AGENDA CITY COUNCIL MEETING TROUTDALE CITY HALL 104 SE KIBLING STREET TROUTDALE, OR 97060 7:00 P.M. -- CITY COUNCIL CHAMBERS

AUGUST 26, 1986

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA: 2.1: Accept: Minutes of June 24, July 8, July 22, 1986, and August 16, 1986 2.2: Accept: Business License Report 2.3: Accept: Bills for month of July, 1986 2.4: Accept: Liquor License Application-Red Baron Mike Olcott 2.5: Ratify: Resolution Accepting Kibling Street Waterline Easement 2.6: Ratify: Resolution Accepting Sanitary Line Easement 2.7: Ratify: Resolution Stating Procedural Defects for 9/16/86 Election 2.8: Accept: Adjustment Aggregate Tax Revenues
- (A) 3. PUBLIC COMMENT: Michael Sullivan, Multnomah County Citizens Involvement Committee
- (A) 4. ORDINANCE: Amending Certain Sections of the Troutdale Animal Control Ordinance, Code Section 7.20. Relating to Vicious Dogs.
- (A) 5. RESOLUTION: REVISED FIRE CODE
- (A) 6. APPROVE: 82-86-020TP (Fujii Farms)
- (I) 7. REPORT: State Highway Department (I-84) Target Schedule for Upcoming Projects Dave Simpson
- (A) 8. RESOLUTION: Accepting August 12, 1986 Tax Levy Election Results from the Director of Elections, Multnomah County, OR.
- (A) 9. RESOLUTION: Calling for a November 4, 1986 Tax Base Election
- (A) 10. RESOLUTION: Designating Robert W. Gazewood As Authorized Signatory/Cosignatory for Authorized Business Transactions of the City of Troutdale, Oregon

- (A) 11. ORDINANCE: Amending City of Troutdale Public Safety Code Section 7.40.040 Relating to glass containers on the Troutdale City Beach.
- (A) 12. DEPARTMENT REPORTS:
  - 12.1: Public Safety
  - 12.2: Finance
  - 12.3: Community Services
  - 12.4: City Attorney
  - 12.5: Executive OMSI Status Report: \_ Bob Burrow Letter
    - LGPI Handout Personnel Digest (Defamation-Even the Truth May Hurt)
    - OMFOA Analysis of Proposed Federal Tax Reform Legislation Letter - July 30, 1986
    - League of Oregon Cities Annual Conf. and Business Mtg. November 8-11, 1986.
- (A) 13. COUNCIL CONCERNS AND INITIATIVES
- (A) 14. ADJOURNMENT.

SAM K. COX, MAYOR

22:6 8/5/86 Tue 9:06:41 8/11/86 Mon 14:52:32 8/13/86 Wed 12:37:44 8/20/86 Wed 8:38:18 8/20/86 Wed 11:45:12 MINUTES CITY COUNCIL MEETING CITY OF TROUTDALE TROUTDALE CITY HALL . 104 SE KIBLING STREET TROUTDALE, OR 97050 7:20 P.M. - CITY COUNCIL CHAMBERS

AUGUST 26, 1986

### AGENDA ITEM 1 - PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Sam K. Cox at 7:20 p.m. Mayor Cox asked Councilman Thalhofer to lead the Pledge of Allegiance.

City Recorder, Valerie J. Raglione, called the role.

PRESENT: Burgin, Gault, Jacobs, Schmunk, Thalhofer, Cox

EXCUSED: Bui

STAFF: Christian, Chief Dorsey, Gazewood, Wilder, Raglione Jim Jennings, City Attorney

PRESS: KRDR, Caroline Jelnick Oregonian

### AGENDA ITEM 2 - CONSENT AGENDA:

Cox read the Consent Agenda. There was no discussion. Resolution Accepting Kibling Street Waterline Easement (630-R) Resolution Accepting Sanitary Line Easement (631-R) Resolution Stating Procedural Defects for 9/16/86 Election (629-R)

MOTION: Gault moved to approve the Consent Agenda. Burgin seconded the motion.

Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea NAYS: 0

ABSTAINED: 0

Christian introduced Mark Olcott, Red Baron new ownership. Christian spoke to item 2.8 Adjustment of Aggregate Tax Revenue. It was suggested by Tax Supervising when going out for a levy. Council needs to know the adjustment was made based on their recommendations, even though it is a mute point since City won't be going out for a levy. It was a bookkeeping procedure requested during their review of the budget (separate the tax base amounts out from the levy amounts instead of totalling them within the report).

# AGENDA ITEM 3 - PUBLIC COMMENT:

- Michael Sullivan introduced Marlene Byrne, Mult. County Citizens Involvement Committee.
- Marlene Byrne spoke regarding Multnomah County Citizens Involvement Committee and reviewed the report which was included in the packet materials. She asked for information to be considered by Council regarding items that Council felt could be considered by the County on a prioritization basis with projects the County needs to be aware of.
- Byrne requested a contact person be named for the needs assessment data. Pam Christian stated that she should be able to provide the necessary information. The questionnaire would be completed and sent to her once the information is completed.

# AGENDA ITEM 4 - ORDINANCE: (Ord. #476-0)

Amending Certain Sections of the Troutdale Animal Control Ordinance, Code Section 7.20. Relating to Vicious Dogs.

Cox read the title of the Ordinance and called for discussion.

- Christian stated that Andy Anderson had come to Council a couple of months previously, representing concerned citizens regarding problems with vicious animals. The County Animal Control division had also received several similar requests and demands from all over the County. A task force was formed by the Multnomah County Commissioners and they worked with the dog breeders, County Counsel, Animal Control and came up with this ordinance. This ordinance provides a process by which all rights are protected. There is a progressive process in the ordinance. A lot of time, public hearings, and public input has been put into this. Due to County funding, however, there is a need for recordkeeping and personnel to follow through. The personnel for enforcement is needed. The County has the right to enforce this within the City.
- Jennings stated that it is an excellent ordinance. It is an extremely violatile area. Originally, there were several breeds of dogs being focused on. That type of ordinance would be legally vulnerable. This ordinance affectly escapes that problem. The classification is based only on behavior.
- Christian stated that Pete Kastings had put a lot of work into the ordinance and he had done an excellent job in drafting it.
- Burgin read the definitions of the level of progression. The County then keeps record of the complaints against the animal by the level of behavior. (i.e., if a dog is chasing children

around, without bitting, just menacing, these types of behavior can be called to the County and the County notes the level of behavioral problem and records the animal as such.)

- MOTION: Gault moved to pass the ordinance. Burgin seconded the motion.
- Burgin Yea; Gault Yea; Jacobs Yea; Schmunk Yea; Thalhofer - Yea NAYS: 0 ABSTAINED: 0

VOSIVINED: (

AGENDA ITEM 5 - RESOLUTION: FIRE CODE REVISION (632-R)

Mayor Cox read the Resolution by title.

- Lee DeMoret was introduced and gave a brief history of the fire code revisions.
- MOTION: Gault moved to adopt the resolution. Thalhofer seconded the motion.
- Burgin Yea; Gault Yea; Jacobs Yea; Schmunk Yea; Thalhofer - Yea NAYS: 0

ABSTAINED: 0

NOTE: Agenda Item 7 preceeded Item 6.

AGENDA ITEM 7 - REPORT: STATE HIGHWAY DEPT. DAVE SIMPSON

- Christian stated that this item would preceed Item 6 so that the representatives that were present would be able to leave earlier if necessary.
- Mr. Simpson made his presentation with mapping aides. He reviewed the upcoming projects which included the Troutdale area in the State Six Year Plan. He requested the appointment of a staff member to serve on the Technical Advisory Committee. He stated that they were in the initial phases of the preliminary design and project development in setting up the Technical Advisory Committee and Citizens Advisory Committee along with the comprehensive citizen involvement program with at least 2 public meetings. TAMS/Dames & Moore will conduct the preliminary designs and citizens involvement portions of the project, which is currently underway. TAMS will be doing the evaluation of alternatives with Dames & Moore doing the public relations/involvement portion.
- Jeanne L. Lawson, of Dames & Moore was introduced as the contact person regarding any concerns there may be in the drafted plans.
- Jim McClure was introduced as the project development engineer for the 5 county metro region.

