



CITY OF TROUTDALE

AGENDA

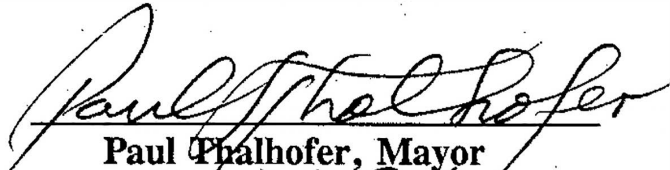
TROUTDALE CITY COUNCIL - REGULAR MEETING
COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099

7:00 P.M. -- APRIL 12, 1994

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes - Regular Session March 22, 1994
 - 2.2 Business Licenses - Month of March, 1994
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 4. COMMENDATIONS, AWARDS, AND PROCLAMATIONS:
 - Kenneth G. Prickett, Councilor
 - Jim Franklin, Outstanding Citizen Commendation
 - Month of May as Community College Month
- (A) 5a. PUBLIC HEARING/ORDINANCE: 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.

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- (A) 5b. **ORDINANCE: Establishing a Storm Drainage Utility**
First Reading
- (A) 6. **REQUEST: Wastewater Management Inc. to Utilize, pave and landscape a portion of City Property Immediately West of the Area they Currently Lease from the City.**
- (A) 7. **RESOLUTION: Authorizing the Mayor to Enter into a Consulting Agreement for the Beaver Creek Erosion Project and Identifying Funds to Pay the Costs Thereof.**
- (A) 8. **RESOLUTION: Extension of Water Service to Tax Lot 15, Sec. 22, T1N, R3E, W.M. [Gary Dempsey]**
- (A) 9. **REQUEST: McMenemy's Edgefield Manor - Special Events**
- (A) 10. **DEPARTMENT REPORTS:**
- **Finance**
 - **Public Safety**
 - **Community Development**
 - **Public Works**
 - **City Attorney**
 - **Executive**
- (A) 11. **COUNCIL CONCERNS AND INITIATIVES**
- (A) 12. **ADJOURNMENT.**


Paul Phalhofer, Mayor
Dated: 3-31-94

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

7:00 P.M. -- APRIL 12, 1994

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofers called the meeting to order at 7:05 p.m. and gave welcoming comments to the audience and persons viewing.

Councilor Burger-Kimber led the pledge of allegiance.

AGENDA UPDATE: Christian stated Public Comments would be moved after Proclamations, Award. Item 6 had been delayed to a later agenda but the City Attorney had requested information to be discussed in its place.

ROLL CALL:

PRESENT: Schmunk, Ripma, Thompson, Thalhofers, Burger-Kimber

ABSENT: Lloyd [excused]

STAFF: Christian, Barker, Collier, Galloway, Gazewood, Raglione

PRESS: Web Ruble, The Oregonian

GUESTS: Ken Prickett, Joyce Prickett, Todd Sloan, Jim Franklin, Hank Miggins

4. COMMENDATIONS, AWARDS, AND PROCLAMATIONS:

Mayor Thalhofers called this item. He asked that the individual accepting the award step forward.

Kenneth G. Prickett, Councilor - Mayor Thalhoffer read the award and presented it to Ken Prickett. He had also been an employee of the City for many years as a building inspector and Building Official.

Prickett thanked Councilors and the public. He hadn't received any calls in disagreement of his actions. He was 70 years old and family business prevented him from completing his duties.

Todd Sloan, Mt. Hood Community College was present to receive the Proclamation. Sloan was a Board member of the College. the 'Community College Month Proclamation was read by the Mayor. Sloan gave a brief update regarding preparations for the future by maximizing present facilities and enhancing them. 100 staff members met in December to discuss personal views of enhancing college facilities to benefit its students. May 5 will be a campus future forum for information gathering on how the facilities should look. He welcomed the public and elected officials of the city to attend the meeting.

Jim Franklin, Outstanding Citizen Commendation Mayor Thalhoffer read the commendation to Franklin before presenting it to him. Franklin invited Patti Polly, Jeanette Franklin, and Carolyn Taylor. He stated it wasn't his award, it had been a group effort and whenever phone calls were made, people were there. Carolyn and the Friends of BeaverCreek Polly had volunteers for the Harlow House, his wife Janette had spent lots of hours at Stuart Ridge. He would take the memories with him the rest of his life. Without them he wouldn't have received the Commendation.

