if a Moratorium could be declared?

Jennings stated that the city does have that option, but it would take some time to get this done.

Mayor Thalsofer stated that after viewing the site staff was directed to put something together regarding sensitive environmental issues, but it will take some time.

Christian stated that there has been money budgeted to hire a consultant to do an ordinance that addresses exactly these issues. And staff has begun the process of preparing an RFP.

Mayor Thalsofer stated that this issue would be fast tracked with council approval of course.

Councilor Burger-Kimber called for a Point of Order and stated that this would take approval of the council.

Councilor Burger-Kimber commented to Carolyn Taylor that she had discussed the condition of the creek with Mr. Saslos and the possibility of working with the city or the Friends of Beaver Creek to allow for some sort of donation process or something for this portion of Beaver Creek and he was agreeable to this. I spoke with Carolyn Taylor who was the President of the Friends of Beaver Creek at that time and mentioned that I would try to get the two of them together because there was a lack of communication and I was worried that this issue would become volatile and I wanted to provide some sort of mediation. The response to this was a threatening letter from the Friends of Beaver Creek telling me to cease and desist from this issue or they would take legal action against me. What is happening now is exactly what I anticipated

happening. All I got for trying to facilitate this issue was a threatening letter.

Mayor Thalhoffer stated he would not let this become an argument

Polly stated that her response to Burger-Kimber was that this is not the time or place and that there is a very fine line between facilitating and acting as a corporate officer without any rank or title and making promises.

Sue Stasi 2950 Corbeth Lane stated that she is concerned with the development of the property bordering Beaver Creek on the NW corner of Stark and Troutdale Road. A little over a year ago after much research we hand picked a lot in Mt. Vista subdivision that backs up to a designated greenway along Beaver Creek. We chose this lot after being told by City Hall that nothing would ever be developed on the other side of the creek. We now know that was an absolute lie. We have seen many types of fish and wildlife along and in the creek. Where else but Troutdale could one be so close to the city but right in the middle of nature. Early Saturday morning July 10th we were awoken by the sound of bulldozers ripping away Beaver Creek and its' precious bank. We looked out our window and saw very large trees and the natural vegetation wall along the creek being torn away. Why is there no buffer zone. We Request a environmental study be done by an independent source.

Mike Stasi agreed with what his wife had to say and would like an impartial study done by someone who has no interest in us or the Skyland Pub.

Jim Tappert 3002 SW Corbeth Lane stated his wife and he moved to Troutdale because his wife liked the home but when he walked out into the back yard and looked at the creek he decided that this was the house they would buy. We were told by City Hall that there would be no development behind us because it was a flood plane. A little while latter after some filling we were told by City Hall that it was wet lands, we were told different stories constantly by the planning office, no trees would be disturbed no vegetation removed, but it was. The paper always talks about how proud the citizens are of Beaver Creek. We need to stop this now.

Lynn Coulter 2931 Corbeth Lane moved to area about a year ago after much research. We were assured of a greenway and a park near by. We had allot of different types of wildlife in our back yard but I don't know if they are still there. Asking for a environmental study so that we do the right thing.

Cheryl Stewart stated her family moved to Troutdale because it is a rural area and to get away from crime and if Beaver Creek is destroyed this will be a crime. Request a impartial study.

Councilor Ripma asked about calling City Hall and being told different things?

Sue Stasi stated that she talked to the planning department today and was told whoever told her these things in the past had no authority to do so.

Jim Stasi stated that people in Portland know of Beaver Creek.

Councilor Ripma stated that he was sorry about being misled. West side of creek is a greenway but not the east side. Maybe this issue could be a candidate for East County Mediation.

Jim Stasi stated that he has been told by the park crew that the city has been arguing over the foot mark of the set back.

Councilor Ripma stated that he knew nothing about an argument over the footage but each time you move the line back you are slicing off more property of the owners'.

Jim Stasi asked who they could talk to at city hall and get the truth?

Councilor Ripma Stated that they had come to the right place.

Councilor Burger-Kimber explained East County Mediation and stated that there are others concerned with Beaver Creek.

Cheryl Stewart asked if things would continue while the mediation process took place?

Councilor Burger-Kimber stated that what happens during the mediation process could be worked out during the mediation.

Polly stated that this is not the place to discuss mediation. You know the problem, you need to do something about it.

Jennings stated that there have been two citations issued. They do not stop development by themselves but the Development Code does provide that the city can apply for injunctive relief if they need to.

