



CITY OF TROUTDALE

AGENDA

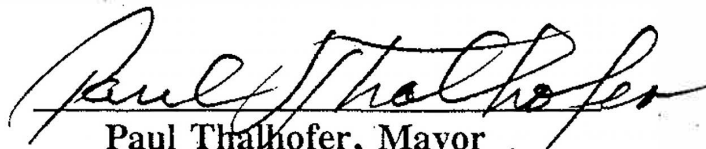
TROUTDALE CITY COUNCIL - REGULAR MEETING
COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099

7:00 P.M. -- JANUARY 25, 1994

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes Regular Session 1/11/94
 - 2.2 Ratify: Resolution Providing for Budget Transfers and Making Appropriation Changes for FY 93-94
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (I) 4. COMMENDATION: Walt Postlewait - Years of Service on Planning Commission
- (I) 5. PRESENTATION: Metro Tax Study
- (A) 6. ORDINANCE: An Ordinance Granting a Non-Exclusive Franchise to Portland General Electric Company; Fixing the Terms and Conditions thereof; Repealing Ordinance No. 414-0 and Prior Grants and Extensions of Franchise; and Establishing an Effective Date; and Declaring an Emergency. FIRST READING
- (I) 7. STATUS REPORT: A report on Speeding and the Possible Use of Speed Bumps in Residential Areas of the City
- (A) 8. RESOLUTION: Authorizing the Mayor to Enter Into an Intergovernmental Agreement with the City of Gresham for Solid Waste Management Services.

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- (A) 9. **ORDINANCE: An Ordinance Revising the Public Works Portion of the Troutdale Municipal Code, Chapter 12, Chapter 13, and Chapter 15 Section 28.** SECOND READING
- (I) 10. **DRAFT ORDINANCE: An Ordinance Amending the City Purchasing Policy and Procedures**
- (I) 11. **DISCUSSION: Draft Resolution Setting Policies on the Use of City Facilities by Nonprofit and Community Groups.**
- (A) 12. **COUNCIL CONCERNS AND INITIATIVES**
- (A) 13. **ADJOURNMENT.**


Paul Thalhoffer, Mayor
Dated: 1-18-94

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

7:00 P.M. -- JANUARY 25, 1994

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called the meeting to order at 7:00 p.m. and gave welcoming comments to the audience.

Councilor Schmunk led the pledge of allegiance.

City Recorder, Raglione, called the roll.

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

ABSENT: Ripma, [Excused]

STAFF: Christian, Galloway, Gazewood, Barker, Raglione
City Attorney Tim Sercombe

PRESS: Web Ruble, The Oregonian

GUESTS: Howard Hanson, Walt Postlewait

AGENDA UPDATES: Christian stated there were agenda changes to items #7 will be considered following #4 #8 would then become #5.

**2. CONSENT AGENDA: 2.1 Accept Minutes Regular Session 1/11/9; 2.2 Ratify:
Resolution Providing for Budget Transfers and Making Appropriation Changes for FY
93-94**

Mayor Thalhofer called this agenda item.

MOTION: Councilor Burger-Kimber moved to accept the consent agenda excluding #2.2 which she wished to be held separately. Councilor Prickett seconded the motion.

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea

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

Mayor Thalhofler called this item and asked that comments be limited to 5 minutes.

There were none.

4. COMMENDATION: Walt Postlewait - Years of Service on Planning Commission

Mayor Thalhofler read aloud the commendation for Walt Postlewait before presenting it to him. Mayor did state Postlewait was currently a member of the Charter Review Committee so he was still active in serving the City.

Postlewait accepted the commendation.

8. RESOLUTION: Authorizing the Mayor to Enter Into an Intergovernmental Agreement with the City of Gresham for Solid Waste Management Services.

Mayor Thalhofler called this agenda item.

Galloway stated this was a Council request and he had prepared a staff report which included concerns staff had regarding this agreement. A proposed resolution was included in the packet - with wording to terminate the current agreement and develop a new agreement. Troutdale was requesting continued representation on the Solid Waste Advisory Committee. Once the packet was put together Councilor Ripma asked that wording be revised. A revised document was presented to Council. Galloway stated there was more clarity and preciseness achieved in the rewritten resolution. Another 'further resolved' was added which also mentioned \$3,000 and the participation of the City of Troutdale on the SWAC.