Franklin stated he met with the Mayor and had concerns with the growth in the City of Troutdale. The greenways were being forgotten and the history of Troutdale was being forgotten. Columbia Park playground should be the last of the playgrounds for awhile. He lived on 19th Place off of Troutdale Rd. They had been promised a park for several years. They had moved and the kids played on what was available -- not every park in the community of Troutdale needs a park. Columbia Park is needed because there isn't anything there. The greenway getting back to Troutdale's history was important. Oregon Trail goes right by Troutdale Grade School - putting kids into the field for 3 hours and they will learn more than 3 weeks of classroom time.

He emphasized looking at the history of Troutdale. The Harlow House was an example -- a place for a wedding, a place for wildlife. He wanted to give Don Oakley a 'pat on the back' for the greenway in Stuart Ridge for all to enjoy. There were also contractors that deserved appreciation for his donations. Keep Troutdale rural, don't make it another Beaverton, Tigard or.. Troutdale was in God's country and was the best community in the State of Oregon. He was concerned and would do whatever was within his power to make it possible. He wanted livability, not a Beaverton or Tigard. Greenspaces were next to industrial areas - nature walks where there is wildlife.

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

Hank Miggins - Portland introduced himself as a candidate for position of Internal Auditor. The position was a 'watch dog' position responsible for investigating defaultations, in accordance with the law. He had 15 years experience and was qualified for the position. He would answer questions.

Mayor Thalhoffer thanked Miggins for his attendance and believed him to be a good candidate.

2. CONSENT AGENDA: 2.1 Accept Minutes - Regular Session March 22, 1994; 2.2 Business Licenses - Month of March, 1994

Mayor Thalhoffer called this item.

MOTION: Councilor Schmunk moved approval. Councilor Ripma seconded the motion.

Schmunk - Yea; Ripma - Yea; Thompson - Yea; Burger-Kimber - Yea

YEAS: 4

NAYS: 0

ABSTAINED: 0

5a. PUBLIC HEARING/ORDINANCE: Establishing a Storm Drainage Utility Reading

PUBLIC HEARING:

.1: Open Public Hearing

.2: Declarations, Challenges, Ex Parte Contact

.3: Summation by Staff - Galloway gave a background report responding to Council request to determine costs to residential and commercial customers and revenue projections for the City. Included was an analysis with a rate of \$2 per residence and explanation of where the beginning balance and why SDC income was the same every year; how much money was needed to cover administrative overhead.

He stated a storm sewer utility was necessary to cover normal operations, maintenance, and repair costs of the storm drainage system and to cover capital improvement costs which could not be funded by SDC's. He believed the city could expect future mandates to enhance storm water quality as well as handling the current storm water quantity. Establishing a storm sewer utility, a storm sewer fund, and a storm sewer utility fee [based on the area of impervious surface and imposed on the user of the property]. Residential would be based on 2,700 sq. ft. of impervious surface and billed equally. He suggested capping fees [giving 3 different rates as examples to determine the impact.

Questions:

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Councilor Ripma questioned the cap showing the highest user fee at \$342/mo. for a large business. Galloway stated that could be in the rate setting later.

Galloway stated the impervious surface and the affect that would have on the system if there was a means of keeping their portion on their site. In terms of that being an administrative nightmare, the wording may be able to be modified.

Ripma asked why runways, taxiways, and airports were deleted? Galloway stated assessing other jurisdictions within the city and a similar consideration was asked which led him to the airport.

Councilor Burger-Kimber had been on record voicing her concern with improving storm water utilities because she wasn't comfortable with the Master Plan in place and the way it was designed now. She wished again to express her concern. She was concerned with the water running into BeaverCreek. She felt it would preclude the existing plan and she didn't feel it was effective with the current plan. She wanted to see a natural process for addressing storm water and reperculate it back into the soil and encourage that type process. Allowing Friends of BeaverCreek all along before providing funding. What would be funded should be known prior to funding it. There should be an acceptable plan to the whole community and then establish a utility fee to establish that process. The Budget Committee had shot down the fee for the reason of 'another perceived tax or fee'. She understood why the Budget Committee would hold off on this.

