

AGENDA
TROUTDALE CITY COUNCIL
6:30 P.M. -- City Council Chambers
104 SE Kibling
TROUTDALE CITY HALL

December 13, 1983

SPECIAL MEETING
6:30 P.M. - 7:30 P.M.

Downtown Presentation

EXECUTIVE SESSION
7:30 P.M. - 7:45 P.M.

Obrist Litigation/Agreement

7:45 P.M.
REGULAR SESSION

(A) 1. Call to Order, Roll Call and Agenda Update: **Mayor**

(A) 2. **Consent Agenda:**

2.1: **Accept:** Minutes of 10/25/83 - Regular Session

2.2: **Accept:** Minutes of 11/8/83 - Regular Session

2.3: **Accept:** Minutes of 11/22/83 - Regular Session

2.4: **Accept:** Business License Report

2.5: **Accept:** Bills for Month of **November, 1983**

2.6: **RESOLUTION:** Accepting Dedicated Streets and Parks --
Kiku Heights

2.7: **RESOLUTION:** Requesting Exemption of Raw Materials
Consumed in the Manufacturing Process in
Event of Sales Tax Amendment

(I) 3. **PRESENTATION:** LCDC

(A) 4. **PRESENTATION:** **Commendations (2)** Dave Summers Accepting

(I) 5. **PRESENTATION:** Sharon Kelly - Metro
"What Metro Can Do For You"

(A) 6. **PRESENTATION:** Audit Report


(A) 7. **ORDINANCE:** Excavation of Right-Of-Way

SECOND READING

(I) 8. **POSITION STATEMENT:** County Road Maintenance

(A) 9. **RESOLUTION:** Approving the Adoption of the Revised Uniform
Fire Code for Multnomah County Rural Fire
Protection District No. 10...

- (A) 10. **RESOLUTION:** Authorizing Multnomah County's Participaton in the Creation of a Local Youth Services Demonstration Project.
- (A) 11. **ORDINANCE:** Change in Subdivision and Zoning Ordinance
FIRST READING
- (A) 12. **ORDINANCE:** Accepting PGE Franchise
- (I) 13. **REVIEW:** Parks Plan
- (I) 13a. Parks Ordinance Changes
- (A) 14. **DEPARTMENTAL REPORTS:**
 - 14.1: Police
 - 14.2: Finance & Records
 - 14.3: Community Services
 - 14.4: City Attorney
- (A) 15. **COUNCIL CONCERNS AND INITIATIVES**
- (A) 16. **ORAL COMMUNICATIONS AND ADJOURNMENT.**



Sam K. Cox, MAYOR

(A) = Action Item
(I) = Information Item

MINUTES
TROUTDALE CITY COUNCIL MEETING
EXECUTIVE SESSION
December 13, 1983 - 7:45 P.M.

The meeting was called to order at 7:35 P.M.

ROLL CALL :

PRESENT : Ron Burgin, Marge Schmunk, Dave Butzer, Mayor Sam
Cox, Dan Lowe, Paul Thalhofer and Gene Bui

STAFF : Pam Christian, Nancy Nixon, Greg Wilder, Jim Jennings

PRESS : Lori Callister of the Gresham Outlook and Bob Gabriel
of the Oregonian

This meeting concerned ORS 192.660 (1) (e) and ORS 192.660 (1) (f)
litigation regarding real property.

Eugene Bui moved to adjourn the meeting. Paul Thalhofer seconded the
motion. The motion passed unanimously.

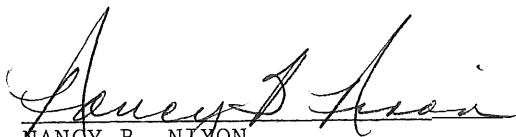
The meeting was adjourned at 8:00 p.m.



SAM K. COX, MAYOR

DATE SIGNED: 1-11-84

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER

MINUTES
TROUTDALE CITY COUNCIL MEETING
DECEMBER 13, 1983 - 7:45 P.M.

The meeting was called to order at 7:59 P.M.