Councilor Lloyd asked if there was any question about Troutdale participation in the Solid Waste Advisory Committee the last time Gresham offered the two alternatives \$3,000 option?

Galloway stated he understood participation would be included. Councilor Lloyd asked if that wasn't part of that agreement?

Galloway stated Gresham wasn't working with that same understanding, apparently.

Hollie Berry, stated two items to be addressed were: 1] representatives felt city staff took their time to address the concerns. They didn't understand that the city wouldn't have representatives on the SWAC. She stated Daryl and Jim work with the group every day and she felt they were in the best position to make a recommendation. Staff was asking to make something more effective and efficient and deserved the credibility of that decision. She was very concerned that they would be asked to leave the SWAC. This had been discussed at the CAC. Linda Kotta stated they would be welcome to be on a sub-committee, but not invited to remain on the committee as representatives of Troutdale. 2] An itemized statement for what the money would buy had not been received. She didn't feel it was in the best interest of the citizens to not know what the lump sum was paying for. 1] lump sum regardless of service; 2] volunteering to take it on without an IGA; 3] non participation on the CAC when the City of Troutdale was paying for part of the services.

Councilor Lloyd understood both resolutions would authorize the Mayor to enter into an IGA provided the city was represented on the SWAC.

Berry stated without representation she felt the City should go on its own and not enter into an IGA at all.

Irene Ewalt, stated this appeared to be taxation without representation.

Councilor Prickett stated Gresham intended to bill Troutdale for the first 6 months in any case - that was in the letter from Gresham.

Chris Boitano, City of Gresham, 1333 Eastman Pkwy, Gresham. At the previous meeting attended they provided alternatives. Three alternatives before Council were presented. The \$3,000 opportunity was appropriate. He commended staff and Councilor Ripma on trying to reach resolution to this issue. Gresham would support any of the three choices. He supported more a full service participation. 1] Troutdale take care of solid waste 100% on its own [he felt staff was capable of doing so] Gresham could provide a higher level of service, however; 2] \$3,000 option was not intended to be that Troutdale would be involved in everything [Kotta's time for specific functions]; 3] \$8,550 option was a full service choice [full participation]. Boitano supported Troutdale's person for the Chair in the third choice. He stated it wasn't that Gresham was to develop other choices, that was for Troutdale's staff, he believed that they had done that. There would not be a grudge held if Troutdale didn't participate with Gresham. His goal was to represent Gresham's notion.

Greg DeLoretto, EIS Director stated the \$3,000 was a limited offer. He agreed with Boitano's statements. He stated he had \$150,000 budgeted solely for Solid Waste and even the \$8,550 offer would really give the Troutdale a good deal with full participation.

Boitano stated the City could always get out of the agreement if Gresham didn't perform as desired by Troutdale.

Councilor Burger-Kimber stated initially, the Troutdale's representatives were concerned about service levels - was the City getting what was paid for? Service was the motivator not the dollar. She extended appreciation for Gresham addressing the Troutdale Council. There was negative feedback from some of the meetings. Representation was discussed at the previous Council meeting in November. There was no discussion of the elimination of Troutdale's representation. She wasn't looking for bargain basement deals here - it was important to the community. She didn't see the purpose of eliminating Troutdale's participation on the committee. It wouldn't allow information to the Council on a regular basis from our representatives. She felt Gresham was holding a big stick up with holding the \$8,550 option as the only option where Troutdale would have their own participation. She asked for reconsideration of hanging the big stick over Troutdale's head.

DeLoretto stated their Solid waste committee discussed the entire gamut and would give Troutdale the benefit of the information even though they were not paying for it.

Councilor Burger-Kimber stated the meetings were all open to the public.

DeLoretto agreed but a voting member was different.

Councilor Burger-Kimber stated allowing sitting on the committee but allow voting only on issues was being paid for.

DeLoretto stated \$8,550 was a bargain. The \$3,000 option was for folks fully paying i.e., Fairview, Wood Village, Gresham.

Boitano stated they were doing what they had agreed to and what was before Council was what it was going to be. Troutdale had to make a choice this evening. Three options were before Council and Gresham also had to move on to apply resources where they needed to be. Troutdale could refuse all options which was developed by both parties. There was no hidden agenda and would support Troutdale in any of the three options before them.

