

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. -- AUGUST 24, 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 - Regular Session August 10, 1993
- 7:10 (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- 7:25 4. PRESENTATION: Certificates of Appreciation to High School Volunteers who Helped with the Summer Parks Program. O'GRADY
- 7:35 5. PRESENTATION: Citizen Convention - Ballot Title Creating a Committee on Multi-Government Review.

COMBINED PUBLIC HEARING ON ITEMS 5 AND 6

- 7:55 (A) 6. PUBLIC HEARING/ORDINANCE: An Ordinance of the City of Troutdale Adopting Codes Regulating Erection, Construction, Enlargement, Alteration, Repair, Moving, Removal, Demolition, Conversion, Occupancy, Equipment, Use, Height, Area and Maintenance of all Buildings or Structures in the City of Troutdale, Providing for the Issuance of Permits and Collection of Fees therefore: Providing for Penalties for the Violation thereof, Repealing Ordinance No. 535-0 of the City of Troutdale. (FIRST READING - CONTINUED) BARKER
- (A) 7. PUBLIC HEARING/ORDINANCE: An Ordinance of the City of Troutdale Adopting Codes Regulating Excavation and Grading, Agricultural Buildings and the Abatement of Dangerous Buildings. (FIRST READING - CONTINUED) BARKER

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Declarations, Challenges, Ex Parte Contact

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.

8:20 (A) 8. AGREEMENT: Metro Voluntary Dues.

RECESS CITY COUNCIL:

CALL TO ORDER CONTRACT REVIEW BOARD:

8:35 (A) 9a. PUBLIC HEARING\RESOLUTION: A Resolution Exempting the Purchase of Decorative Street Light Fixtures from Competitive Bidding and Brand Name Specifications. GALLOWAY

Declarations, Challenges, Ex Parte Contact


PUBLIC HEARING:

- .1: Open Public Hearing
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- .3: Summation by Staff
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- .9: City Council Questions
- .10: Recommendation by Staff
- .11: City Council Questions
- .12: Close Public Hearing Process.

(A) 9b. RESOLUTION: A Resolution Exempting the Purchase of Decorative Street Light Fixtures from Competitive Bidding and Brand Name Specifications.

RECONVENE CITY COUNCIL:

- 8:55 (A) 10. RESOLUTION: A Resolution Granting an Electric Power Line Easement to Portland General Electric on Tract "C", Sandee Palisades. GALLOWAY
- 9:05 (A) 11. RESOLUTION: A Resolution Establishing and Imposing Water User Fees. GALLOWAY
- 9:15 (A) 12. RESOLUTION: A Resolution Accepting a Deed to a Tract of Land on SE Stark Adjacent to Orchard View Subdivision for Public Park Purposes. BARKER
- 9:25 (I) 13. REPORT: Metro 2040 Vision Application. BARKER
- 9:40 (I) 14. DISCUSSION: Setting Standard Operating Procedure for Review of Development Application. BARKER
- 10:00 (A) 15. RESOLUTION: Regarding Membership in City/County Insurance Services Trust Property Self-Insurance Pool. GAZEWOOD
- 10:10 (I) 16. COUNCIL CONCERNS AND INITIATIVES
- 10:25 (A) 17. ADJOURNMENT.


Paul Thalhoffer, Mayor
Dated: Aug. 19, 1993

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

7:00 P.M. -- AUGUST 24, 1993

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer asked Councilor Lloyd to lead the Pledge of Allegiance.

Deputy City Recorder Martinez called the roll.

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

ABSENT: Thompson

STAFF: Barker, Christian, Collier, Galloway, Gazewood, Lantz, Martinez, O'Grady

PRESS: Howdy Stout - Outlook

GUESTS: Howard Hanson, Heather Runnels, Kay Durtsche, Pat Smith, Gail Thurber, Larry Micohn

2. CONSENT AGENDA: Accept Minutes - Regular Session August 10, 1993

Christian stated that the Minutes of August 10, 1993 are not finished at this time.

MOTION: Councilor Burger-Kimber moved to table the Consent Agenda until the next meeting. Councilor Ripma seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

Howard Hanson 2500 NE 201st Ave. voiced concerns regarding Outlook article pertaining to him speaking at Troutdale City Council Meetings. He does not live in Troutdale but neither do most of the Troutdale City Staff that make recommendations to the City Council. Government should encourage citizen involvement.

Gail Thurbur 160 SE 4th voiced concerns over the gravel that has been placed in the street near her residence.

Galloway stated that he is not aware of any street improvements in that area, but he will look into it and get back to her.

