AGENDA TROUTDALE CITY COUNCIL 7:00 P.M. -- CITY COUNCIL CHAMBERS 104 SE KIBLING STREET TROUTDALE CITY HALL

JULY 9, 1985

(A)	1.	Pledge of Al Call to Orde	llegiance er, Roll Call and Agenda Update: Mayor
(A)	2.	2.2: Accept	nda: : Minutes of June 25, 1985 - Regular Session : Business License Report : Bills for month of June, 1985
(A)	з.	PUBLIC COMMI	ENT
(A)	4.	RESOLUTION:	A Resolution Certifying Eligibility of the City of Troutdale for Receiving State Shared Revenues
(A)	5.	ORDINANCE:	Declaring City's election to Receive State Revenue Sharing First Reading
(A)	6.	RESOLUTION:	Sewage Treatment Plant, Contracting Services
(A)	7.	ORDINANCE:	An Ordinance Establishing and Imposing Water Availability Charges, User Fees, Commodity Charges, Standpipe Charges, Improvement Charges, Repealing Ordinance No. 440-0 and Declaring an Emergency. First Reading
(A)	8.	ORDINANCE:	An Ordinance Establishing and Imposing Wastewater Availability Charges, User Fees and a Wastewater System Development and Improvement Charge, Repealing Ordinance No. 442-0 and Declaring an Emergency. First Reading
(A)	9.	ORDINANCE:	Adult Foster Care Homes First Reading
(A)	10.	RESOLUTION:	Approving CS Zone Change for GTE (Tax Lot 64, Section 25)

(A) 11. DEPARTMENTAL REPORTS:

- 11.1: Public Safety
- 11.2: Finance & Records
- 11.3: Community Services
 11.4: City Attorney
 11.5: Executive
- (A) 12. COUNCIL CONCERNS AND INITIATIVES

(A) 13. ADJOURNMENT.

vjr:05:24

7/1/85 Mon 9:19:37

MINUTES TROUTDALE CITY COUNCIL MEETING CITY COUNCIL CHAMBERS 104 SE KIBLING STREET TROUTDALE, OR 97060

JULY 9, 1985

AGENDA ITEM #1: -- PLEDGE OF ALLEGIANCE, CALL TO ORDER, ROLL CALL AGENDA UPDATE

The meeting was called to order by Mayor Sam K. Cox at 7:01 p.m.

The Pledge of Allegiance was lead by Gene Bui.

PRESENT: Gene Bui, Marty Gault, Marge Schmunk, Paul

Thalhofer, Sam K. Cox

EXCUSED: Ron Burgin, Sharlyn Jacobs

STAFF: Pam Christian, Nancy Nixon, Greg Wilder, Bill

Farr, Jim Jennings, Julie Gray, Valerie

Raglione

PRESS: Steve Hunter - Gresham Outlook;

Webb Reubal - Oregonian

GUESTS: Michael Sullivan - Representative Citizens

Involvement Committee Multnomah County

AGENDA ITEM #2 -- CONSENT AGENDA

MOTION: Bui moved to accept the Consent Agenda. Gault seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4

NAYS - 0

ABSTAINED - 0

AGENDA ITEM #3 -- PUBLIC COMMENT

Mayor Cox introduced Michael Sullivan, Representative Multnomah County Citizens Involvement Committee.

Sullivan outlined the reason for the Committee. He stated that the Committee was formed to access the public concern to the County. The Committee was established by Ordinance for 23 members to act as liason between the public and the Board of Commissioners. The Committee occupies space in the Portland Building.

Sullivan stated that the Committee is currently forming their goals and objectives which will outline the process for linking the public concerns with actions of the Board of County Commissioners.

Mayor Cox asked for further public comment. There was none.

AGENDA ITEM #4 -- RESOLUTION: Certifying Eligibility to Receive State Shared Revenues

Mayor Cox read the Resolution by title.

Christian stated the need for the Resolution was for the City to be eligible to receive cigarette, liquor and gas tax monies.