- Simpson stated that the environmental work would begin after the initial preliminary design is completed and generally concurred by the committees and the respective cities impacted by the project.
- The purpose of the project is to modernize the section of freeway to the current interstate design standards; improve the quality of flow on the freeway and interchanges as well as improving safety and expanding the capacity. Estimated cost is \$37 M to improve the section from 181st to Troutdale. Construction is scheduled for 1991. He then reviewed some of the initial design ideas.
- Creating a half and half interchange a split diamond with 238th and 242nd so that a road could be run up the hill to the existing 242nd instead of going around the 238th curve will be looked at.
- More affecting Troutdale would be to close off the Columbia Street offramp due to the distance between the on ramp and 238th off ramp is way too short - it affects the access into Troutdale. We are pretty definite on this due to the distance between the ramps. In conjunction with that Sandy Blvd. would be reconnected with Columbia Street across the freeway -- where Sandy Blvd. gets off at Krueger's a structure off to connect to Columbia Street would be done.
- Burgin asked how many stop signs would be necessary to accomplish the manuvering back over the freeway?
- Simpson stated that they were assuming that there would have to be signal light intersections at the ramp terminals on the N-S end of the structure over the freeway. Someone going E would have to stop at a light and turn left another way, go to Sandy and across -- 238th through Wood Village and come through 234th on the S.
- The direct Troutdale area would be to take intersections where the two off ramps come off and do something more physical than 'Do Not Enter, and Wrong Way' signs that are currently there. It would stop people from getting onto the freeway the wrong direction. Rearrange the ramps to make sure that there is no way to enter the freeway the wrong direction from the two The Highway directional frontage roadways. Federal Administration does not like the two-way frontage road along major interstate highways. Red Baron and the truck stop would not probably be agreeable to that, however. So the two intersections would be improved. There may be signals at the two intersections, depending on how the numbers turn out. The County's 257th project is prediction that both intersections would need signals by the time 10-15 years goes past. Depending on our numbers, we may get those in sooner than the County's project would have required.

Simpson stated that the ideas are very initialized at this point.

- Cox asked regarding coming off of I-84 on old Sandy, what is the reason for that? Is it dangerous or what?
- Simpson stated that as far as the current standards go, yes, it is dangerous. There is not enough weave distance between the on ramp from 238th and the off ramp at Columbia. I'm not sure about the amount of accidents there, however, it is an accident waiting to happen because the cars that are coming on have to move out real quick, and the cars getting off didn't move over as quick as they can just to make sure that they make it. It is a concern.
- Burgin stated that he would like to give the change a lot more thought. That access is a direct way through town and if people would have to go to Denney's and Krueger's and go through two stop lights, back up over across a freeway, they won't do it. You eliminate a lot of access to downtown Troutdale.
- Christian stated that the Graham Rd. access would still be in place.
- Burgin stated that the other accesses are at truckstop Troutdale, not downtown Troutdale. He felt that for a \$37 M project, he didn't see anything that enhanced the access to Troutdale's downtown. In 5 years, the downtown plan would mean that it would be more attractive. By eliminating the direct access we would be just adding one more easy way to pass through downtown.
- Schmunk stated that the access to County Farm would be affected also, which is in the process of being re-developed. She felt that it should also be considered.
- Simpson again stated that there would be considerable time and public hearing processes where all of these concerns could be addressed. We have asked for a member of the City to be on the Technical Advisory Committee. Everyone concerned should be involved. These ideas are what the State has outlined, everything has to go through the process and the citizens and technical involvement included.
- Burgin stated that he wanted good design, but wanted some direction of traffic through downtown.
- Simpson stated that another project is the Graham Road extension of the 257th project which is to improve Graham between I-84 and the County's 257th project. That is not currently funded in the program for construction, however it is funded for development, design, and acquisition of right-of-way for it. He stated that if it is deemed important enough it would be

funded beforehand.