Mayor Thalhoffer introduced Larry Micohn who has been appointed to be the Troutdale Representative to the East Multnomah County Cable Regulatory Commission.

Larry Micohn 3038 SW Laura Ct. stated that he is a realtor by trade, but has a lot of background in telecommunications, schooling in theater and television, familiar with Multnomah Cable Access. Looking forward to serving Troutdale in this Capacity.

Councilor Burger-Kimber asked how he became aware of this volunteer position?

Micohn stated that he saw the ads on cable and in the Troutdale Champion.

4. PRESENTATION: Certificates of Appreciation to High School Volunteers who Helped with the Summer Parks Program.

Mayor Thalhoffer called this item.

O'Grady stated that a couple of the volunteers had not yet arrived.

Mayor Thalhoffer suggested that this item be called later in the meeting.

5. PRESENTATION: Citizen Convention - Ballot Title Creating a Committee on Multi-Government Review.

Mayor Thalhoffer called this item.

Kay Durtsche stated that she is Chair of the committee that came out of the Citizens

Convention which was formed to address better government from all jurisdictions in the county. Our number one priority was to have an ongoing committee to do a citizen review of multi-government agencies in our county. We are asking you to consider a ballot title regarding this matter. We are coming to you now because the smaller jurisdictions are usually the last to be heard from and we did not want that to be the case. We will be approaching other jurisdictions very soon because we would like this on the November ballot. There would be no major cost to the city because this is a state wide election. The committee has a sunset on it of three years it would not go on indefinitely.

Councilor Burger-Kimber stated that she attended the citizen convention but is concerned that this has such a large scope of responsibilities.

Durtsche stated that they have not been specific on what they would address because we have not been able to get all of the jurisdictions together with us to address this issue. Some of us citizens feel that we should be involved in the decisions of government.

Councilor Ripma stated that he was a delegate at the convention and remembers that Durtche was actively involved. Why not put this on the ballot by citizen petition, why come to us?

Durtsche replied time and money. We are trying to get the local cities involved in this.

Councilor Ripma stated that the time is too short, he is not prepared to act on this tonight, we don't have all of the details and I still have too many questions.

Durtsche stated that she understood and apologized for her fellow presenter not being on time for the meeting with the rest of the information.

Councilor Schmunk stated that she admired her tenacity.

Mayor Thalhofer stated that he would like to receive the rest of the information.

Durtsche stated that it would probably arrive later in the meeting.

4. CONTINUED

Christian O'grady stated that the parks program was very successful this year largely due to the support of about a dozen volunteers, a couple are here tonight Heather Runnels and Justin Oliver. These volunteers along with Sam Tuttle who could not attend tonight were always there for me.

Mayor Thalhofer presented Certificates of Appreciation to the volunteers.

The Council thanked O'grady and the volunteers for the great job they have done.

5. CONTINUED

Mayor Thalhfer stated that someone else had arrived to address this item and since it was not on the agenda until a later time then he felt they should be allowed to speak.

John Legry Executive Director of Citizen Involvement in Multnomah County apologized for being late he was stuck in traffic. To clarify my role, what we deal with primarily is facilitating and coordinating the citizens in dealing with this type of issue the my office does not take a stand on the issue. The number one thing that the Citizen Convention came up with is this issue before you tonight, creating a committee on Multi-Government Review. The citizens feel that the multi-government discussions are side stepping citizen participation, one example would be the roads issue. Putting this issue on the ballot could give the citizens a stronger voice in multi-government issues. We realize this is a very short time frame but we ask you to consider this issue very seriously, if we can get this on the November ballot it will be a big cost savings to everyone.

The council discussed this issue.

COMBINED PUBLIC HEARING ON ITEMS 6 AND 7

6. PUBLIC HEARING/ORDINANCE: An Ordinance of the City of Troutdale adopting codes regulating erection, construction enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the City of Troutdale, providing for the issuance of permits and collection of fees therefore: providing for penalties for the violation thereof, repealing ordinance no. 535-0 of the City of Troutdale. (First Reading - Continued)

7. PUBLIC HEARING/ORDINANCE: An Ordinance of the City of Troutdale adopting codes regulating excavation and grading agricultural buildings and the abatement of dangerous buildings. (First Reading - Continued)

Mayor Thalhfer opened the Public Hearing at 7:49 P.M.

Barker stated that she has prepared a summary of the differences between Chapter 11 and 70 and the appendix of the building code as you requested.

Councilor Prickett commended Barker for doing a good job on this. He felt that the new

ordinances would cover us very well the changes are very minimal as Cline told us at the last meeting.