Mayor Thalhofer stated that as you can see the city is addressing this issue.

The Council viewed video tape of the site that showed before any work had been done and while the work was going on.

Councilor Ripma sympathized but we can only take action on violations of code. Encouraged mediation.

Sue Barker stated that after viewing the site it appears that there have been three violations. 1. Cut and fill before approval by Site Design and Review Committee. He has made application for review of the plans. The committee is scheduled to meet on this issue on the 29th of July; 2. Removal of trees greater than six inches in diameter without prior approval; 3. Possible grading\fill activity on the site. They are not in violation of any regulations regarding wetlands or flood hazards.

Councilor Ripma asked if there were any permits issued for work on the site?

Cline stated about three to four weeks ago Mr. Saslos was in to discuss the material he was to prepare for application to the SDRC and at that time he was told that he could remove blackberry bushes and that type grub material but he was told specifically not to do any grading or fill activity or to remove any trees over six inches in diameter.

Councilor Ripma asked that until the SDRC meets he is not to be doing any work on the site is that correct?

Cline stated that he had has no permits to do any work on the site.

Councilor Ripma stated that the SDRC could do mitigation for what has already happened. Do we have that authority?

Barker stated that we have the authority to attach reasonable conditions to mitigate any adverse problems.

Ripma asked what the penalties were for these violations?

Jennings stated \$100. per day for each violation of the Building Code and \$500 per day for every violation of the Development Code. The building code official could issue a stop work order.

Councilor Ripma asked if a moratorium would affect this issue?

Jennings stated that he believed it could, but, it would take at least 45 days notice before the moratorium could take effect.

Councilor Thompson asked if we could seek an injunction against Mr. Saslos?

Jennings stated we could as quickly as the court would have a hearing on it.

Councilor Thompson asked if Mr. Saslos was aware of restrictions?

Barker stated he was aware of the restrictions that applied to the violations.

Councilor Burger-Kimber asked in regards of the debate over the creek setback if the width of the creek had been established?

Cline stated that it had not yet been established.

Councilor Burger-Kimber stated that the culvert to the North of the site was not capable of handling Beaver Creek and would backup and create the effect of wetlands when in fact it was due to the inadequacy of the culvert.

Christian stated that when the culverts were first installed they were more than adequate but over the years with more development to the South there is more run off that enters the creek. This will continue to happen until we address the storm water issues.

Councilor Burger-Kimber stated that when we go through the storm water study we may reclaim a portion of that property as a storm water retention basin.

Cline stated that Beaver Creek is very unique and needs something that specifically addresses it and when we went through the budget process I had a intern position budgeted and this would have been the issues they would have addressed.

Councilor Burger-Kimber asked if Mr. Saslos would like to address the council?

Saslos declined.

Councilor Ripma proposed that we go ahead with the SDRC to try to mitigate the problem, hire a consultant to study the area, direct staff to initiate the process for a moratorium, no injunction the fine should be good enough and involve the neighbors and the Friends of Beaver Creek in the mediation process.

Councilor Burger-Kimber stated she would like to add a stop work order to the proposal.

Cline stated that would occur since there were citations issued.

Councilor Thompson stated if the stop work order did not work staff should proceed with the injunction process.

Mayor Thalsofer stated the consultant should be used to study the process of an ordinance to protect environmental areas.

Councilor Ripma stated that the consultant could do both.

Councilor Burger-Kimber stated that there are limited funds.

Councilor Ripma stated that if someone on staff could study the area that would be fine.

Barker stated that the SDRC is made up of various staff members with specialized skills.

Councilor Ripma stated that he is willing to for go the consultant.

Christian stated that the consultant would be hired to study all areas within the city like Beaver Creek and develop an ordinance to address these areas regarding environmental concerns.

Councilor Ripma asked how to go about hiring a consulting group.

Christian stated by Request for Proposals.

Mayor Thalsofer directed staff to prepare a draft RFP for the next meeting.

MOTION: Councilor Ripma moved to direct staff to seek mitigation in the site design and review process and notify all those who testified tonight of the findings, prepare information for the next meeting on how to declare a moratorium on development along Beaver Creek, after SDRC we initiate mediation if still needed and if the stop work order is not followed staff is directed to immediately seek an injunction. Councilor Burger-Kimber seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Lantz stated that we have recognized that stream protection and protecting environmental issues is a very complex issue and on July 22, at the Troutdale Community Park at 7pm, the Urban Stream Council will provide two speakers to educate the public on how to protect urban streams.