Councilor Lloyd stated both resolutions included a proviso about the participation on the SWAC.

Boitano suggested staff of Troutdale may have put that before Council but the \$3,000 option with full participation was not on the table.

Councilor Thompson stated there was \$5,500 difference between the two plans, did the \$5,500 go to fund the committee? That would make it clear. If not, what was the difference? What would it matter if Troutdale was on it or not?

Boitano stated to spread costs for rate modeling plan and generation. Frankly, Gresham wished to maintain Troutdale's participation. What Troutdale gets back is all the additional new programs that are generating.

Councilor Thompson stated the inability to participate is an arbitrary condition. The \$5,500 didn't fund the committee. He indicated that Troutdale still anticipated good relations with Gresham. Cooperation between the cities was important.

Boitano stated that was understood.

Councilor Schmunk asked if Boitano represented the 4 cities or Gresham? He was the representative of all 4 cities to Metro.

Boitano stated with concurrence from Troutdale - yes that was true.

Councilor Schmunk stated maybe Metro could help work all of this out since he represented all 4 cities. One east metro representative was allowed and he had been supported by all 4 cities.

Boitano stated the Gresham could represent de facto without Troutdale's permission. He wasn't backing off it just because of this IGA.

Mayor Thalhofer stated the matter was before Council.

Councilor Schmunk stated she spoke with Councilor Ripma during the day and she understood that Troutdale would be a full participant but according to the resolution before Council it does state participate fully before the CAC.

Mayor Thalhofer asked Galloway to discuss.

Galloway stated Ripma requested modifying the language before Council to clearly distinguish two actions in the resolution. He was trying to assure that it was Gresham's stand and determine who was going to say no. Put the ball into Gresham's court by offering the IGA with full representation.

Councilor Lloyd stated there were 4 options; full service; \$3,000; do all ourself; adopt Ripma resolution and if that doesn't go anywhere do it ourselves.

MOTION: Councilor Lloyd adopt resolution drafted by Councilor Ripma and distributed to Council at the beginning of the meeting. Councilor Burger-Kimber seconded the motion.

DISCUSSION:

Councilor Lloyd thanked Boitano and the City of Gresham for all the work put into this and the spirit of cooperation. The \$8,000 indicates the seriousness Troutdale takes with cooperating with Gresham. This wasn't a personal thing. Adopt the resolution with the understanding that Gresham might disagree and then Troutdale would do the program ourselves.

Councilor Burger-Kimber asked that the resolution be read by Boitano to fully understand what was being voted on. The resolution terminated the current IGA [30 days]

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea

5. PRESENTATION: Metro Tax Study

Mayor Thalhoffer called this item.

Rod Monroe, Metro Councilor, stated he had served on the state legislature for 12 years with Glenn Otto.

Craig Prosser, Metro Financial Planning Manager [letter from Andy Cotugno, Copies of Charter] discussed the Report from Tax Study Committee. Metro Charter introduced fundamental changes and stated the primary mission as regional planning. The Charter included a limitation of \$12.5 million. Council had increased 6 to 7% of charges/fees with a Sunset. Planning, general government, greenspaces activities. To accomplish mandates of the Charter \$2.5 million additional was needed - [income, sales, property taxes]. Construction excise tax; real estate transfer tax were the choices from 11 options offered. Public hearings were held in the three county region.

Rod Monroe was Chair of the Finance Committee at Metro. He hoped to show that Metro had done as much as they could do with the existing resources before asking for additional. Excise tax would be at 6% not 7%, no local government dues. It was basically \$2 million less than they had operated with the previous year. Decision packages [additions to] were to be developed by the Executive and looked at after the base budget was developed. Metro was a partner to 3 counties and 24 local jurisdictions which was why he was before Council at this time. Metro needed cooperation to support the regional parks. He was doing preliminary work and taking the opportunity to be introduced to the jurisdictions.

Mayor Thalhoffer stated Metro wasn't clearly understood as to what they do. To ensure the information getting out, visiting the jurisdictions was important. He then discussed voluntary local government dues. He hoped other methods of funding could be found to enable the city to use those funds within itself. Utilization of each dollar now and getting that information to the public was important.

Councilor Thompson stated regarding raising funds, everyone was in competition. He was pleased to hear property tax and sales tax weren't the two choices. Identifying two specific areas might be difficult also. He thought a surcharge might be the best since it cost nothing to collect it.