Galloway understood the Budget Committee to not take action previous to Council taking action was the reason they didn't want to consider it. Not because that they would rather drop it out entirely.

Councilor Burger-Kimber understood it to be a recommendation to Council to not address it at this time.

Councilor Schmunk stated the Budget Committee didn't have enough information at the time and stated 'no' to the fee. They didn't say they recommended 'no' to the Council but stated it would be a Council issue.

Councilor Thompson agreed with Schmunk stating that the Budget Committee was diligent about not making a decision before Council. This didn't impose a fee, it set up an enabling ordinance. He stated Council wasn't constrained by a Budget Committee recommendation because it was a Council decision. The ordinance was about enabling the storm system fee to be collected at whatever time.

Councilor Ripma recalled that the Budget Committee didn't want it included as a budget committee recommendation, but once Council acted on it the Budget Committee could be reconvened to act, if necessary.

Mayor Thalhoffer asked for other proponents. There were none.

.4: Public Testimony: Proponents

.5: City Council Questions

.6: Public Testimony: Opponents

Todd Olson, 1621 SW Hartley Avenue, Gresham. Friends of BeaverCreek member and presented comments regarding the storm water plan. 1] Friends of Beaver Creek weren't opposed but didn't support until the City thoroughly reviewed storm water management plan. Friends would like the City to consider 1] explore all available alternatives for handling storm water runoff; 2] each alternative should be looked at for the environmental impact in the area. (Slow the runoff down to remove silt before heading into BeaverCreek). He seconded Councilor Burger-Kimber's comments if all information was available and there was agreement on the decisions it would be better for the environment and better for the city.

Councilor Ripma agreed and asked if it wouldn't be better to get going on doing the study rather than wait?

Olson stated Friends of BeaverCreek were paranoid about more culverts and headed to BeaverCreek. That was happening in areas above Troutdale and in Troutdale. The concern was if the utility goes in, work gets underway and the study would be held off.

Councilor Ripma asked if a consultant were to do a study how much would it cost?

Councilor Thompson stated the studies discussed did cost money and whatever course of action taken would cost money. Storm sewer charges didn't mean culverts and getting rid of water by flushing it down the street. It only established a mechanism to get it started,

Councilor Burger-Kimber was still concerned about no money for a study. The expenses will exceed revenues by approximately \$1.4 million and the Budget Committee was assuming an increased liability than the expenditures. More money was there than needed for the general fund. Money was in the general fund if other things could be budgeted. Managing the money was more the issue. Asking citizens for more money, when they don't know what they are buying wasn't something she favored.

Ted Coffey, 633 Old Columbia Highway. A large amount of money was spent for drainage at the RV park. They wanted to know they wouldn't spend more money to put water into BeaverCreek. It wouldn't handle it at all.

Councilor Ripma stated this would protect the stream upstream from his property. Everyone would pay if there was a fee established. The RV park would benefit from keeping the creek as natural as possible, was he still opposed to assessing a fee anyway.

Coffer stated assessing the subdivisions instead of him would have prevented the problem now, but the City made him pay it. SDC charges were paid for storm sewer systems. The force storm collector that was paid for, wasn't ever filled to capacity and they were in good shape. He wanted to go on record that he didn't want to pay any more.

.10: Recommendation by Staff. Galloway stated the only thing proposed for Budget Committee was the setting up of a utility fee was not a license to do whatever they wanted without controls. This would have to go through the Budget process and he believed there were controls and no license to do whatever was wanted.

Councilor Burger-Kimber - administration costs per year was listed at \$10,000/yr. If collecting .50 cents or \$10.00 the administration fee would be the same for the paper trail involved. She asked if the storm sewer fee was used to fund the study alone and the study could be \$30-\$35,000 that didn't appear to be a cost effective way to fund study because of the fee with the overhead cost. In reality you would be better off to fund the study through another mechanism now and not impose the cost right away?

Galloway stated clarification of the purpose wasn't a study only. The intent of the administrative fee was reimbursement to folks, i.e., Finance Depart - water/sewer/storm.