Howard Hanson stated that he was the one that probably caused this to be brought back to council. Cline indicated very little changes at the last meeting and appreciates that Ken at one time was involved in this sort of work. My concern was that they are more restrictive and they are a minor change can make a big difference. Hanson addressed some of the changes such as the duties of the building official and the wording of the minor changes.

Mayor Thalhofer introduced the new City Attorney Tim Sercombe.

The Council discussed the changes.

Barker stated that staff recommended that these two ordinances be adopted.

Councilor Lloyd asked who develops these codes.

Councilor Prickett stated that members of the ICBO meet every year to address code changes the industry is very well represented at these conventions to give input.

Councilor Lloyd stated that his point is that the state adopts these codes anyway and if we adopt them then that would give us more power to enforce them. The industry is very involved in developing these codes so he does not feel that this would hinder developers.

Mayor Thalhofer closed the Public Hearing at 8:10 P.M.

MOTION: Councilor Prickett moved adoption of both ordinances. Councilor Ripma seconded the motion.

Mayor Thalhofer read the titles of both ordinances.

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

8. AGREEMENT: Metro Voluntary Dues

Mayor Thalhofer called this item.

Christian stated there had been some discussion regarding this issue at the Budget Committee. I had included in my proposed budget to you the proposed amount from

Metro and you directed me to bring this to you when it was time to pay, well it has been time to pay so I need to know if it is your intent to pay these dues. There has been some discussion regarding FOCUS dues and there is not enough money in the budget to pay both.

Councilor Ripma asked what the consequences would be if we don't pay the dues?

Christian stated that they say we wouldn't have access to their services but I'm not sure how they could do that because we are still part of the Metro area.

Council discussed this issue.

MOTION: Councilor Ripma moved to adopt the agreement as written with the additional wording of the dues will be paid if every other jurisdiction in Metro agrees to pay voluntarily. Councilor Burger-Kimber seconded the motion.

Mayor Thalhofer asked what the time line is?

Christian stated that they wanted it by July 1st but by November 1st is how they put it in the agreement.

Sercombe stated that the change would be to strike by November 1, 1993 and replacing it with when all other jurisdictions assessed for these dues have them.

Councilor Ripma stated that would be acceptable.

Councilor Lloyd stated that he would vote against the motion because we could express our frustration with Metro in another fashion then adopting that language in a resolution.

Councilor Prickett stated that it states that METRO is funded by dues and if the cities don't pay the dues then they are going to have to say that everybody will have to pay for the services.

Councilor Ripma replied that the wording could be played with

YEAS: 1
NAYS: 4
ABSTAINED: 0

Burger-Kimber, Nay; Lloyd, Nay; Ripma, Yea; Schmunk, Nay; Prickett, Nay.

MOTION: Councilor Ripma moved that we adopt the agreement as presented in the packet with additional provision that we pay our dues on November 1, 1993 if all other jurisdiction pay by November 1, 1993. NO SECOND

MOTION: Councilor Prickett moved that we accept the agreement as written. Councilor Schmunk seconded the motion.

YEAS: 4
NAYS: 1
ABSTAINED: 0

Burger-Kimber, Yea; Lloyd, Yea; Ripma, Nay; Schmunk, Yea; Prickett, Yea.

Mayor Thalhofer called for a 10 Minute break at 8:35 P.M.

Mayor Thalhofer Called the Contract Review Board to order at 8:45 P.M.

9a. **PUBLIC HEARING\RESOLUTION:** A Resolution Exempting the Purchase of Decorative Street Light Fixtures From Competitive Bidding and Brand Name Specifications.

Galloway Stated that in 1984 the council adopted a Downtown Improvement Plan and the plan called for decorative street lighting in downtown. The county was to include these fixtures in the original call for bids, unfortunately the bids were so high that the county decided to reject the bids. One way to lower the bids would be for the city to obtain the lighting in another fashion because the mark up on the lighting was considerable. There is only one company that manufactures these fixtures so we are asking for an exemption from the public bid process and second that we do not specify items by brand name since these fixtures are specified in the Downtown Plan.

Councilor Burger-Kimber asked why this style of lights had to be used are we locked into this or can we use a different design that may encourage a competitive bid process.

Christian stated that this design exists is because it is a continuation of the lighting that goes through the gorge and along the scenic highway, this is the fixture that the county uses in historical area.

Council discussed this issue.

Howard Hanson asked if these lights would be energy efficient and the illumination would be enough?

Galloway stated that it would not be the most efficient means of providing street lighting but it was a conscious decision at the time the Downtown Plan was studied that we would provide a certain appearance in the downtown area, this is a decorative item.