Mayor Thalsofer called a ten minute recess at 8:55.

Mayor Thalsofer reconvened the meeting at 9:05.

Chris Desylvia 1371 SW McGinnis spoke regarding the speeds of traffic in neighborhoods. Asked the city to consider speed bumps or something to slow traffic in the neighborhoods. She is willing to research data from various neighborhoods and the cost feasibility. Not just her neighborhood it is throughout the city in all neighborhood.

Lloyd stated that there is a petition from another neighborhood in the department reports.

Mayor Thalhoffer stated that now there are types of speed bumps that are very user friendly they do not damage the vehicles.

Councilor Ripma favored considering these issues on a case by case basis. We do not need a city wide policy yet.

Desylvia stated she would like to see it addressed by the CAC to get their input. I have made myself available to you to collect data and would like to know if you would be interested in that.

Councilor Burger-Kimber asked about the piece of equipment that we have on loan to us to monitor speed.

Desylvia stated that she had spoke to Chief Collier and she is on the list for that equipment.

The Council reached a consensus on having Desylvia work with Chief Collier and Jim Galloway on collecting data regarding this issue.

Mayor Thalhoffer stated that at the request of the City Attorney and with the councils approval he would now like to address agenda item #10.

<p>10. PUBLIC HEARING: Forfeiting Vehicles For Certain Traffic Offenses. FIRST READING</p>

Mayor Thalhoffer called this agenda item.

PUBLIC HEARING:

1. Open Public Hearing.

Mayor Thalhoffer recessed the City Council Meeting and opened the Public Hearing at 9:18.

City Attorney Jennings stated that at the last meeting he attended the council gave his seven questions to address and with the help of Pam, Sam Davis and Chief Collier he was able to work out answers to all but one which is the issue of the cost of tow and storage. I would like to ask the council to table this item to the next meeting.

Mayor Thalhoffer closed the Public Hearing and reconvened the City Council Meeting at 9:21.

MOTION: Councilor Ripma moved to table the ordinance regarding forfeiting vehicles for certain traffic offenses until the next meeting. Councilor Prickett seconded the motion.

YEAS: 6

NAYS: 0
ABSTAINED: 0

5. APPOINTMENT: Stan Hymel to Planning Commission Vacancy.

Mayor Thalsofer Called this agenda item.

MOTION: Councilor Burger-Kimber moved to appoint Stan Hymel to fill the Planning Commission Vacancy. Councilor Ripma seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

6. DISCUSSION: Request from Resident of Jackson Park Road to Connect to City Sewer.

Mayor Thalsofer called this agenda item.

Galloway Stated in September of 1992 we came to you with a recommendation to look at providing water and sewer services to the residents of Jackson Park Road South of Beaver Creek. At a council meeting residents came forward with a petition in opposition of providing these services. Signatures on the petition represented more than 2/3 of the property involved and in accordance with our code this stopped any further action on this matter. This is a somewhat different request from one of the residents asking to be divide his property and be connected to city sewer and water. There is a sewer line running along the property therefor connection could be made without affecting any other property owners in the area. The property owner would also like to be connected to water however by adhering to the code if we were to bring water to this property we would have to take it all the way down the road because this would create a domino affect since the code states that we must connect to all properties within 300 feet and it would be if we connected to these first parcels. Since learning of this the property owner has modified his request to be connected to sewer and he would drill a well for water on the new lot. I feel this if a fair solution to this situation and staff would ask for your approval to go forward and connect this property to city sewer and the property owner agrees to connect to city water if it should ever become available on Jackson Park Road.

Councilor Ripma asked if the sewer line did cross the property?

Galloway stated that the map included in the packet did not show it but it does.

Councilor Ripma stated that the only adverse affect would be that this property would not be available for L.I.D. later if the sewer was taken all the way on Jackson Park Road.

Galloway stated that the property in question would not have been included anyway since the sewer line is already to the property.

Councilor Burger-Kimber asked if there has been much response from the neighbors?

Galloway stated that there was no formal mailing of notices to the neighbors in this case and there has been no response from the neighbors. In the case a year ago it would have required an LID so all the parties affected had to be notified.

The Council reached a consensus for staff to proceed.

7. RESOLUTION: Approving the Year Four Waste Reduction Plan.

Mayor Thalsofer called this agenda item.