Councilor Burger-Kimber stated there would be additional manhours wouldn't there?

Galloway stated yes, to capture the \$10,000 plus a small billing fee. Items mentioned by Mr. Olson should be looked into and this was a policy decision of Council.

Councilor Ripma asked if N. Troutdale was an adopted City Plan or a concept? Galloway stated adopted in Spring, 1990.

Christian stated there had been a joint agreement with Sandy Drainage, Multnomah County, Fairview, Wood Village and Troutdale participated as well as the Port of Portland in funding and developing the N. Troutdale plan.

Councilor Ripma asked if the Study would relate to the N. Troutdale Plan or strictly the south? Galloway stated primary the south. Looking at different conditions with groundwater in the N. end but was an option that could be looked at.

Councilor Ripma asked if the southern portion of the study could be looked at and learned by?

Galloway stated the options were more limited in the north end than the south end.

Councilor Thompson stated there were other areas in Troutdale also to look at.

Mayor called for rebuttals. There were none.

Recommendation: Adoption of the ordinance.

Mayor asked about persons involved in an LID some years ago where storm water drainage was paid. They would also be paying even though they had paid the Halsey LID.

Galloway stated it wasn't his intent to have exceptions or exemptions in the LID but could be taken into account if Council desired to do so. Part of the fee would go for on going operations and maintenance.

Councilor Ripma stated his concern [bottom pg. 2] proportionate fee - concerned about the loose wording. Could language be inserted "Public Works director would establish procedures for assessing reductions". It was his gut feeling that exempting entirely a few persons could be stuck for huge capital costs. 12.06.050[c].

Sercombe stated jurisdictions allow for issuance of rules by a manager or dept. heads in the administration of programs. Code of city establishes what is needed to do that. Troutdale doesn't have that process. Exemptions and what they would be would be best done by resolution.

Councilor Ripma was concerned about the wording part [c] - no assessment of quality, longevity, unsightliness - seemed to tie the City's hands unnecessarily. Would that leave the discretion to the director?

Sercombe stated inserting Public Works Director shall upon written request and upon consent of council determine

Galloway asked if NO LESS THAN % NO MORE THAN % would work? Councilor Ripma stated it would.

Galloway stated since fees would be based on amount of water runoff that was generated - initial decision was not less than 30% of full amount to be paid.

Mayor Thalhoffer stated Sercombe's suggestion of a resolution for details would take the subjectivity out of the ordinance. Council would have to pass the resolution separately then.

Councilor Burger-Kimber asked for a list of recommendations from homeowners, based on shopping list of how to shunt water from their property other than storm sewers? Are stormwater alternatives used in building codes within the city? She expressed concern that the cart before the horse to allow reasonable accommodation or alternatives in reduction in fees with nothing in place at this time. As part of the process building codes, specifications and recommendations

for people to address this and consideration of people within the city that spent lots of money in establishing the Halsey Storm sewer and justifications for maintenance of the Halsey Storm Sewer. There was a mechanism - so I don't have to pay the fee? What is it going to be? What is the minimum for service?

Galloway stated that would be a difficult process. What mechanism is there that their water travel to the Columbia? Also establishing cost for maintaining Halsey LID Sewer - elements of troutdale drainage aren't within a mandated storm sewer system. Detention/retention ponds. Needs budgeted for next year for BeaverCreek didn't attribute itself to any one person but.. vital information wasn't being held back.

Closed hearing at 8:30 pm..

5b. ORDINANCE: Establishing a Storm Drainage Utility

First Reading

Mayor Thalhofer called this agenda item and read the ordinance by title.

MOTION: Thompson moved first reading. Schmunk seconded the motion.

MOTION TO AMEND:

Councilor Ripma moved to amend the motion [Sercombe read language as follows: 12.06.050 C. Whenever a resident or business takes measures to mitigate the effect of storm water flow from the impervious surface of the residence or place of business, the Public Works director who so authorized by Council Resolution shall, upon written request, determine the percent of storm water flow which has been reduced, and a proportional reduction in the Storm Sewer Utility Fee shall be made consistent with that Council Resolution. Ripma asked that 30% still be indicated in the language.

Sercombe suggested an additional sentence to read: but in no event shall the fee be reduced more than 70%.