- Gault stated that federal projects do not care for a two-way frontage road, obviously when 257th is built and the Graham Road overpass is completed, there would be a substantial heavier traffic volume getting down towards the frontage roads, toward the freeway and away from the freeway -- would you expect impacts of that nature as far as traffic volume to influence your plans for the intersection. Obviously more traffic is going to generate and have an effect on what you generate from a design standpoint.
- Simpson stated that the numbers predicted are incorporated into that for the year 2010, so they are assuming that in place and additional traffic.
- Thalhofer agreed with Burgin's comments that the City is certainly concerned about being in on all the design phases, due to the City downtown business area, also the interest and need for the participation in public hearings, et cetera are certainly real to the City. The anticipated growth for the City of Troutdale is 20,000 and the one access to the freeway - 257th - if you take away the one you are discussing is simply not going to be enough.
- Christian stated that Simpson was going to be looking at the Troutdale Comp Plan also, which is one of the reasons why it is currently being worked on.

Thalhofer thanked Simpson for the presentation.

- Lawson stated that it was important to not only ODOT to have the input and concerns, if something is designed that the City is not satisfied with, it won't work in the longrun. TAMS doing the preliminary design, Dames and Moore is doing the public involvement as well as putting together the environmental inventory (which includes Land Use) a copy of the Comp Plan currently out has been given to them and it will be incorporated into the plans.
- The two committees (TAC and CAC are keys). The technical advisory committee is focusing on issues of direct technical nature; citizens advisory committee is there to find out the civic concerns, residential, business concerns -- to address those -- to address things of a policy nature to make sure that the social aspects are incorporated into the design. Social concerns that people have more access to Troutdale something very important. We do need to think about what will be placed. This is very preliminary right now. To begin a project, you need ideas from which you work. The initial public hearings and meetings, workshops will be held before the final design alternatives are even identified and evaluated they will be held to gather information to assemble criteria by which the alternatives will be valued. The

purpose of the Citizen's Advisory Committee is just that. A mailing list is being put together and a newsletter will be issued to update the public community on the progress as it happens. If you get calls, please direct them to us. We will inform them as much as is known at any one point. Right now it isn't to a point. We can tell them places that would be potentially impacted by considerations which are current.

- Christian asked if it was needed to state the members tonight. The technical person needs to be appointed which is already known. That would be F. Greg Wilder, Community Services Director.
- MOTION: Thalhofer moved to appoint Greg Wilder be the staff person to the Technical Advisory Committee and Marge Schmunk be appointed to the Citizens Advisory Committee. Burgin seconded the motion.

Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea NAYS: 0 ABSTAINED: 0 Burgin stated that he would like to be kept informed of the public hearing dates and times.

## AGENDA ITEM 6 - APPROVE 82-86-020TP

- Mr. Fugii has applied for a temporary permit. Planning Commission has recommended approval with conditions (page 3 of staff report, included in packet materials) 1) trailer may be placed on site for period of time not to exceed one year; 2) trailer will not be connected to public or private sewer or water systems nor shall any on-site sanitary disposal system be permitted; 3) installation shall comply with State of Oregon Mobile Home standards, including skirting, tie down and set up procedures; 4) all necessary building and electrical permits shall be obtained prior to installation of the structure.
- Christian stated that this type of permit has been issued for construction sites.
- Schmunk asked if this always came before Council. Wilder stated that it was by motion only to support Planning Commission recommendation. Wilder stated that there was a gray area in the old Ordinance and the Planning Commission simply wants the concurrence. Schmunk stated that she didn't feel that it was necessary for a temporary approval when the Planning Commission can do a good job without concurrence from Council.
- Thalhofer stated that since there was a gray area, he would prefer to play it safe. He asked for a City Attorney opinion.