Galloway stated as the staff report indicates there is a requirement that each year we adopt a waste reduction plan. Under the intergovernmental agreement the City of Gresham has prepared one with our input. This plan meets all state requirements and addresses each of the goals that METRO established. The plan for year four most of the emphasis is on recycling for multi-family and commercial customers. Staff recommends adoption of the Year Four Waste Reduction Plan.

Kotta thanked the council for letting her attend tonight and thanked the solid waste advisory committee for there input along with the citizen members.

MOTION: Councilor Thompson moved to adopt the Year Four Waste Reduction Plan. Councilor Ripma seconded the motion.

**YEAS: 6
NAYS: 0
ABSTAINED: 0**

8. RESOLUTION: Establishing Monthly Collection Rates for Garbage and Recyclables.

Mayor Thalsofer called this agenda item.

Galloway stated our code requires an annual review of rates. The last change to the rates was January 1, 1992 and then modified that in September 1992 by adding the yard debris portion of the program. A rate review study was done by the City of Gresham and a recommendation of a 2 1/2% increase across the board to cover the increase of cost of operating services and to cover the cost of putting in a recycling project specialist. This individual would be employed by the haulers. There was also a recommended increase of 4% to the container and drop boxes which are primarily used and paid for by multi-family and commercial users, for an increase of 6 1/2% for them. The solid waste advisory committee suggested a move toward uniformity in rates for all the cities. There are also some more options for sizes of containers. Also includes medical waste rates. Option now for only recycling and no waste. I recommended in the resolution that we make this effective August 1st but after talking with the hauler I learned that the billing has already been done for August and therefor I recommend making these rates effective September 1, 1993.

Councilor Ripma asked what is to be gained by uniformity?

Kotta stated that when the rates are reviewed we look at the ten companies that do business in the cities of Troutdale, Gresham, Fairview and Wood Village. When one company does business in two cities you do not operate that company as two separate businesses. Routes are established as to what is most cost effective. We look at rates on a cost to serve basis. You would assume that the cost of service is the same on one side of the street as it is on the other. Customers should pay for the services they receive.

Councilor Ripma asked if the hauler requested uniformity?

Kotta stated that the haulers along with solid waste advisory committee requested the uniformity. If one of the haulers operate in three different cities with three different rates then they have to prepare for three different rates of billings. It would make allot of sense for cost efficiency.

Councilor Ripma stated that uniformity concerns him because of loss of control. What if we wanted twice a week service.

Kotta stated it would be uniform rates for uniform service.

Councilor Ripma voiced concerns over one hauler asking for rate increases and one city approving it then the other cities would be forced to go along. The cost of separate billings for different rates with new computers is probably very small.

Kotta stated that each council would still hold the authority to set rates for their city. The solid waste advisory committee is just there to make recommendations to you on the best information that they have.

Councilor Ripma urged that part about adjusting the rates for uniformity be dropped and go ahead with everything else.

Councilor Schmunk stated that is not part of the resolution.

Galloway stated that it is a recommendation of the solid waste advisory board as a goal. It may be good for the haulers. We as staff have not said that this is a goal because the council has not established it as such. In going through the rate review process these are the costs that we came up with. We did not arrive at these costs just to be uniform.

Councilor Burger-Kimber stated that she was distressed over the comment to become cost effective we must increase our rates. That does not make sense to me.

Kotta stated that if she said that it was not what she meant to say I think what I said is that uniformity can bring about cost effectiveness it is not the only factor that can increase or decrease rates. Two things have big impacts on rates are operational costs such as multi-family recycling and commercial collection. Tipping fees which are the Metro disposal fees. Actually there are three things the other is state mandated rules for waste collection and recycling.

Councilor Burger-Kimber asked for clarification on the five items listed as options such as the 35-40 gallon roller cart we don't even have a rate for that?

Councilor Schmunk stated that these were things that are being added.

Councilor Burger-Kimber asked about the cost per cubic yard versus the flat fee for drop boxes?

Galloway stated that this would allow for a more accurate actual cost.

Galloway explained the options to Burger-Kimber.

MOTION: Councilor Schmunk moved for approval of the resolution establishing monthly collection rates for garbage and recyclable with the September 1st start date. Councilor Thompson seconded the motion.

Councilor Burger-Kimber asked if this would be approving the increase in rates then and accepting all of the solid waste advisory committees recommendations?

Galloway explained that the resolution would accept the recommended rate increase and in most cases would be the same as the solid waste advisory committees recommendations.

Mayor Thalhofer pointed out that the rate schedule is attached to the resolution.