Councilor Ripma moved to amend the motion [Sercombe read language as follows: 12.06.050 C. Whenever a resident or business takes measures to mitigate the effect of storm water flow from the impervious surface of the residence or place of business, the Public Works director who so authorized by Council Resolution shall, upon written request, determine the percent of storm water flow which has been reduced, and a proportional reduction in the Storm Sewer Utility Fee shall be made consistent with that Council Resolution, but in no event shall the fee be reduced more than 70%. Councilor Thompson seconded the motion.

Councilor Ripma agreed to the language added. Councilor Thompson seconded.

DISCUSSION:

Councilor Burger-Kimber stated thousands of dollar with an assessment on her property. She didn't contribute anything to the storm water system, she retained all her water The City had spent thousands of dollars to develop a storm sewer system that shunts water into waterways so people could develop below her. Now, by this motion it determined that she has to pay a minimum fee. She challenged that was in excess of the maintenance that would be required on the Halsey storm sewer LID. She was personally offended because it didn't take into account the people that had already contributed a great deal to the system.

Councilor Ripma agreed that it wasn't a remedy to the inequity to people paying into the Halsey Storm Sewer System. However, this had been directed but, he was mainly concerned that otherwise there are no funds coming in to fund what was left. It didn't address her specific complaint against Halsey but it was an attempt to compromise.

Councilor Burger-Kimber let that percentage be discussed in the resolution. 30% was an indiscriminate amount with no background.

Councilor Ripma believed there was a need to do this.

Councilor Burger-Kimber reiterated her concern about establishing a fee base not adequate to meet needs [Storm sewer water master plan] that was inadequate. Vehemently opposed to assessing a fee without telling them what they are buying. No building ordinances in place to give people guidance and avoid being assessed the fee, even though not fair or appropriate. Look at the study, know what to do, how much to spend, define an appropriate plan for the city before blatantly assessing fees.

Councilor Thompson stated if following that procedure Columbia Park wouldn't have been acquired. Must do something about storm water the longer the delay, the worse the problem. He favored passing the ordinance to begin dealing with the problem.

YEAS: 3 [Schmunk, Ripma, Thompson]

NAYS: 1 [Burger-Kimber]

Break: 10 MIN.

6. REQUEST: Wastewater Management Inc. to Utilize, pave and landscape a portion of City Property Immediately West of the Area they Currently Lease from the City.

Mayor Thalhoffer stated this item was deferred to another meeting. However, a matter involving Wastewater Management Mgmt. would be addressed at this time.

Sercombe stated the Executive Session prior to the meeting was to discuss Wastewater Management, Inc. a lessee from the City. There had been a dispute about their compliance with the lease. Notice of default was given on two items: storage of sludge; failure of as-builts of their operations in the event of an upset of the plant and the drainage of the plant to the river. After notice of default communications were received by the city: sludge was removed to adjacent land; as built were not furnished within the time lines and the city then sent notice of termination of the lease to Wastewater Management, Inc. After considerable discussion regarding compliance of the lease and how they could comply with city directives. As built were given to the city and reviewed. Council met in executive session pursuant to 192.660 1[f] for a confidential opinion from himself to city. ORS 192.660 1 [h] allows litigation likely to be filed. Council discussed options with respect to that consensus was: for status of lease and litigation but also other matters involving Wastewater Management, Inc. He was directed to prepare a motion [before Council].

MOTION: Councilor Thompson moved to authorize mayor to reinstate the lease between Wastewater Management, Inc. and the City of Troutdale upon the Company's compliance with the agreements reached in negotiations between the City Attorney and attorneys for the Company; and upon reinstatement of the lease, direct staff to continue to monitor compliance by Waste Water Management Inc. with its discharge permit with the City, with its obligation to make timely payment of systems development charges, and with its obligations under the zoning and development codes. In the event that the Company fails to comply with these obligations, the staff is directed to take all reasonable enforcement remedies. The staff is directed to work with Waste Water Management Inc. to inform the Company about these duties and to make sure that the Company's obligations are clear. Councilor Ripma seconded the motion.

Councilor Burger-Kimber asked if the arrangements were going to include SDC's? Sercombe stated that was part of the original lease.