Councilor Schmunk extended her appreciation of speaking to the City beforehand to make an explanation of what might be forthcoming.

Monroe stated the Planning was a Federal mandate for the area and there was lots of money tied up in this area.

Councilor Burger-Kimber stated agreement with Councilors Schmunk and Thompson. If people know what they are buying, they are generally more willing to spend it. She appreciated that portion of the study.

Mayor Thalhoffer also suggested increasing fees for services.

Monroe stated they were different in that monies were dedicated and had to be spent for those same dedicated pieces. There was nothing for Planning.

Mayor Thalhoffer called for a 10 minute break.

Mayor Thalhoffer reconvened the Council at 8:40 P.M.

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| 6. ORDINANCE: An Ordinance Granting a Non-Exclusive Franchise to Portland General Electric Company; Fixing the Terms and Conditions thereof; Repealing Ordinance No. 414-0 and Prior Grants and Extensions of Franchise; and Establishing an Effective Date; and Declaring an Emergency. FIRST READING |
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Mayor Thalhoffer called this agenda item.

Galloway reviewed background information for the City Attorney reviewed it for legal review he had advocated --- but PGE needed to have an opportunity to review the City Attorney comments. The proposed changes by PGE were included [shaded] deletions were shown by underlining. Some issues were resolved when the packet was put together and some were discussed after the packet was put together. Mr. Gordon Mathews, PGE was present to respond to questions/comments.

Sercombe stated, as discussed, several issues in a negotiating franchise agreement two most significant 1] the length of the franchise; 2] the rate of the fee. Current franchise was 10 years. The uncertainty of finance may suggest a shorter term than the traditional 10 years. The second issue - fee was currently 3.5% was discussed to perhaps increase to 5%. Council had asked for a review of other franchises negotiated with PGE of 5%. There had been no other. All other jurisdictions include a 3.5% in the agreement and a 1.5% privilege tax: Woodburn, Beaverton, West Lynn, Portland. Beyond those two major issues there were a number of phrasing and technical issues of differences between PGE and staff at the time the packet was prepared. He reviewed those for suggested resolutions.

#1: Section 3D, pg. 2 - utilities not interested in automatically providing drawing or maps of utility changes. #2: Section 4A - take language out - excavation in public right-of-way - affect on traffic. PGE agreed to the shaded language in the ordinance. Section 4A, top of pg. 3 - fees in addition to

franchise fee - PGE add language to clarify how permit fees would be assessed 'in accordance with state regulations'. Section 5A - City vacation of a street - what happens to utility easement? PGE desired an alternative place to put utilities not necessarily in the public street [adjacent property]. Two suggested changes #1 5A - but will provide an easement for those company easements. Pg. 5 6B - dealing with vacation of public places - strike all together. Section 5E on pg. 4 - undergrounding of distribution facilities. No state statute dealing with PUC regulations on how costs area allocated. 'applicable state and local laws.' Delete 6B Section 8 B - leave shaded language dealing with quality of services. Pg. 8, Section 11 PGE limiting City's ability to access electronic data - keep shaded language adding or with permission.

This language would then be acceptable to PGE. There were two issues: 1] length of franchise 5 year rather than 10 year. 2] greater rate than 3.5% If the City imposes 5% do via 3.5% franchise and 1.5% separate ordinance. Reason being some financial repercussions to be included on one. Council now needs to decide whether or not the length was satisfactory at 5 years or at 10 years; PGE pay for undergrounding of utilities [1.5%] Most favored nations clause included in the language.

Councilor Lloyd asked if Section 5 sub paragraph E, what was distribution facilities? Since allocated with local or state law, what is that?

Sercombe talked to the second part of the question. He understood the allocation of costs discussed was less between city and utility than private developers. Rule J allowed different costs [23:00 Side 4] PUC regulation didn't cover this issue.

Councilor Lloyd asked if there was an ordinance?

Sercombe stated yes.

Galloway stated the one in effect doesn't address costs.

Mathews, PGE representative stated they would provide underground, ditch and vaults involved but would provide labor to install. Based on voltage - 57,000 and higher was considered transmission; underneath was considered distribution.

Councilor Lloyd asked if there were any transmissions required to be underground?

Mathews stated it was very spendy - if voltage high enough cooling systems must be installed. It was usually separated out - transmission was another animal.