MOTION: Schmunk moved that the Resolution be passed. Bui seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4
NAYS - 0

ABSTAINED - 0

AGENDA ITEM #5 -- ORDINANCE: Declaring City's election to Receive State Revenue Sharing

Mayor Cox read the Ordinance by title.

MOTION: Bui moved that the Ordinance be adopted. Gault seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4

NAYS - 0

ABSTAINED - 0

AGENDA ITEM #6 -- Contracting Services - Sewage Treatment Plant

Wilder gave two reasons why staff did a recalculation of rates: 1) reduction in staff and methods of operation, and 2) Multnomah County Farm Correctional Facility coming on line (which added 120-150 ERU's). He stated with the additional economy of scale the operation costs were reduced. These two factors resulted in three choices: [1] Already budgeted: (replacing vacant position) which results in \$12.65/compared to existing \$12.95 rate; [2] contracting services: \$12.20/ERU - compared to existing \$12.95; [3] City to operate with current staff - with one minor change of transfer \$3,540 - to Valerie Lantz with seasonal maintenance worker for grounds maintenance - due to current staff level: \$11.50/ERU - compared to \$12.95 existing rate = 12 to 13reduction.

- Schmunk expressed concern over commitment of Wilder's time with other projects and would this take necessary time away from other areas of need?
- Wilder stated he was comfortable enough with the current Chief Operator together with other changes (i.e., Apple IIe computer at Treatment plant for reporting and mechanical workups) to leave the operation of the plant as is. He felt it would entail an equal time commitment as would a new contract operator.
- Wilder stated that another option could be to allow the City to compete in entering the same basic formatted bidding as a private contractor. [Thalhofer had previously suggested this.]
- Christian stated that an additional option, if it became a burden to continue administration of the plant, would be to allocate money from professional services to the engineers that designed the plant. They could supplement Wilder's time during this next iscal year. This would give staff a full fiscal year to operate with current staff, measure the time Wilder is away from his other duties, and allow training time for the Chief Operator into more administrative type duties.
- Wilder outlined three options for Council to consider: [a] City maintain the plant; [b] contract services; [c] competitively put out for bid for contracting services with the City entering into competition for contracting services with other providers.
- MOTION: Thalhofer moved to keep the wastewater treatment system under the City operation and that it go into the proposed budget as such. Schmunk seconded the motion.
- Gault, for qualification, stated option [a] was the proposed budget/reduced staffing constraints, reduction in user fee requirement at \$11.50
- Bui Yea; Gault Yea; Schmunk Yea; Thalhofer Yea YEAS 4 NAYS - 0 ABSTAINED - 0
- Wilder stated that the time and effort in putting the Contract together and the negotiating process was not wasted. A lot of information was gathered in operating the plant and how to cut corners in operating the plant. The contract can be utilized should the need arise again. The contract had beem reviewed by the City Attorney.

AGENDA ITEM #7 -- ORDINANCE: WATER RATE

Mayor Cox read the Ordinance by title.

Wilder reviewed the packet materials with Council. If adopted, it would result in a 1 - 2% savings to the consumer.

MOTION: Bui moved to adopt the Ordinance. Thalhofer seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4

NAYS - 0

ABSTAINED - 0

AGENDA ITEM #8 -- ORDINANCE: WASTEWATER USER FEE

Mayor Cox read the Ordinance by title.

Wilder reviewed the packet materials. Staff recommended adoption. If adopted, it would result in an 11 - 12% savings in user fees to the consumer. The reduction was ahead of schedule.

MOTION: Bui moved that the Ordinance be adopted. Gault seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4
NAYS - 0

ABSTAINED - 0

AGENDA ITEM #9 -- ORDINANCE: ADULT FOSTER CARE HOMES

Jennings updated Council on legislative action in June, 1985. The licensing procedure had been changed for Adult Care Facilities. This made a more stringent process and gave the State a much better handle on who the Adult Care Facility operators are, and whether or not they are meeting the State's qualifications. #1 - it will be much easier to identify Adult Care Home Facility operators due to the explicit and exhausted State level licensing process; #2 - it assures quality and uniformity in the care which is provided.