Mayor Thalhofer reconvened the regular council meeting.

MOTION: Councilor Ripma moved adoption of the Resolution. Councilor Prickett seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

10. **RESOLUTION: A Resolution Granting an Electric Power Line Easement to Portland General Electric on Tract "C", Sandee Palisades.**

Mayor Thalhofer called this item.

Galloway stated Multnomah County is starting work on Stark between Troutdale Road and Evans Avenue and while the road construction is going on they want to put a portion of the power line underground. They have come to the city and asked for an easement to place the line underground.

Councilor Ripma stated that the the line would go right through a stand of trees and I have tried to get a answer from PGE why they need this easement in that exact location, it gives them every right to cut these trees. I have talked to several people at PGE and have not got an answer. I feel we need more information on why this easement needs to go right there. There is other ways they could do this. I ask to postpone this until we get some answers.

Schmunk stated that she thought that the trees are on private property.

Council discussed this item.

Galloway stated that his concern is that the county is proceeding with the project that to delay it three weeks until the next meeting could incur some costs that would not be in the best interest of the tax payers so if there is a way to word your concerns into the easement might be more productive. PGE is doing this at the cities requirement, PGE would be happy to leave the line above ground.

MOTION: Councilor Ripma moved to approve the resolution with the following conditions; such easements to be modified to include a prohibition on

PGE destroying removing, damaging or harming any tree having a trunk over six inches in diameter. Karen seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

11. RESOLUTION: A Resolution Establishing and Imposing Water User Fees.

Mayor Thalhofer called this item.

Galloway stated that about a year ago we came to council to have you consider water user fees and discuss the procedure that was in effect at that time for the commodity charges and the possibility of moving from a declining rate schedule to more of a flat fee to make sure a fare fee was charged and to try to encourage conservation. At that time we discussed a three step process of making this change. We now are recommending implementation of the second of those three steps to move us toward the flat rate. Other than that I recommend no other changes. The change will not affect about 70% of our customers.

MOTION: Councilor Ripma moved to adopt the resolution. Councilor Prickett seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

12. RESOLUTION: A Resolution Accepting a Deed to a Tract of Land on SE Stark Adjacent to Orchard View Subdivision for Public Park Purposes.

Mayor Thalhofer called this item.

Barker stated that one of the conditions of the Planning Commission was that a easement strip be dedicated by the developer after landscaping improvements were installed, which has been completed and that site is now acceptable for city maintenance and as a city park land.

MOTION: Councilor Prickett moved to approve the resolution. Councilor Lloyd seconded the motion.

Councilor Burger-Kimber voiced concerns regarding a trend that is happening with

developments in the area we seem to be requiring the developers to dedicate a strip of land along the roads and this is a nice amenity but we don't need to have all these strips of land that we are responsible to maintain at the cost of all the city residents. We still need these greenways but we should look at alternatives.

Schmunk stated that she concurs with Burger-Kimber and she lives in a subdivision that maintains there own greenways and buffer areas.

Ripma shared the concern of the fellow councilors, we probably should give the Planning Commission some direction.

YEAS: 5
NAYS: 0
ABSTAINED: 0

13. REPORT: Metro 2040 Vision Application

Mayor Thalhofer called this item.

Barker stated that the City of Troutdale along with the City of Wood village submitted an application to the Metro 2040 Vision Study but have not received the results yet.

Councilor Burger-Kimber asked Councilor Lloyd about how this would affect the Transportation and Tourism Study that the Troutdale Chamber of Commerce is doing?

Councilor Lloyd stated that the study is still underway and the Metro 2040 Vision Study should have no impact.

Councilor Ripma asked about the application for Downtown Troutdale?

Councilor Ripma stated that he thought there was a motion to make two applications.

Christian stated that we included what was in the motion in the combined application and west of 257th was left out because it was not in the motion and is covered in the Downtown Plan.

14. DISCUSSION: Setting Standard Operating Procedure for Review of Development Application.

Mayor Thalsofer called this item.

Barker stated this if for discussion only for development of a standard operating procedure that would address standards that would address standards that would used during the development review process. Under type 3 and type 4 procedures we already have that spelled out by the Development Code. Type 1 or Design Review does not require notice to affected agencies which we would identify for an applicant who they should contact. I have come up with a draft that we could give to the applicant that will ensure that he in fact does contact the agencies and we do get response back.

Councilor Ripma commended barker for coming up with what he was looking for very well. I think this is what I had in mind.

Councilor Lloyd asked what other cities did?