Councilor Burger-Kimber stated when the agreement was previously discussed, the franchise fee was brought up with a recommended 5% versus 3.5%. The City has a policy of undergrounding utilities. Council goal had been to try to underground all utilities. However, there wasn't a dedicated funding source for that. Most recently undergrounding done on Stark Street [paid over a period of time]; knowing more development and undergrounding would be involved again - how can we come up with

an idea of how much undergrounding would be done and what would that cost be whether or not a combination of privilege tax or whatever, possibility of dedicating the monies. 1] How much undergrounding to do in the City, how much will it cost? 2] Do we need to determine how much to spend over next few years so dedicated monies could be set aside for undergrounding. Pg. 6, section 9 paragraph B -City couldn't project how much over next few years would be needed for undergrounding. She was concerned about flexibility so that could be addressed now and have option of having a dedicated fund.

Mathews stated other cities have passed at 3.5% with a provision an ordinance with an additional 1.5% could come back.

Councilor Burger-Kimber asked if there was a cap of 5%.

Sercombe stated no. A provision allowing for an excise tax of 5% if there wasn't a franchise operated by a utility in the City.

Councilor Burger-Kimber asked was there the flexibility in the document to increase over 5% and what specific conditions would there be?

Sercombe what option of changing the franchise in the future? No option unless Section 9B language occurred - PUC changed rules to allow PGE to bury into rate formulas of greater than 3.5% then City could increase unilaterally. IF PGE accepted a franchise with another city greater than 3.5% then City would have option to use that rate.

Galloway stated a separate ordinance called privilege tax could address it.

Sercombe stated this didn't talk [section 9 i] a direct tax on utilities. Privilege tax is a pass through tax on the user the company would collect.

Councilor Burger-Kimber wanted to be able to address the tax later when it was known how much to underground in the City over the future years.

Sercombe stated 9C additional language to include privilege tax would be helpful.

Mayor Thalsofer stated the phone bill currently had a 1.5% City franchise tax now to fund the enhanced 911 system.

Galloway stated his staff report [paragraph 12] tried to respond an error in paragraph 12 St. Helens was a 3.5% with a 1.5%. Also remove language on lines 36 and 37, pg. 7 Company's cost incurred to provide City personnel access to vaults and to provide safety overview will be reimbursed to the Company by the City.

Pg. 6 end of para ad "The City retains the authority to obtain a privilege tax on its customers based upon consumption of electricity."

Mayor Thalhoffer talked to the length of time for the franchise.

Sercombe stated West Linn had an 8 year franchise.

Mathews stated most were at 20 years. To maintain facilities and make further investments in it they need to know they will be around for awhile to make the investments. When they are shaved down it makes it difficult to put money into shorter termed investments.

Galloway stated the previous one was at 10 years.

Councilor Burger-Kimber stated she was pleased with her service, even though the wind -she believed Troutdale got the best service in the region and she appreciated it.

Sercombe stated the previous franchise had expired and it was probably best to adopt it the sooner the better. The ordinance as presented with changes - additional changes [pg. 7] could be move first reading as ordinance in packet 10 year at 3.5% as first reading; second and third reading as staff suggested.

MOTION: Councilor Burger-Kimber moved the ordinance, as amended by language suggested in staff presentation and language added on to 9C and few changes to section 9 g, suggested by Mathews the ordinance as so amended be given first reading. Councilor Schmunk seconded the motion.

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea

MOTION: Councilor Burger-Kimber moved to give the ordinance, as read by Mayor Thalhoffer a second reading. Councilor Prickett seconded the motion

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea

7. STATUS REPORT: A report on Speeding and the Possible Use of Speed Bumps in Residential Areas of the City

Mayor called this agenda item.

Galloway briefed Council and highlighted items for audience. There were speeding problems in various neighborhoods in the City. The Police Department had groups ask about speed humps but didn't want to identify only one offender. Speed bump is a 3-4" bump raised asphalt; a speed hump was 3-4" with a width from 12-21' and gave a more rocky motion rather than a jolt.

#1 - Cost \$650 per hump [1992] cost would now be somewhat higher.

#2 - speed humps do decrease speed. 85th percentile decreased 7-11 mph traffic volumes decrease where speed humps were put in. No solution, just chased it to another location.