However, a Supreme Court decision, July 1, 1985, states ...you cannot make any distinction or any discrimination against homes for the mentally handicapped on any basis whatsoever and cannot prevent them from being sited in residential neighborhoods...

- Jennings stated that the importance now, with all due haste, is to site residential care facilities wherever they can be sited within the City of Troutdale. The City is not yet under that same legal mandate to implement it with Adult Care Facilities but, still has a moral problem in making a distinction between the two. They can be sited anywhere, in any residential neighborhood without restriction -- except those restrictions which relate to their use - e.g. off street parking, possible exterior maintenance, etc. However, Council cannot prohibit one from being next door to another. The Home Ordinance must allow the Occupation residential area.
- Jennings suggested drafting an Ordinance amending the Home Occupation and Zoning Ordinances to allow these two uses in the community. If approved, go ahead -- but at the same time begin working on licensing requirements and external restrictions which are allowable.
- After discussion Council direction was to Jim Jennings to prepare a draft Ordinance.

AGENDA ITEM #10 -- RESOLUTION: Approving CS Zone Change - GTE

Mayor Cox read the Resolution by title.

- Wilder reviewed Council materials, stating that it was in full compliance with the Comp Plan, Zoning Ordinance and other rules and regulations. Staff's recommendation is approval.
- Thalhofer stated for future actions he wants formal approval of the Planning Commission made a part of the resolutions/ordinances.
- MOTION: Bui moved to pass the Resolution. Gault seconded the motion.
- Bui Yea; Gault Yea; Schmunk Yea; Thalhofer Yea YEAS 4
 NAYS 0

ABSTAINED - 0

AGENDA ITEM #11 -- DEPARTMENT REPORTS

11.1 Public Safety

Thalhofer asked if there were any problems with the new car. Staff commented that all of the wheel hubcaps flexed when going around corners - the 4 rather than 5 bolts caused the hubs to go off. Eric Johnson had been told to remove all hubs until the problem was resolved.

11.2 Finance & Records

Schmunk asked about the phone system and the continuing problem of busy lines when calling into City Hall. Staff responded stating that the phones were being monitored during busy times which would indicate when there is a need for additional lines.

Gault asked if the problem with the lines to the City Shop had been resolved. Staff explained what the problem was and that it had been resolved.

Christian informed Council that City Hall now had the ability to answer direct the City Shop and Sewage Treatment Plant phone lines as well as use the intercom to those outlying divisions whereas in the past they had been separate lines.

11.3 Community Services

Wilder added to his Monthly Report that building activity was increasing due, in part, to the reduction of SDC's which took place in July.

Schmunk asked how the recreation program was progressing. Christian stated there had been a fantastic response. A major interest in Troutdale was apparently with the younger children. The adult activities did not have near the response. Wilder stated there had been lots of volunteers, pats on the back, and very favorable comments from citizens.

Christian stated that the desire and need for this type of program had been proven. It supported looking at not only continuing the program -- but expanding it. If the City had the time and personnel to coordinate, generate the interest early, set the program and then work on volunteers and coordination of the volunteers prior to summer starting, it would help. The keeping was being done very thoroughly there should be statistics on the types of programs which are working the best for future direction and planning. Christian also stated that it brought to light a lack of appropriate space for some types of programs. A more flexible type community building might be indicated for the future. The present building, due to rentals, isn't always available. The crowd, parking arrangements, etc. are a deterrent at the present site.