YEAS: 6
NAYS: 0
ABSTAINED: 0

9. PUBLIC HEARING: Establishing a Storm Drainage Utility.

Mayor Thalhofer called this agenda item.

PUBLIC HEARING:

1. Open Public Hearing.

Mayor Thalhofer recessed the City Council Meeting and opened the Public Hearing at 10:00 pm.

2. Declarations, Challenges, Ex Parte Contact.

3. Summation by Staff.

Galloway stated that this is a continuation of an issue that I brought to you at the June 1st work session when we discussed the Storm Drain Master Plan and the significant needs we had and only funding source we have without tapping the general fund is the SDC and there are limitations to that. The funds would not nearly cover the capital improvements and repair and maintenance we have in storm drainage. The Master Plan was put together about three years ago and with Ballot Measure 5 this was put on hold because there was question of if this was a tax or a fee. The Supreme Court recently decided that it would be a fee. We realize that this could be a potentially very controversial issue so this was put on the agenda as a public hearing first reading for information only. The basic format would establish a storm drainage utility, a storm drainage utility fund and a monthly storm drainage fee that would be assessed on impervious surface area and assessed against the user of that property and necessarily the owner of that property. If the council wishes to proceed we would do some number crunching and determine the specific amount we would need and also bring in a consultant to view aerial photos and study the issue to determine the impervious area and also we would have to have a supplemental budget. We don't see ourselves in a position to execute this if it is your wish to do so until January 1994.

3. Public Testimony: Proponents.

4. City Council Questions.

Councilor Ripma stated that ever since the decision on the Roseburg case allot of cities have been going for this fee. How does this compare to other cities?

Galloway stated that it is very similar to Roseburgs' which stood the test of the courts but I don't know about other cities.

Jennings stated that there are a number of cities that are using a ordinance very similar to Roseburgs. The feeling is why mess with success.

Councilor Ripma voiced concern over the scope of this it is quite extensive and expensive, how is this going to impact the citizens and can we find this out before we establish this utility.

Councilor Ripma asked if we establish this utility can we not collect the fee?

Jennings stated that we must assess the fee.

Galloway stated that the council sets the fee, it could be zero.

The council discussed the funding options available for creation of the storm drainage utility.

Councilor Burger-Kimber voiced her concerns over this five million dollar figure. She stated that after her evaluation of the figures she came up with a cost to each household at 3000 households that would be \$18.87 per month. Your figure of \$3 to \$4 dollars per month will not even come close to covering it at all. I don't think the citizens will go along with this.

Galloway stated that even with the enactment of this ordinance that does not mean we will do all five million dollars worth of projects and whatever we do it will be over the next 20 years not all at once.

Councilor Burger-Kimber voiced concerns on the funding of the projects.

Councilor Lloyd asked if she wanted to charge more money to pay for this?

Councilor Burger-Kimber stated she would like to table this until there is more information available.

Councilor Thompson Stated five million dollar figure is premature at this point and therefor Burger-Kimbers' figures don't mean allot right now. The fact is that the city is going to be required to have a storm water drainage system and it should be funded the same way as sewer fees it is the same type of utility. It should not be tabled it will need to be done.

Councilor Burger-Kimber stated that we should not pass an ordinance on something that we don't have all the information on. The people should vote on it.

Councilor Ripma asked where the five million dollar figure came from?

Galloway stated from the Master Plan.

Ripma stated that this is not going to be popular we should find out how much it would cost to determine the cost to the people.

The council discussed the funding for a study to determine the cost to the citizens.

Councilor Thompson asked if we are going to be required to do the storm water control eventually?

Galloway stated that eventually we would have to and it will probably get more expensive the longer we wait.

4. Public Testimony: Proponents.

5. City Council Questions.

6. Public Testimony: Opponents.

7. City Council Questions.

8. Rebuttal.

9. City Council Questions.

10. Recommendation by Staff.

Galloway stated that he recommend that the council consider this as a first reading only.

11. City Council Questions.

Councilor Ripma asked if we could just continue this hearing until the next meeting?

Jennings stated that if Galloway came back at the next meeting with the rate schedule then we would have to open this meeting with new evidence and take public testimony on the new evidence only.

MOTION: Councilor Burger-Kimber moved to continue this public hearing to August 10, 1993 at which time we will receive new information for the record. Councilor Ripma seconded the motion.

YEAS: 5
NAYS: 1
ABSTAINED: 0

(Burger-Kimber, Yea; Lloyd, Nay; Prickett, Yea; Ripma, Yea; Schmunk, Yea; Thompson, Yea;)

Mayor Thalsofer closed the Public Hearing and Reconvened the City Council Meeting at 10:38.