- Jennings stated that he wasn't familiary with the Ordinance. He felt that it couldn't hurt. He felt that the City had gone through enough litigation in the past years that the reaction is 'if one more bandaid won't cover the whole thing up, maybe it won't hurt to do it'. He didn't know but felt that the Planning Commission felt uncomfortable and needed Council concurrence.
- Christian stated that she felt it was in part, mobile homes. When neighborhood sees that use, regardless of the conditions are and regardless if they are complying with them... the Council would be the one answering to the community. And, in fact, that is the way the process is set up that the Planning Commission has the authority to act, but it can be appealed to the Council and she felt that the more appropriate way was simply to let you know that the Planning Commission had done that. Given all of the discussion of the recent past, they felt prudent to let Council know that this would be going on.
- Thalhofer felt that the location of these would not be conspicuous, it being for one year if the Planning Commission wanted Council's 'blessing', he felt that was appropriate.
- MOTION: Thalhofer moved to approve with the listed conditions from the Planning Commission for the temporary permit for one year 86-82-020TP. Burgin seconded the motion.
- Burgin Yea; Gault Yea; Jacobs Yea; Schmunk Abstained; Thalhofer - Yea

YEAS: 4 NAYS: 0 ABSTAINED: 1 (SCHMUNK)

- Burgin asked regarding the sanitary sewer issue, we recognize and made allowances for mobile homes as real life buildings, and since other ordinances state that you can't have a real life building without restroom facilities, how can you require that they not have restrooms.
- Wilder stated that this was more of a storage structure than an office building. He also has access to his home and other facilities for sanitary waste. One of the main reasons for restricting sewage and water connections is to enforce the very temporary nature of it.

AGENDA ITEM 8 - RESOLUTION: Accepting August 12, 1986 Tax Levy Election Results. (633-R)

Sam Cox read the title of the Resolution.

MOTION: Jacobs moved to adopt the resolution as written. Burgin seconded the motion.

Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer

YEAS: 5 Nays: 0

### ABSTAINED: 0

3,030 voters and 1,315 ballots were cast for a mail-in ballot.

Thalhofer stated that he felt the summer had an affect on the ballots cast.

## AGENDA ITEM 9 - RESOLUTION: REMOVED

AGENDA ITEM 10 - RESOLUTION: Designating Robert Gazewood as authorized signatory/cosignatory business transactions of the City of Troutdale.(634-R)

Sam Cox read the Resolution by title.

- MOTION: Burgin moved to adopt the Resolution as read. Gault seconded the motion.
- Burgin Yea; Gault Yea; Jacobs Yea; Schmunk Yea; Thalhofer - Yea NAYS: 0 ABSTAINED: 0

# AGENDA ITEM 11 - ORDINANCE - GLASS ORDINANCE 7.40.040 (477-0)

Sam Cox read the Ordinance by title.

- Chief Dorsey read the previous language which is being amended by the ordinance, this ordinance simply gets rid of any glass on the beach.
- Jennings stated that he had discussed the changes with Dorsey prior to the meeting. He had no problem with amending the ordinance.
- MOTION: Thalhofer moved to pass the ordinance. Jacobs seconded the motion.

Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea NAYS: 0

### ABSTAINED: 0

# AGENDA ITEM 12 - DEPARTMENT REPORTS:

Public Safety: Nothing to add. No questions.
Finance: Nothing to add. No questions.
Community Services: Cox commended Greg Wilder for the painting of the Stark Street Reservoir. He stated he had received several comments. Wilder read some of the cards that had been received - Hallmark Shop in Gresham; Gresham Eye Clinic.

comments about an excellent landmark for Troutdale had been made by several persons.

Wilder stated that a motion was needed to accept the Energy Audit and the Grant received for that Audit. One of the provisions of the Grant requires that periodically we adopt the findings of the tracking and tracing of the process. The memo requests by motion that you adopt the findings contained in the packet materials.

An expenditure of \$8,105 with a payback of 1.6 years and an annual savings of \$5,010 thereafter. Obviously a good investment. He stated that it doesn't obligate us or require us to comply with the request for improvements. Some of them have been budgeted for, lamp replacement, heat lamping, et cetera has already begun.

MOTION: Schmunk moved to adopt the findings contained in the report. Gault seconded the motion.

Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea NAYS: 0 ABSTAINED: 0

- Schmunk commented on the metereading service. She felt it was working out extremely well. Wilder stated that it was the bright light of the entire process of billing and reading.
- Burgin asked regarding the metereaders looking out for designated homes with elderly persons. He asked if that type of an option could be looked into as it is done in Seattle. Wilder stated that this could be looked at next year when the contract would be renewed. He felt that it could increase the cost also.
- Christian stated that due to the size of Troutdale, making all City employees aware of these designated homes could accomplish the same purpose. It was discussed and decided that Wilder would check into the metereading service to determine a cost for this service, and Christian stated that City employees would also be aware of it.
- Thalhofer discussed the weeds on the berme along Cherry Park Road. Wilder stated that he would notify building division. Christian stated that she knew the people not complying had just been notified again. Some were already out mowing the past week. Wilder stated that he would follow up on it.