Barker stated that most other cities have a natural resource protection ordinance that deals with these issues. This SOP would only be until we have our ordinance in effect.

Council discussed this issue.

The Council except for Councilor Burger-Kimber reached a consensus to approve the SOP as written. Councilor Burger-Kimber felt that the following wording should be included; Staff will review subject 5 using the information provide in the provided in the comprehensive plan to determine if any natural resources areas are located within the boundaries. The rest of the council felt that this was already implied.

15. RESOLUTION: Regarding Membership in City/County Insurance Services Trust Property Self-Insurance Pool

Mayor Thalsofer called this item.

Gazewood stated that this has been discussed at a previous meeting. Don Stamm is here to answer any questions and to address the issue of the definition of Member vs. Participant.

Stamm stated that the last time this issue was discussed the question was raised as to if you are a member or participant and what the difference is. At the time the bylaws were drafted the only portion of the coverage that was in a pool was the liability coverage. To get access to that you were a member. The property insurance was not in the pool, therefore if the entity purchased fire insurance they are considered to be a participant not a member of the pool. We have received clarification from CIS that regardless if you are a member or a participant you have to mail a letter of intent to withdrawal.

Gazewood stated that the resolution is for 3 years but if we give a 180 day notice we can opt out.

MOTION: Councilor Lloyd moved to adopt the resolution. Councilor Prickett seconded the motion.

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

16. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhofer called this item.

Councilor Schmunk stated that something needed to be done about Will Werner's contract.

MOTION: Councilor Schmunk moved to allow \$2,400.00 more on Will Werner's contract to negotiate for the purchase of county farm property to be used as Columbia Park. Councilor Ripma seconded the motion.

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

Councilor Ripma stated that he attended the Solid Waste Citizens Advisory Committee Meeting last week, it was very informative. I later spoke with our staff and citizen representatives to this committee to discuss the possibility of Troutdale pulling out of the agreement that we are in right now, and doing our own Solid Waste Planning. We will meet in another week and discuss this further and then report back to council.

Mayor Thalhofer thanked Christian and Martinez for the extra effort they have put in while Valerie Raglione was ill.

Mayor Thalhofer stated that Reynolds School District has established Drug Free School Zones.

Councilor Burger-Kimber suggested adopting a resolution for Drug Free School Zones at the next Council meeting.

Councilor Prickett had nothing to add.

Lloyd asked when we would address the letters of concern from Howard Hanson?

Mayor Thalsofer stated it would be on the next agenda.

Councilor Burger-Kimber addressed concerns regarding the Multnomah County pulling out of Animal Control, she assured everyone that was not the case. Stated that there should be something in the next newsletter about what is going on in the downtown area because she has had alot of contact with citizens that want to know what is going on. Asked if there were going to be trees in the downtown area.?

Christian stated that when the Downtown Concept Plan Task Force met this issue was discussed at length and it was left out of the plan. They did not have a problem with planters. It has not been addressed now because of ADA impacts and the effect it would have on this project.

Council discussed this issue in regards to parking and the types of planters that could be used.

Council directed staff to look at the feasibility of trees in the downtown area and come back to council with a report.

Councilor Burger-Kimber requested an agenda item regarding direction to the Planning Commission concerning property strips and the responsibility of adjacent property owners.

Lloyd stated that should first go to the Planning Commission before we start telling them what to do.


Council reached a consensus to discuss this issue at a work session.

Mayor Thalsofer introduced Howdy Stout of the Gresham Outlook.

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

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

Mayor Thalhofer adjourned the meeting at 10:38 P.M.


Paul Thalhofer, Mayor
DATED: 11/9/93

ATTEST:


George Martinez
Deputy City Recorder

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 8-24-93 TYPE Council

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Jim Ballweg	City Hall	665-5175
Hardy	Orghum	
Bob Carzenard	City Hall	665-5175
Brent Couper	Troutdale Police	665-5175
HOWARD HANSON	2500 N.E. 201st Ave TROUTDALE OR 97060	665-1002
Heather Runnels	485E 195th Portland	666-1290
Christina O'Grady	27324 SE STARK Troutdale	661-1077
Frank	2230 SW Golden Portland OR 97219	544-9467
Pat Smith	1300 Kendall St	

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE _____ TYPE _____

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
<i>Gail Thibodeau</i>	<i>116 SE 11th</i>	
<i>Larry B. Mico</i>	<i>3138 SW 1st Lane</i>	<i>666-0536</i>
<i>Alice Barber</i>	<i>City of Troutdale</i>	<i>665-5117</i>