ROLL CALL :

PRESENT : Ron Burgin, Marge Schmunk, Dave Butzer, Mayor Sam Cox, Dan Lowe, Paul Thalhofer and Gene Bui

STAFF : Pam Christian, Nancy Nixon, Greg Wilder, George Haddock, R. Scott Pemble, Jim Jennings and Barbara Rossman

PRESS : Lori Callister of the Gresham Outlook and Bob Gabriel of the Oregonian

GUESTS : Jim Sitzman, Sharon Kelly, Phil Fell, Andy Anderson, Paul Douthit, Ed Bolen, Bob Clare and Jim Tews

CONSENT AGENDA UPDATE - Pam Christian asked that Consent Agenda Items 2.6 & 2.7 be taken off the Consent Agenda and addressed as separate items following the Consent Agenda.

Gene Bui moved to accept the Consent Agenda. Dan Lowe seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #2.6 - RESOLUTION: ACCEPTING DEDICATED STREETS AND PARKS -- KIKU HEIGHTS

Greg said the Council was being asked to accept the park and improvements at which time it becomes the City's maintenance responsibility. Marge Schmunk said there had been a lot of upgrading on the park and she wanted to know if everything had been completed on that. Greg said it was all up to the requirements that were requested of the developer. Marge said her question was that a lot of that work was done by the City instead of the developer. Pam replied that they had a performance bond that was used to fund that.

Mayor Cox read the resolution by title. Gene Bui moved to accept the resolution. Ron Burgin seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #2.7 - RESOLUTION: REQUESTING EXEMPTION OF RAW MATERIALS CONSUMED IN THE MANUFACTURING PROCESS IN EVENT OF SALES TAX AMENDMENT

Pam said the resolution had come from the Council's direction on their position statement on the sales tax and one particular item affecting Reynolds Aluminum about raw materials.

Mayor Cox read the resolution by title.

Paul Thalhofer moved for passage of the resolution. Gene Bui seconded the motion. Ayes 6 Nays 0.

Pam said there had been discussion on other elements of the sales tax package that the Council had concerns on and the Council had talked about supporting the Chambers position if Council agreed. The Chamber is still in that process so there was nothing further to add tonight on that.

AGENDA ITEM #3 PRESENTATION: LCDC

Jim Sitzman appeared on behalf of the Land Conservation and Development Commission to give public recognition that Troutdale has completed its comprehensive plan and has been acknowledged by the state as being in compliance with the state goals. Mr. Sitzman congratulated Troutdale on the effort they had made and presented Mayor Cox with a certificate recognizing the completion and acknowledgement.

AGENDA ITEM #4 - PRESENTATION: COMMENDATIONS (2) DAVE SUMMERS ACCEPTING

A certificate was presented to Dave Summers for specific contribution in assisting law enforcement officers in regards to incidents occurring at Burns Bros. Husky truckstop. Mayor Cox said Dave was instrumental in the Burns Bros. policy of cooperation with local law officers in the highest level which has resulted in a successful cancellation of crime and reducing the potential for criminal conduct in and about their property. Eric Summers accepted the award for Dave Summers.

AGENDA ITEM #5 - PRESENTATION: SHARON KELLY - METRO "WHAT METRO CAN DO FOR YOU"

Sharon Kelly talked about services that METRO provides which include the Portland Zoo. Attendance has risen from about 450,000 to 700,000 a year. Admissions and concessions pay for about 50% of operating costs. The national average is 35%. Metro will be sponsoring a levy as the present levy runs out in the spring.

Solid waste - Metro deals with 700,000 tons of garbage a year. It provides \$230,000 to the Portland Recycling Team and another \$100,000 to various other recycling projects. Metro operates the St. Johns Landfill. Ms. Kelly said the Wildwood project had been appealed and in addition to that there would be some amendments proposed by the Multnomah County Commission and Metro's council to the Planning Commission and community to allow for a landfill. Ms. Kelly introduced Phil Fell who spoke concerning the energy recovery facility. Mr. Fell said following the November 1982 defeat of the proposed energy recovery project in Oregon City, the Council terminated work on that project and directed staff to develop a solid waste master plan. Staff will lay out all various options of how to handle solid waste. Decisions on solid waste should be made by March so the necessary changes can be made in the fiscal year budget. The key elements for getting rid of garbage are recycling transfer stations and a new landfill. An energy recovery project or site is not actively being pursued, but they are continuing to answer questions. Dan Lowe asked if Metro was looking into Tri-Met. Mr. Fell replied that the Metro Council was looking into that and Sharon Kelly said the Council has agreed that more study should be undertaken to look at the effect, problems and relationship between Tri-Met and Metro.