11. RESOLUTION: Authorizing the City to Enter into an Agreement with Multnomah County for Road Improvements.

Mayor Thalsofer called this item.

Galloway Stated that council authorized us to apply for CDBG funds and we now have 50% cost sharing for two of our streets that we anticipate doing this summer. It is similar to what we had last year. I would recommend approval of this resolution.

MOTION: Councilor Schmunk moved to approve the resolution. Councilor Ripma seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

12. DEPARTMENT REPORTS:

Mayor Thalsofer called this agenda item.

Gazewood stated that City County Insurance advised us of general inclusion of flood and earthquake coverage effective July 1st. Bid opening for the park bond issue is next Wednesday and our financial advisor is confident that the interest rate will come in below 4.9%.

Collier stated that over \$600 dollars was raised this weekend for the bike patrol and part of that from Councilor Thompson. Surveys are underway and will include some of the results in department report from time to time.

Councilor Lloyd asked about clearance rate?

Collier explained clearance rate.

Galloway stated that there would be a meeting coming up regarding the Columbia River Highway Reconstruction and would let the council know of the date.

Mayor Thalsofer asked if a drinking fountain was included in the project?

Galloway stated no but could research.

Christian stated maybe at the depot building.

Councilor Lloyd asked for clarification on the Municiple Court Report.

Christian clarified the report.

13. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalsofer asked about charter review process?

Christian stated that she received today the legal report from Sandra Arp and as soon as possible we will copy and deliver to you.

Mayor Thalsofer asked Christian to see if Sandra Arp could attend a regular council meeting?

Councilor Ripma was appointed to the Solid Waste Advisory Committee as long as he could make the 6:00pm meeting.

Councilor Lloyd urged caution on the moratorium issue.

Councilor Burger-Kimber reminded everyone of the Troutdale Picnic and Parade.

Councilor Thompson stated that he would not be here for the parade but if he were he would be marching with the group that is opposing the OCA.

Councilor Ripma stated that Christina O'Grady is doing a great job on the Parade.

Councilor Schmunk spoke regarding the East County Transportation Meeting and they discussed the Exit 16B and she felt that we needed to write a letter in regards to saving that exit. Possibly historical.


Galloway stated he would draft a letter for the Mayors' approval.

14. ADJOURNMENT.

MOTION: Councilor Ripma moved to adjourn. Councilor Prickett seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Mayor Thalhofer adjourned the meeting at 11:03.


Paul Thalhofer, Mayor
Dated: 7-28-93

ATTEST:


George Martinez
Deputy City Recorder

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 7-13 TYPE Council

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Glen & Jane Milligan	1015 Jackson Pk Rd Troutdale Ore	667 1922
Kris DeSylvia	1371 SW. McGinnis Troutdale	—
Lynda Kollar	City of Troutdale	669-2405
Ann Hymel	1648 SE BEAVERCREEK LN Troutdale OR 97060	667-4735
Mike Sorensen	1309 SE 19th av. Troutdale	667-2134
DON MCGINNIS	151 SW 257th TROUTDALE	665-4071
Tony O'Duerno	1335 SE Harlow Troutdale	—
Mike & Sue Stasi	2950 SW Corbett Lane Troutdale OR 97066	
Jim Joppert	3002 SW. CORBETH LN TROUTDALE ORE	

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 7-13 TYPE Council

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Galloway	City Hall	665-5175
Conier	T.P.D.	"
Crazeewood	City Hall	665-5175
C. Scott Cline	104 S.E. Kibling	665-5175
V. Lantz	" " "	"
Sue Brhn	City Hall	"
JERRY ORTEGA.	"	"
Vern Cool	100 NE Powder Nell Troutdale	665-5767
H.G. HANSON	2500 N.E. 201st Ave Troutdale, OR 97060	666-2178
SPIRO SPERLOS	375 S. Troutdale Troutdale OR. 97060	661-6464

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE _____ TYPE _____

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Tim age 8	" "	" "
TONY age 6	" "	" "
JEFF age 10	" "	" "
Sharon Michelle Stasi age 10	2950 SW Corbett Ln. Troutdale, OR 97060	" "
Nicole age 10	" "	" "
LYNN M. COULTER	2931 SW CORBETH LN TROUTDALE OR 97060	6651791
Cheryl Stewart	336 SW 28th Ct. Troutdale, OR 97060	661-0796