- Thalhofer asked if area churches had been looked into. Christian stated that could be checked out.
- Schmunk inquired about the Multnomah County sewer bill. Wilder stated that the County was willing to pay and a final billing was in preparation. The necessary information had been submitted by them regarding the laundry facilities and would be an addition to their billing. The laundry facility would add another 25-50 ERU's.
- Schmunk inquired about the County's water problems. She didn't feel that they had any other options such as drilling a well within the City limits because it would be interferring with City water sources.
- Wilder suggested that County was trying to balance the economy of today against the needs they have to provide and protect the facility from fire.
- Christian stated that the issue of drilling would have to be taken to the Water Policy Board at the time the approval was considered.
- Schmunk asked how it would work. Wilder stated they would make application with the State and that we don't get involved. He stated that we should, however, we did not have a mechanism. If the Water Policy Review Board elected to hold public hearings, City could make comments.
- Wilder stated as development started to take place, the City would have control over it. However, currently the City was somewhat limited. Wilder stated that the last purchase of water from Wood Village, which is temporary, were consuming approximately 12.5 mg/month. If that level of consumption continued if would have an impact on City's rates by reducing rates by 15-20% Fire District 10 had set a time limit of which approximately two weeks were left. A decision should be made within that time.
- Wilder stated City was prepared to contract under an emergency basis and built a line to supply them within a week of a decision from them. We would have to come up with the funds somehow to do it. He also stated City lines do not go west on Cherry Park at all. The on-site reservoir is west and close to 238th. Wood Village's line goes down 238th.
- Jennings stated he did not feel the legalities of this concern were clear. State power versus Homerule 1955 Act which established the Water Policy Review Board and Water Resources Director, etc. states that local jurisdictions should contribute to what goes on, however, does not specifically grant them the powers to

do it. The City could exercise the power to do something, if it was demonstrated there was good enough reason to do it. For instance, the aquifer would be significantly diminished unless the City maintained control over who tapped into the aquifer, the City could then regulate the drilling. However, that information would have to be presented.

MOTION: Bui made the motion to amend the Water Rate Ordinance previously adopted. Schmunk seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4 NAYS - 0 ABSTAINED - 0

Bui stated the reason he felt the amendment was necessary was a concern over proper fire protection. He felt it was dangerous and could lead to disaster. He voiced his concern over a immediate remedy and this could begin that process.

MOTION: Bui moved that a new Section 8 (attachment A) be added to the previously accepted Water Rate Ordinance, and that all succeeding sections be renumbered accordingly. Schmunk seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEAS - 4 NAYS - 0 ABSTAINED - 0

Schmunk commented on the noticeable improvement to the old gas station property the City purchased.

Christian stated the improvements had been done as a project of the Job Corps and a letter of appreciation had been sent.

11.4 City Attorney

Jennings had nothing further to add.

11.5 Executive

Christian stated only one issue which is the need to schedule a work session for Council to discuss the selection process for a Police Chief. July 30 will allow three weeks for Council to develop a profile, discuss the process, develop a position description and job specifications, to work into a timeframe for hiring.

AGENDA ITEM #12 -- COUNCIL CONCERNS AND INITIATIVES

- Thalhofer requested that a Certificate of Appreciation be prepared for past employee Chief of Police, George A. Haddock. He also requested that Haddock be invited to Council for accepting the Certificate.
- Thalhofer inquired about the weeds on berm on Cherry Park Road.
- Wilder stated that the mowing had been scheduled for this week.

 The contractor had equipment problems which was the reason for delay.
- Cox requested the County be notified to cut the weeds and grass down prior to the scheduled City Picnic. He was concerned with all the dry weather about the fire hazard.
- Bui stated that he was happy to see Troutdale had won an award in the Corbett parade. Comment was also made about the Job Corps worker (identified as Dan Hatch now a City employee). He was the juggler riding on the float which also advertised City of Troutdale's picnic dates.
- Cox stated there had been an invitation to all Council members to participate in the Tug-Or-War with the City of Gresham at the City Picnic.

There were no further comments.

MOTION: Bui made a motion to adjourn the meeting. Schmunk seconded the motion.

Bui - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea YEA - 4 NAYS - 0 ABSTAINED - 0

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