YEAS: 4 [Schmunk, Ripma, Thompson, Burger-Kimber]

NAYS: 0

ABSTAINED: 0

MOTION PASSED

8. RESOLUTION: Extension of Water Service to Tax Lot 15, Sec. 22, T1N, R3E, W.M. [Gary Dempsey]

Mayor Thalhoffer asked if anyone was present for the water issue from Fairview.

Gary Dempsey, 28528 Troutdale - Projects on Marine Drive. Olson Well Drilling recommended something other than putting in a well. Water was on Fairview/Troutdale line. There were no special uses no more than a regular homeowner and he needs good quality water.

Galloway stated Mr. Dempsey he was developing property adjacent to Troutdale/Fairview boundary and has a need for water. Fairview has no need for providing water there as yet. Boundary Commission representative contacted the City. This being the best thing to do for the interim. This could be done outside boundary commission activity. This was designed so all costs of construction of the water line would be borne by Dempsey. Charges were the same as any other resident and billed by Fairview. IGA has been discussed in broad terms with Fairview. Since that time he had received the response with about 5 word changes. Pg. 1 line 22 remove "taken" replace with "provided"; line 23 remove "other" replace with "Troutdale"

Councilor Ripma favored helping our neighbors but was concerned with what the customer would be paying, less than a Troutdale property owner would pay for a similar connection. Ordinarily a 1" line wouldn't be extended like this - a full main would be constructed.

Galloway stated it was fairly normal to run utilities along the frontage of the property. In this case, we didn't want that to occur. A full size main wouldn't be a benefit.

Councilor Ripma stated it was a break, Troutdale would have slightly more of an expense to run a line of this nature. He was concerned, it was a good deal for the property involved and the likelihood is that they wouldn't ever connect to Fairview because they would have adequate service from Troutdale.

Galloway stated this line would be terminated once Fairview constructed service to the area.

Councilor Ripma was satisfied.

MOTION: Mayor Thompson moved to authorize the mayor entering into the IGA.
Councilor Ripma seconded the motion.

Ripma did that incorporate the amendments? Yes.

YEAS: 4

NAYS: 0

ABSTAINED: 0

MOTION PASSED

9. REQUEST: McMenamin's Edgefield Manor - Special Events

Mayor Thalhofer called this agenda item.

Barker gave a brief report. There were 12 events planned and it would be much easier if this was approved as a conglomerate rather than come before Council 12 separate times.

Councilor Ripma asked if the fee was \$100 for all 12 events?

Barker stated this was a series of events and nothing was stated about each event. She pointed out the City wouldn't provide security services there.

Councilor Ripma stated this was just another good reason to hold things in Troutdale.

Mike McMenamin, Edgefield Manor stated he was excited about the musical event possibilities and thought it would be fun - there would be all types of music from folk, country, blues. No black sabbath would be brought in.

Councilor Schmunk asked how they would accommodate the parking?

McMenamin stated the fields on the south side would be used and property would be worked out with County for temporary parking. Those would be the problems with traffic concern and would do what they could to devise good police strategies there. For a concern of this type it wasn't realistic to pave the parking.

Councilor Burger-Kimber appreciated the 10:00 curfew.

Mayor Thalhoffer thought it would be good for Troutdale. The Manor was the crown jewel of east Multnomah County and was appreciated.

MOTION: Ripma moved approval of 12 events as presented. Burger-Kimber seconded the motion.

YEAS: 4

NAYS: 0

ABSTAINED: 0

MOTION PASSED

7. **RESOLUTION: Authorizing the Mayor to Enter into a Consulting Agreement for the Beaver Creek Erosion Project and Identifying Funds to Pay the Costs Thereof.**

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

Galloway addressed this item giving a brief report. Conversations with the Corps of Engineers had gone back and forth with whether or not they would allow Federal assistance. There were items associated with the project. The cost of professional fees \$33,000; a \$100,000 for

construction costs; the repairs should be made this summer next FY, however, engineering services would need to be done out of this FY budget and there was safety for the general public was involved. Timing was important or there could be a difficult situation.

Councilor Ripma asked about relocating the line? Did it approach the \$100,000? Ripma asked for an address of the consulting firm [Beaverton] that has done other work in the City.