A number of issues would need to be addressed. #1 - City or benefiting residents. If the City which fund [Street or General since enforcement]. I affected citizens, LID? Consideration of design: COG with 14' speed humps had the most affect and the least number of complaints. Approval: first come, first serve - worst case scenario. Procedure, how is it determined if speed humps are needed? 85th percentile exceeding speed limit? Claims, how to handle if damage is caused by speed hump? Insurance carrier states if done to a standard criteria, well marked - liability minimal. Maintenance - snow/ice would leave a ridge of debris which could cause complaints - crews manually clean debris at each speed hump? Traffic diversion issue - COG traffic volumes decrease but relocate... how is that handled? What about the adjacent streets where traffic may increase to avoid humps?

Councilor Schmunk stated there were a number of service vehicles that used her street that make noise going down street, wouldn't noise increase with a speed hump?

Galloway stated Portland study indicated were incidents of increased street noise and more fumes and pollution from vehicles breaking and accelerating at those points.

Councilor Schmunk what happens if the requestor calls to have the hump removed?

Galloway stated that did happen in Portland 3 out of 5 were satisfied, the other two wished to experiment with a different type. Identify a means to take them out if people are unhappy with them. It would be an expense to remove them.

Councilor Schmunk stated the report could be made available to groups having problems or requesting consideration of places speed humps.

Christian asked if this would be done by contract?

Galloway stated yes. See if this could be piggybacked onto maintenance with the County was an option. The cost of having a contractor come out to do just a small number of them would be greater.

Councilor Thompson asked what Galloway's recommendation was? Galloway stated no, due to concerns stated. Chief Collier was more inclined toward them given 6 - 7 conditions listed. Galloway was concerned with costs. This would be one more thing doing with the street funds rather than

maintaining the streets. There were other discussions of monies coming from street funds [i.e., undergrounding]. His recommendation would be no. If done, laying the issue out and have clear procedures as to how they would be reviewed/placed. It takes approximately 1 year from point of citizen request to placing humps in the City of Gresham.

Mayor Thalhoffer stated this could be a good project for the CAC. They could study the material offered and research could begin through that process.

Councilor B-K appreciated the report. She was concerned with the 85 percentile but limiting area to locations where speed limit was under 25 mph. Residential areas 85% of traffic would have to speed 35 mph which was a big difference in a small area. She was concerned with being that aggressive and too constraining.

Galloway stated that could certainly be the criteria.

Councilor Burger-Kimber her neighborhood, due to new development they divert to avoid a stop light - 13th McGinnis. Avoid light at 257th go through neighborhood to avoid the stop light and traffic diversion there is appropriate. Traffic impact SDC would be an alternate funding source. Gresham was looking at it. Support Mayor suggestion of CAC addressing the issue and making a recommendation to Council.

Galloway stated SDC could be used only for capacity enhancing improvement. This wouldn't apply. It could be stretched but probably not to that degree.

MOTION: Councilor Thompson moved to refer this matter to Citizens Involvement Committee. Councilor Burger-Kimber seconded.

Councilor Lloyd asked for audience comment. He supported sending it to CIC but may have to have a work session with CIC.

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea

Kris DeSylvia, stated it was appropriate to go before CAC/CIC. She asked some established time line and would like to know more about - took several weeks to get meter into neighborhood. Means/avenue which concerned citizens can gather information. There was no time line or avenue by which they could deal with. She has talked to Chief and what was timeline in getting equipment. There needed to be means and vehicle to address the concerns. She stated she approached her neighbors and asked that they not speed. That didn't work.

Other issues were diversion onto other arterials; liability for damage to vehicle - If a neighborhood has a problem and notifies the city of studies and results then the city is on notice there is a concern and they want speed humps. The neighborhood pays for their speed humps - what happens if there is loss of life after the speed humps are placed through the neighborhood group - who is liable then? 70 vehicles in a single direction 22 vehicles is a high percentage - across the street from where school bus picks up children.

Councilor Thompson agreed, however, a problem such as speed - he hoped time for research could be done.

DeSylvia again asked about a time line and process to begin resolution to a problem for the neighborhoods with these problems.