Ms. Kelly said that Mel Huey of Metro could be of great service to Troutdale in finding funds through the federal and state governments. She said that there could be a coordinated effort to earmark those funds if Troutdale is interested.

Ms. Kelly said the Data Resource Center provides a lot of data that may be helpful. They have a great deal of information on the 1983 Census. Ms. Kelly has requested that the agenda for Metro meetings be sent to Council members and the Mayor.

Paul Thalsofer asked about the energy recovery facility. Mr. Fell said there is a lot of information available when jurisdictions have questions; however, Metro is not actively pursuing this issue.

Gene Bui said the initial charter that was passed talked about Metro having some responsibility for the formation and management of the regional corrections authority. Gene asked if Metro was in a position to start forming a Regional Corrections Authority. He said he was bringing it up because of the jail building needs that are necessary on a tri-county basis. He was wondering if there had been some consideration by Metro of trying to acquire some state property around Wilsonville, which is somewhat centrally located for the three counties, to build a regional facility. Sharon Kelly replied that Metro does regional plans like Gene talked about and Metro can, within the legal limits of the law, do that. However, Metro cannot build any jails without a tax base. In the last budget process, the variety of services that could be provided was discussed. A project initiative program was put in. The first issue was drainage, the second will be parks, the third will be criminal element or whether it is Metro's responsibility to provide jails or just do regional planning for that and the fourth issue will be libraries. She said hopefully Metro would become experts at providing these services and that is where they stand right now.

Mr. Fell explained that Metro's statutory authority lists activities in which they can be involved and then a number of activities in which they can be involved if there is a tax base. Currently the only taxing authority Metro has is the three-year zoo levy. Metro went to the Legislature last session asking them to move their authority for more aggressive action in corrections up a section. It was a bill that dropped through the cracks; however, it may be part of Metro's legislative program in 1984.

Ron Burgin asked that the councilor's home addresses be sent to Metro in order for them to be sent Metro's agendas.

AGENDA ITEM #5A - ANDY ANDERSON, CABLE REGULATORY COMMISSION REPRESENTATIVE

Pam Christian said there has been controversy going on about sharing a head-in the portion of the cable system that receives and disburses the satellite signal, with the City of Portland's cable system. The Commission approved that change to the initial contract and Andy Anderson was the one no vote on the Commission. Pam said the City of Troutdale has the right to review specific actions of the Regulatory Commission if they choose to; however, after discussing this with Mr. Anderson both he and Pam were

recommending that no action be taken on that. This would approve the action of the Commission. Andy Anderson was there to explain why he had voted no on this issue. He said that his vote was more a vote of preference for the original design than against the new proposal. The new proposal allows for a total of 47 amplifiers between the Portland head-in and East County. This consists of 35 feet forward amplifiers and 12 conventional amplifiers. He said according to the technical report if any one of these amplifiers went out it would distort the signal to an unacceptable level. He said he also favored the original design because it had greater capacity than the new proposal. He said that the system itself, as proposed, will work fine. There is no change in services and it will save the cable company anywhere from \$300,000 to \$800,000 in construction and personnel costs. Mr. Anderson said that one of the six conditions for approval of the proposal was to test the new system for any defects. If the tests show any failure to meet the specifications, the cable company will construct a new head-in in East County within one hundred twenty days. These tests will be done within thirty days of installation. Ron Burgin asked if there was a provision for independent testing. Pam said that there was a condition in the original proposal. Pam said a change to the intergovernmental agreement would be brought to the Council in January. This change is that Fairview wants to be included in the intergovernmental agreement and it requires a resolution by Council.

AGENDA ITEM #6 - PRESENTATION: AUDIT REPORT

Nancy Nixon introduced Paul Douthit of Coopers & Lybrand who is manager of the City of Troutdale's audit. Paul said the opinion was shorter than in past years because the fixed assets were finally appraised and the City has what is called a clean opinion. Mr. Douthit went over the report for the Council.