Mayor Thalhoffer asked if the sewer line broke because of not fixing the situation, then how much would we be discussing?

Galloway the cost of the sewer line and some obligation to liability for cleanup and restoration.

Mayor Thalhoffer stated if the City was assuming the entire cost that was concerning.

Councilor Ripma asked why the Corps changed their minds?

Galloway stated there was a benefit to cost ratio consideration. As they looked at it, the sewer line could be moved cheaper than the labor to repair and minimize impact on BeaverCreek. Internal planning/engineering costs exceed the amount to the actual repair work.

Councilor Ripma shared that view, however it was a sensitive area. He endorsed a check tape ecologically prudent solution if possible.

Galloway stated agreements to participate in costs either monetarily or through dedication could be what she was discussing.

Christian stated the Parks Plan showed this area as lacking in public access in that portion of BeaverCreek canyon. The city would acquire easements or acquisition of enough property to connect a trail into City park. It wasn't far from City Park. That was identified in the Parks Plan.

Mayor Thalhoffer stated it would be a benefit to BeaverCreek Canyon.

MOTION: Councilor Ripma moved approval of the resolution authorizing the Mayor to enter into a Consulting Agreement for the Beaver Creek Erosion Project and Identifying Funds to Pay the Costs Thereof. Councilor Thompson seconded the motion.

YEAS: 4
NAYS: 0
ABSTAINED: 0

MOTION PASSED

10. DEPARTMENT REPORTS:

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● Finance - Gazewood added Stamm had indicated the process [insurance bids] would be completed after May 1st. Bids would be reviewed and would be before Council at the second meeting in May. A new tax limit measure before voters in November. An opinion from the City Attorney was received. \$600,000 GOB passed and \$300,000 in August 93 was issued. That tax limit affected an issue that would be before the Budget Committee - if the tax measure passes, the wording on a ballot title would directly affect the remaining \$300,000 park bonds that hadn't been issued. The City would be in a position of not issuing the bonds. By law the budget committee has to set the property tax levy. This would mean the Budget Committee would have to be called back. He suggested this week or next week at the latest.

Mayor Thalhoffer stated next Tuesday night there were Council interviews and the Budget Committee could begin at 8:00.

Councilor Burger-Kimber stated she noted the payment of \$21,000 for Columbia Park was made. Did that need direction from Council? Gazewood stated it was designated out of bond fund had been appropriated in this year's budget. Gazewood stated \$80,000 was designated and the appropriation designated for that was an issue of whether or not more than that should be paid and issuing the other \$300,000. Discussion of this would be held at the April 19 meeting.

● Public Safety

Collier commented on the east county booking facility and the paddy wagon. The Sheriff had agreed to field reserve deputies specifically for transports for east county. It was a free solution. He discussed what the process would be. It had begun April 7th.

Councilor Burger-Kimber noted the two new police cars and asked if they were replacing cars? Collier stated yes, they were from last year's budget and were outfitted for the new 800 mgh.

Collier continued stating that grants applied for resulted in two video cameras placed in two cars for DUII enforcement. A grant providing a camera for beach patrol car that is used for crime scenes but unknown yet if it was successful. He discussed the Assessment Center held on April 9. He was also monitoring the Sheriff Deputy/PPD transfer. The information was changing constantly and there would be an impact on Troutdale PD.

Mayor Thalhoffer stated the Council would be addressing this issue soon. He was very concerned over the taking out of schools the DARE program which the County had responded to very admirably. MCSO was a participatory type law enforcement completely different from PPD. He felt the damage that would be done by Chair Stein and Mayor Katz was unexcusable.

Councilor Burger-Kimber stated it was important to have that community identity with the Police Dept. The County has been a support structure in that environment and she was concerned about a candidate that the main goal was to dissolve the Multnomah County Sheriff's Dept. She strongly encourage voters to not support Vera Poole.

Councilor Ripma urged Thalhofer to go to the County Commissioners and state his comments directly to them. He was appalled. Troutdale/Fairview work well and cooperatively with the Sheriff's Dept. and if Portland Police did, they would benefit too. It was bad for all citizens in the region. He was astonished that there wasn't more thought being given to this.

Mayor Thalhofer stated as many councilors as possible should go make their statements. He would like to see it on the ballot.

Councilor Burger-Kimber stated as Chair on the Board for Animal Control she had been contacted by Stein/Chaired by Gordon Smitzer regarding Animal Control. She would keep Council apprised as meetings begin.

Chief Collier stated investigations: homicide; fatal accidents; high tech crimes; Special investigations unit [SIU], drug team, multi-disciplinary team, auto-theft task force; river patrol, civil process; school resource officer; DARE; patrol-cover.

Councilor Ripma suggested garnering other neighboring cities to make comments they would like to make also.

● Community Development

Barker stated a report would be before Council regarding Beaver Creek erosion.

Christian stated the ordinances would be the end of the spectrum so far as protection. Sercombe had been asked to review also. They would be presented with the understanding that there may be some softening. If unable to attend the Planning Commission a tape hopefully would be available.

Barker stated it would require significant enforcement. Flood plain, hillside, erosion control would be reviewed.

Mayor Thalhofer asked how many vacancies there were on the CAC? Barker stated the population ratios 24 could be added; 15 were sitting and the potential for 9 more was there; the suggestion was to set up for build out. There were 3 right now with not much interest.

Councilor Burger-Kimber stated by the ordinance, without change that would accommodate 24. Comply with the existing ordinance and do a specific recruitment for the vacancies.

Barker stated the amount and filling by resolution would be a better method than having it in the Comp Plan.

Mayor Thalhofer stated Councilor Burger-Kimber, CAC Chair O'Grady and himself would be the selection committee for the vacancies.

Mayor Thalhoffer asked Chief Collier about the speed humps, funding could be discussed at the meeting Tuesday, April 19. CAC Chair O'Grady was interested.

- Public Works

Burger-Kimber commented on the final payment to Gresham Solid Waste.

- City Attorney Nothing additional.

- Executive Nothing additional.

11. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhoffer called this agenda item.

Councilor Burger-Kimber stated she had some changes in personal issues and she was going to be on some task forces, and had volunteered to sit on the REMPAC [Emergency Management]. There was considerable objection to her sitting on the committee at the time. She wished to remove herself from the obligation.

Councilor Schmunk stated she may volunteer.

Christian stated in discussions with Malmquist the most they would meet was quarterly. They would be meeting at 4:00 May 18 at Metro.

Councilor Schmunk stated if no one else could do it so she would volunteer. East County Transportation met last week and discussed were re-writing by-laws. She would have them to Councilors hopefully at the next regular Council meeting. 16B was also discussed. Ripma and Thalhoffer also attended the meeting. Extension of Sandy Blvd. overpass was discussed and would be extremely costly - multi-millions. 16B will be gone. It was either 16B or no 238th.

Mayor Thalhoffer stated this was a lack of vision, don't wait until the problem was so bad it was impossible - I-84 needs to be updated. He stated Open House was at the Sam Cox Bldg. for the Sandy River Delta Master Plan 3:00 - 8:00 p.m. Saturday, April 16 at 9:00 interview begin for the Council vacancy. An order completing periodic review. He extended appreciation to the Planning Department.

Kinsu Corp. mill in Heppner - shut down the mill and sell raw logs. They could make more money that milling them in Heppner. Pressure on Pioneer Resources might bring to bear some further review of this -- jobs were valuable to everyone. If there is a profitable operation with employment why not be satisfied and keep the people working. No social responsibility to the State of Oregon and the people in Heppner smacks of pure greed.

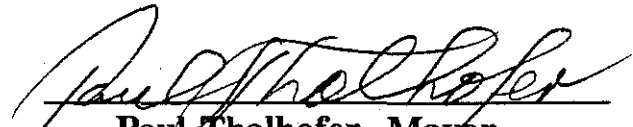
Councilor Burger-Kimber asked him to draft a letter for signature.

12. ADJOURNMENT.


Mayor Thalhofer called for a motion to adjourn.

MOTION: Councilor Ripma moved with Councilor Thompson seconding adjournment.

Meeting adjourned at 10.40 p.m.


Paul Thalhofer, Mayor
Dated: 5/11/94

ATTEST:


Valerie J. Raglione, CMC
City Recorder
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