Councilor Thompson stated working with Chief or Jim Galloway shouldn't be a problem. She wasn't notified when the study was completed after she had asked for it. There needs a communication from the City to address the situation. She waited more than a month and then, she made the calls to find out the information.

councilor Burger-Kimber stated the CAC could recommend the expectations after getting information from the Police Dept. Then Council could prioritize the CAC recommendation. Get the problem addressed with the means available at the time.

DeSylvia asked when would the group meet?

Mayor Thalhofer stated meetings were scheduled and they could meet more often. He suggested DeSylvia talk with the Chair of the CIC. They had meet recently. DeSylvia stated she was out of town.

Christian stated the reader board wasn't owned by the City. It was on loan. The equipment was \$10,000 to purchase; traffic counters with computer built in was equipment owned by the City. The reader board was available only occasionally. Education and enforcement in neighborhood right-of-way could also be discussed.

Councilor Lloyd stated if a neighborhood was willing to pay for it, that would make it easy to determine whether or not it was done and how soon.

Councilor Burger-Kimber talked about the goal setting session and one goal was maintain a safe community [police, fire, transportation].

9. ORDINANCE: An Ordinance Revising the Public Works Portion of the Troutdale Municipal Code, Chapter 12, Chapter 13, and Chapter 15 Section 28.

SECOND READING

Mayor Thalsofer called this agenda item.

Galloway gave a very brief background. This was second reading for this item. Changes recommended by Councilor Ripma were included and Galloway reviewed those as included in the text.

MOTION: Councilor Thompson moved to give the ordinance second reading. Councilor Prickett seconded the motion.

Mayor Thalsofer read the ordinance by title.

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea

10. DRAFT ORDINANCE: An Ordinance Amending the City Purchasing Policy and Procedures

Not ready, Mayor stated skip.

11. DISCUSSION: Draft Resolution Setting Policies on the Use of City Facilities by Nonprofit and Community Groups.

Mayor Thalsofer called this agenda item.

City Attorney Sercombe stated this was a result of a report and discussion in September, 1993. To summarize recommendation given by him, primarily a policy where there is a long standing agreement should be reduced in writing to clearly define expectation of the group and city. This clarified those recommendations and dealt with policy written agreements use of personnel, city property. Concern of a non-profit entity was discussed to be added in Section 1. 'As used hereinafter [non profit] means an association or use as non profit.'

Christian stated the form following the resolution was developed from other forms received from other cities with similar issues. The City Attorney hadn't agreed or disagreed with the form. There were some typos to be corrected, however, she asked for input regarding it.

Mayor Thalsofer had a problem with definition of non-profit. Non profit was a group not for profit.

Councilor Schmunk stated there was usually a tax number.

Sercombe stated 501C 3 organization meant tax status.

Councilor Lloyd stated Chamber of Commerce could be several areas. He didn't want to make the document unnecessarily limited. Using City Hall for mail could certainly be limited, if used in that manner. Troutdale Historical Society members don't all live in City. He maintained it could be getting too carried away.

Councilor Burger-Kimber asked for true clarity on the definition of non-profit. There was an expense to the taxpayers using the facilities with no cost. Develop an arrangement for in-kind exchange for service provided. Grant of X amount of dollars can be used for facilities or in kind services rendered. She felt the idea behind the resolution was good but it was incomplete. She also had a problem with the definition of non profit.

Councilor Lloyd saw no necessity in wasting time with this and the ramifications of this issue could be very difficult to deal with.

Councilor Burger-Kimber stated this had been addressed for two years. Charging for the use of the facilities and what type fee structure should be set out. It wasn't just about mail or postage. In kind contributions and full disclosure was important.

Councilor Thompson stated everyone should have to pay whether profit or non-profit.

Sercombe stated this agreement wouldn't bind the Council to any of what was being discussed. It didn't limit authority but does give policy to guide the city.

Howard Hanson, this was because of facilities [postage meters, personnel answering phones] using time for different organizations. Calhoon - This has no definition at all. Non profit entities as community groups - what he was most concerned about. HE reviewed rental agreements. These people weren't paying for these facilities. He was refused admittance to a meeting recently. This was an excellent document but fees weren't adequate to pay for the facilities. Put the rules in motion and see that they are followed. The problem was all the information was subjective. Whoever runs the city should be able to tell who enhances the city. The City should have some control over expenditures by the people - a schedule, an application to be filled out, if approved - let them pay fees to use the hall. Paying nothing and excluding people from attending the event/meeting puts the city in a liability. The disclaimer - use the form/application to use the facilities. City Hall as a mail drop [using City Hall/facilities/personnel on city payroll] wasn't serving the public properly. Upgrade documents you have and review fees charged.