Paul Thalhofer asked why the Enterprise Fund was in the red. Paul explained that this was caused by adjustment, interest and depreciation expense. This year there was a \$200,00 plus expense adjustment as a result of appraising fixed assets and increasing depreciation expense. Paul said the Enterprise Fund has been showing losses in excess of \$100,000 a year for the last several years. Nancy Nixon said the biggest contributor to that is the depreciation expense which is recorded; however, in past years it has not been included in the rate making. In the future that cost will always be included when a rate change is proposed. It will be extremely difficult to go back and increase our rates sufficiently to cover depreciation which was reported previously. We will continue to see a deficit. Paul said there was an Equity Fund Balance that is positive in the Enterprise Funds. This represents equity that has been donated to the Enterprise Fund and hasn't resulted in any expenditure of operating resources.

Paul said if the Council had questions at any time about any financial issues they could feel free to call him. Ron Burgin said he would like to congratulate Nancy and her staff. Paul Douthit said that Nancy had essentially prepared the report.

AGENDA ITEM #7 - ORDINANCE: EXCAVATION OF RIGHT-OF-WAY

Greg Wilder said the only change in the adopting ordinance was a disclaimer in Section 6. The fee schedule has been removed from the code itself and it is hoped that the City will be able to enter into agreements on an individual basis and negotiate a self-inspection agreement with each utility franchise. Gene Bui asked if the organizations the City would be dealing with approved of that concept. Greg said the City worked with them extensively in establishing and revising the code and were now in the discussion stage on the content of the agreement. Ed Bolen, Northwest Natural Gas; Bob Clare, Portland General Electric and Jim Tews, General Telephone said the situation was acceptable to them and complimented Greg on working with the utility companies on the ordinance.

Mayor Cox read the ordinance by title. Gene Bui moved to pass the ordinance. Dan Lowe seconded the motion. Ayes 6 Nays 0.

The Mayor called a five-minute break.

AGENDA ITEM #8 - POSITION STATEMENT: COUNTY ROAD MAINTENANCE

Pam said that Multnomah County had contracted with Don Barney & Associates to do this study and it had been going on for a year. Greg Wilder said the consultant was hired by the County and the County is not in very much agreement with the recommendations. The City of Troutdale has sent a letter to the consultant outlining positions that have been talked about in previous LCouncil meetings. Before the next Task Force meeting, Greg said they would like to submit a similar memo to the Roadway Maintenance Task Force supporting this basic position. Gene Bui asked if the consultant had contacted Greg since he had written the letter. Greg said he had not.

AGENDA ITEM #9 - ORDINANCE: APPROVING THE ADOPTION OF THE REVISED UNIFORM FIRE CODE FOR MULTNOMAH COUNTY RURAL FIRE PROTECTION DISTRICT NO. 10

Pam said this was an ordinance not a resolution as listed on the agenda. She said this would have to be the first reading as it was not published correctly. Mayor Cox read the ordinance by title. Pam said there was an implementing ordinance outlining the specific exemptions that Troutdale requires. Greg said the only conditions attached are those that reserve the City's local right as far as planning fire and life safety inspections go. There were representatives from Fire District #10, but there were no questions for them and they had no comments.

AGENDA ITEM #10 - RESOLUTION: SUPPORTING MULTNOMAH COUNTY'S PARTICIPATION IN THE CREATION OF A LOCAL YOUTH SERVICES DEMONSTRATION PROJECT

Gene Bui said he had been appointed to serve as a representative of the City of Troutdale on a committee being formed by County Commissioner Gladys McCoy to provide a demonstration for statewide law that allows the

hiring of youngsters at the age of 18 as a training project. He said it was very similar to the Job Corps and all cities in the county are being asked to adopt resolutions to show support for it. Mayor Cox said they would work with the Forestry Department, state, county and city parks. Pam said that it would be like a mini CETA program using resources available to do training. The Mayor said it is for 18-year olds only. Ron Burgin asked how it would be funded. Mayor Cox said the funding was still being worked on and that it would be done by a lot of public donations and the federal government is going to help to a certain degree. Gene Bui said the Oregon State Legislature passed a law but didn't provide any money with the law. He said that Commissioner McCoy felt that a demonstration would show the worth of the program and that we, as a total County, should get behind the push. Gene said he thought it was an excellent idea. Ron asked if it was definitely not local government funding. Gene and the Mayor replied that it was not, but they would like jurisdictions to hire young people as jobs are available. Ron asked if there was any national precedence for establishing something like this. Gene said it had not been brought up. Mayor Cox read the resolution by title. Gene Bui moved for adoption of the resolution. Marge Schmunk seconded the motion. Ayes 5 Nays 1 (Ron Burgin)