## City Attorney:

Jennings stated that the ballot measure will be withdrawn from the election on September 16, 1986. It was not challenged by suit. It was determined that a suit would probably not be affective, they have been challenged previously,

unsuccessfully. The Director of Elections in Multnomah County was asked to remove it from the ballot, not having the authority to do so she advised that a Court Order, or Order from the Secretary of State, Barbara Roberts. Jennings contact the Secretary of States office, and spoke with Mr. William Flynn and Ray Phelps. After review of the situation they agreed to issue the letter, which was received by Valerie Raglione today stating that the measure would be removed from the ballot. Nothing will be going to the voters so there won't be a voided election measure.

Executive:

- Christian referred to several items she had included in the packet materials. She felt that the items would be informative to the Council regarding State and City finances from OMFOA, information on defamation suits, and the League of Oregon Conference (November 8-11) Council is budgeted for it and she stated that reservations need to be made at the earliest opportunity we need to know the Council members intending on attending. There will be a commendation included in the next packet from the State Citizens Involvement Committee - LCDC for the Citizens Involvement Program on the Comp Plan Review.
- Christian stated that workshops on the Comp Plan need to be scheduled, as well as the zoning map and mobile homes. Calendars have been set before Council for the month of September so that meetings can be scheduled. Comp Plan and Plan Map need to be done by 9/30/86. It could either be scheduled with the regular scheduled Council meeting on 9/23/86 or a special work session can be scheduled.
- Schmunk asked if it needed to go before Council? Wilder affirmed this. Schmunk asked if it needed a regular Council meeting or a workshop strictly for Council information. Schmunk was concerned about whether or not it was, in fact, a required process and a public meeting.
- Wilder stated that it was necessary for a public meeting but not a public hearing.

Schmunk asked if 9/23/86 would be appropriate.

- Christian stated that there were only a couple of business items that would be scheduled for 9/23/86 and a workshop could be held in conjunction with the meeting.
- Wilder stated that the ordinance had been addressed in the previous workshop and he felt that they were outlined very well and the meeting should go rather quickly 1 1/2 hours.
- Christian stated that since it was acceptable to everyone a short business meeting would be held on 9/23/86 with a workshop following. She also stated that there would be more workshops scheduled for this process. The timeframes for this item will

be done on a flowchart and made available to Council members at the earliest opportunity.

Christian stated it would be a public meeting, however, no public hearings on any Resolutions, Ordinances, or any type of major action.

Cox called for further comments.

# AGENDA ITEM 13 - COUNCIL CONCERNS AND INITIATIVES

- Burgin Does the Director of OMSI know where the City of Troutdale is. Schmunk stated that a letter had been sent to repeal it and apologized for the first letter. He asked if an Oregonian representative was at the meeting. Christian stated that there was.
- Schmunk Schmunk brought programs for Council members from the Jazz Festival and commented on the East County information that was included. She felt they were well done.
- Gault Nothing to add.
- Cox He again commented on the water tower and all the good comments about it. Joe Farsley, Robert Herder, Della Roberts had designed the graphics. Christian stated that she had been informed that where the tower is had previously been a daffodil farm and the graphics were, therefore, extremely appropriate.
- Jacobs Nothing to add.

Thalhofer Nothing to add.

### AGENDA ITEM 14 - ADJOURNMENT.

MOTION: Jacobs moved to adjourn the meeting. Gault seconded.

- Burgin Yea; Gault Yea; Jacobs Yea; Schmunk Yea; Thalhofer - Yea YEAS: 5
  - NAYS: 0

ABSTAINED: 0

Sam K. Cox, Dated: 1010

ATTEST:

Laghore Valerie J. Ragline City/Recorder Z3:2 3/9/86 Tue 9:29:29