Councilor Lloyd documents in place, enforce them.

Councilor Burger-Kimber stated resources paid for by citizens of community - human or facilities were funded by taxpayers. Fee structure equal and fair to all.

Councilor Schmunk curious as to how other cities handle events that go on in many city facilities. Uses/charges/group arrangements - research how the issue of use of City facilities is handled by other cities.

Sercombe stated this type resolution can limit type of entity that can use facilities; another type for fee use as a vehicle for making policy choices in which you can limit your choices. In writing, state consideration whether money or services; don't discriminate; who has authority to enter into arrangements. Policy of mail at City Hall. To move from that to issues of who, qualifications to use facility, what situation to charge fees those items broaden the meaning of this resolution.

Christian stated issue of Friends of BeaverCreek, their involvement with the Pub issue, siltation in creek - etc. A city employee [parks] could have been an issue at that meeting. City policy was clarified for that employee [Mayor was included] because of a one issue problem we start solving problems globally that don't exist.

Mayor stated should be a quid pro quo policy. Existing policies will be reviewed and a small survey to be brought back to Council.

12. COUNCIL CONCERNS AND INITIATIVES

Christian stated the Fire Task Force would need to be reformed. Fire 10 has decided to end their contract with City of Portland. That contract called for division of assets when the contract ended. City of Troutdale was asked to be involved in and aware of division of assets. Mayor and 1 Councilor will need to be appointed.

Councilor Burger-Kimber - CAC agenda suggestion therefore needs active recruitment process. [Christian needs to formalize rules and procedure for CAC. Changes in representation].

Barker [15:00] Side 7 Population projections and Planning Commission will have reviewing and come forward with a recommendation to Council.

Councilor Burger-Kimber it will be March before able to act on this? Barker agreed.

Councilor Burger-Kimber asked that Item 2.2 would be moved to the next meeting. Personnel requests with no fiscal notes attached and what ramifications to it.

MOTION: Councilor Lloyd moved to adopt Resolution item. 2.2 Councilor Prickett seconded the motion.

POSITION VOTE:

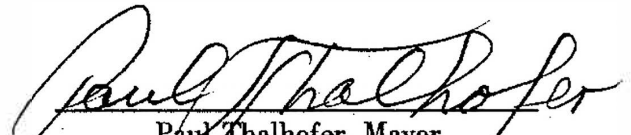
Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Nay

13. ADJOURNMENT.


MOTION: Councilor Prickett moved to adjourn at 11:20 p.m. Councilor Thompson seconded the motion.

POSITION VOTE:

Schmunk - Yea; Thompson - Yea; Prickett - Yea; Lloyd - Yea; Burger-Kimber - Yea


Paul Thalhofer, Mayor
Dated: 2-24-94

ATTEST:


George Martinez
Deputy City Recorder

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CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 1-11-94 TYPE Regular Council

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Jim Galloway	104 SE Ebling, Troutdale	605-5175
Brandon Logan	140 Bridge Street	605-8800
Jennifer Hall	2015 SW Indian St - 21	605-5410
Al Schmidt	2705W Cabell Lane	497-1154
Kari Wright	606 N S 183 rd	661-3171
Emily Sherwood	1592 SW Kendall Ct	666-3002
Joe Beckman	1331 SW 25th St	666-8256
Tony Overmo	1335 SE Harlow Ave	661-0518
Stav Stevens	18830 NE Irving Ct	667-1967
Hampshire Perkins	401 NE 186 th	600-5120

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE _____ TYPE _____

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Virginia Pugh	US Forest Service 902 Wasco #200 Hood River OR 97031	825 386-2333
JAY LYMAN	DAVID EVANS AND Associates 2828 SW Corbett Portland OR 97201	223-6653
Jeanette Kloos	Oregon Dept of Transportation 9002 SE McLoughlin Blvd Milwaukie OR 97222	731-8234
HOWARD HANSON	2520 NE 201st Ave Troutdale, OR 97060	665-1002
Julie Sprengel	316 SE 13th Troutdale, OR 97060	666-8465
Valerie Lobe	City of Troutdale	665-7575
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