AGENDA ITEM #11 - ORDINANCE: CHANGE IN SUBDIVISION AND ZONING ORDINANCE

Scott Pemble explained that the first ordinance before the Council was amendments to the yard definition and yard setback requirements of the Troutdale Zoning Ordinance. He said this resolved some inconsistencies currently existing. Scott said the second ordinance was an amendment to the major variance section of the Troutdale Zoning Ordinance. Scott went over the staff report for the two ordinances. There were no questions. Mayor Cox read the first ordinance by title. Dan Lowe moved to pass the ordinance. Ayes 6 Nays 0. Pam said that this was a first reading, all four conditions have been met to pass it on first reading and therefore it would be passed at this meeting.

Mayor Cox read the second ordinance by title. Dan Lowe moved to pass this ordinance. Paul Thalsofer seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #12 - ORDINANCE: ACCEPTING PGE FRANCHISE

Greg Wilder said that the basic changes were to take into account the public right-of-way excavation code. All changes are minor and have been incorporated. Mayor Cox read the ordinance by title. Gene Bui moved for approval of the ordinance. Dave Butzer seconded the motion. Ayes 6 Nays 0.

AGENDA ITEM #13 - REVIEW: PARKS PLAN

Pam Christian said this item was information only and the Mayor said action would be taken on it in January.

Pam said if the Council had specific concerns on the parks plan the Council should call Pam nor Greg to let them have the information ready.

AGENDA ITEM #14 - DEPARTMENTAL REPORTS

14.1 : Chief Haddock had nothing to add to his report.

14.2 : Nancy Nixon had nothing to add to her report.

14.3 : Greg Wilder said his report stands as is. Greg reported that the building permit activity for November was the lowest it has been for that month for many years.

Marge Schmunk asked if the Oregon Department of Transportation had sent out a final draft on their priority improvement program. Neither Pam or Greg had seen anything from them. Scott said that the regional representative had simply had a comment but nothing had been received. Pam said she would call Ed Hart to check on this.

14.4 : The City Attorney had no report.

14.5 : Pam said she would like to thank the department heads for carrying on and the terrific job they did while she was out due to surgery.

AGENDA ITEM #15 - COUONCIL CONCERNS AND INITIATIVES

Paul Thalhofer said that the enforcement of the sign ordinance was going to have to be extended as it is due to expire December 31 and the work is not completed. Paul said he would move to extend the sign code until April 1, 1984. He said the Downtown Task Force was going to have a report ready at the end of February and the Council might want to wait until after that time to take any action on the sign ordinance revisions. Pam Christian said the City has not heard from OLCC about their specific requirements on signing and the state has not forwarded information requested about freeway signing. Dan Lowe said he felt enforcement should be held up until all the information was received. Ron Burgin seconded the motion.

Ayes 6 Nays 0.


Paul Thalhofer said the Gresham Chamber of Commerce was making a recommendation to move five projects up on the priority list of the Multnomah County Capital Improvements Program. The projects are 257th, I-84 to Highway 26; 223rd, I-84 to Highway 26; Airport Way, Portland International Airport to 181st; 181st to I-84 Interchange and U.S. Highway 26-Palmquist Road Interchange. Paul said these projects are all down the line on the priority list and the Chamber feels that these projects should be moved up as high as we can get them. Paul said he would like to see the City of Troutdale join in supporting the Gresham Chamber's recommendation. Marge Schmunk said the Council needed to look at some of the other priorities that the County has put above 257th. She said the Hawthorne Bridge was one of the top priorities and in order to get the whole picture the Council needs to see where these projects fit into the County's priorities.

The Gresham Chamber has written a letter of support for Troutdale's bid to obtain a Port of Entry adjacent to Lewis and Clark Park. Pam said the Gresham Chamber had gone to a lot of effort to call their board and get a consensus together in order to get the letter to the Highway Department in time.

Gene Bui wished the Council a Merry Christmas.

Dan Lowe moved to adjourn the meeting. Gene Bui seconded the motion.
Ayes 6 Nays 0.

The meeting was adjourned at 9:45 p.m.



SAM K. COX, MAYOR
DATE SIGNED: 1-11-84

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER