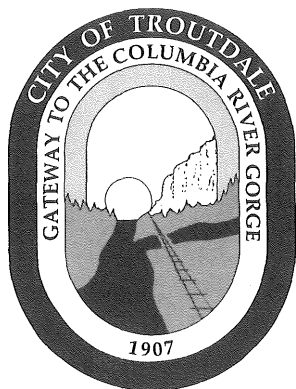


CITY OF TROUTDALE



AGENDA
CITY COUNCIL MEETING
TROUTDALE CITY HALL
104 SE KIBLING STREET
TROUTDALE, OR 97060

7:00 P.M. -- MAY 24, 1988

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 ACCEPT: Minutes of MAY 10, 1988
- (A) 3. PUBLIC COMMENT:
Please restrict comments to non-agenda items at this time.
- (A) 4. RESOLUTION: Accepting Results of 5/17/88 Election
- (A) 5. BID AWARD: Frontage Road Pump Station
- (I) 6. PUBLIC HEARING:
 - COMPREHENSIVE LAND USE PLAN INVENTORY
 - o Economy
 - o Urbanization
 - o Substantial Change in Circumstances
 - Includes 257th/Annexations
 - o Columbia River Gorge Scenic Area
 - o Open Public Hearing
 - o Declarations or Challenges
 - o Staff Summary Sue Barker
 - o Public Testimony:
 - Proponents, Opponents, Cross Examination
 - o Staff Recommendation
 - o Council Questions or Comments
 - o Public Hearing Closed
 - o COUNCIL ACTION
- (A) 7. RESOLUTION: Authorizing Mayor to Enter Into Agreement with Multnomah County for Road Maintenance
- (A) 8. RESOLUTION: Authorizing Mayor to Enter into Intergovernmental Agreement with METRO Establishing Metro Builder's Business License Program.

- (A) 9. RESOLUTION: Declaring Certain Real Property to be Dedicated as "Sunrise Park", a Public Park
- (A) 10. APPROVAL: Contract for Services/Meterreaders of Lake Oswego
- (A) 11. LIABILITY WAIVER FOR COMMERCIAL BUILDING:
- (A) 12. COUNCIL CONCERNS AND INITIATIVES
- (A) 13. ADJOURNMENT.

Sam K. Cox, Mayor

Dated: _____

32:33
5/3/88 Tue 9:04:04

M I N U T E S
TROUTDALE CITY COUNCIL MEETING
COUNCIL CHAMBERS
104 SE KIBLING AVENUE
TROUTDALE, OR 97060

7:00 P.M. -- MAY 24, 1988

ITEM #1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Cox called the meeting to order at 7:00 P.M.

Bui led the Pledge of Allegiance.

Valerie Raglione, City Recorder called the roll.

PRESENT: Bui, Burgin (7:18), Gault, Jacobs, Schmunk, Thalsofer,
Cox

STAFF: Christian, Farr, Gazewood, Raglione, Wilder

PRESS: Webb Reubal, Oregonian (7:08 P.M.)

GUESTS:

Agenda Update

Christian stated that the appointment of a member to the Site & Design Review Board (under Council Concerns) would require Council action. Item 11A - letter from Wood Village regarding an Inter-tie could be discussed. Item #6 was deleted from the agenda and would be rescheduled for the July meeting. The Planning Commission had tabled this item and the Public Hearing could not be held until the Commission had taken action and made their recommendation to Council.

ITEM #2. CONSENT AGENDA

Mayor Cox called for comments on the Consent Agenda. None were offered.

MOTION: Bui moved to approved the Consent Agenda (Item 2.1)
Gault seconded the motion.
YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM #3. PUBLIC COMMENT

Mayor Cox called for public comment to non-agenda items. There were none.

ITEM #4. RESOLUTION: Accepting Results of 5/17/88 Election

Raglione stated that it was too soon for receipt of the certified results from the Director of Elections, County Clerk so this item would have to be tabled to the June 28, 1988 regular Council meeting. She stated that she had telephoned earlier in the day, however, and received the final tally. Votes were: Yes = 764 (58.4%); No = 544 (41.6%). There were 125 Blanks and a total of 1,433 casting ballots from the Troutdale precincts.

ITEM #5. BID AWARD: Frontage Road Pump Station

Wilder presented Council with a handout. He stated that rather than award bids, the staff recommendation was to reject all bids. The City estimate was \$40,000, the engineer's estimate was \$42,750. However, the low bid was \$57,122 and the high bid was \$81,400. There were only three bidders. The apparent low was approximately 34% above the engineer's estimate. The Council has authority to reject bids, particularly if they exceed by more than 10% of the estimate.

Wilder stated that when the project was first analyzed, consideration was given to upgrading and replacing pumps, motors, control panels, etc. It has been found that the life cycle cost of doing this was more than the engineer's estimate of constructing a new facility. In light of the bids received, it is the staff recommendation that Council reject all bids and direct staff to begin a re-analysis of redesign and rehabilitating the existing pump station and associated facility.

Bui asked if this had previously been considered? Wilder stated 'yes'. It was a little bit less short term money, however, over the twenty-year life of the project, due to maintenance, etc., it was a little more expensive so that the cost life recycling was more expensive than the engineer's estimate to build a new one. Both the engineer's and staff estimate were substantially off, so it makes it more cost effective to remodel the existing.

Schmunk asked what that cost would be, and over how long a period of time. Wilder stated that his guess was under \$40,000 for initial construction. There would be a higher energy cost and maintenance cost over twenty years. The engineer figured that out to be \$3,000-\$4,000 higher than building a new one over the twenty year life. With the low bid now of \$57,000...there was no comparison.

MOTION: Bui moved to reject all bids received and authorize staff to go forward with development of a re-design.
Gault seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer -

Yea

ITEM #6. COMPREHENSIVE LAND USE PLAN INVENTORY - PUBLIC HEARING

AGENDA UPDATE - Tabled.

ITEM #7. RESOLUTION: Authorizing Mayor to Enter Into Agreement with Multnomah County for Road Maintenance (697-R)

Mayor Cox read the Resolution by Title.

Wilder stated that this was the same agreement as was entered into with Multnomah County the past year. It had been very cost effective, very efficient agreement. The working relationship with the County had been without blemish. Whenever there were problems, they were openly discussed and easily resolved. With the gravel problems in Sweetbriar they had tried to get there in a reasonable time and that was the only area there were any complaints with the County or their work efforts...that was in part, due to the residents thinking that something else was planned to be done.

Wilder stated that this year's total was \$42,000, down from the previous year considerably. We are asking authorization for the Mayor to execute Supplement #1, which is extending the agreement for one more year and including the projects listing as Exhibits A-G.

Christian pointed out that this agreement did not mean that the City did not do some of our own street maintenance. These are particular types of projects that can be done most cost effectively through a contract rather than individually bidding them out.

MOTION: Gault moved to adopt the resolution authorizing the Mayor to enter into an inter-governmental agreement with Multnomah County for Maintenance of City streets. Bui seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM #8. RESOLUTION: Authorizing Mayor to Enter into Intergovernmental Agreement with METRO Establishing Metro Builder's Business License Program - Effective July 1, 1988 (698-R)

Mayor Cox read the resolution by title.

Christian stated that the legislature at the past session passed the State law, only affecting Multnomah County and the Metropolitan Service District area (three county area). This was done in response to complaints from construction contractors about

having to get a business license in every jurisdiction that they do business. The philosophy is that they have a 'passport business license' which is issued by METRO and any revenue generated after administrative costs are deducted, be shared with the jurisdictions based on each jurisdictions' activity occurring in the year.

Christian stated that Raglione and Barker had participated in designing the system. It was a concern that the licenses be available at City Hall rather than tell them they would have to go to downtown Portland to get a license to do business here in Troutdale. That was one of the changes instituted through the process of jurisdictional discussions. This only affects residential and multi-family housing. Any type of commercial/industrial permits can still be required to get a City business license. For that reason, it will have a minimal affect on the revenue that the City would expect to get. The past two years activity has generally been in the industrial/commercial permits rather than residential. Christian stated that we hand't budgeted the building permits as picking up so it would not be a loss of revenue if we did break even or were under their estimates.

Gault asked if there was going to be a method of verifying that a builder coming to the City did, in fact, have a 'passport license'? Christian stated that computer printouts would be provided to the jurisdictions on a weekly basis, and/or a telephone call to Metro to confirm the license. She stated that temporary cards would be issued until the license was mailed.

MOTION: Bui moved to adopt the resolution as written. Gault
seconded the motion. YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalsofer - Yea

ITEM #9. RESOLUTION: Declaring Certain Real Property to be Dedicated as "Sunrise Park", a public park. (699-R)

Mayor Cox read the resolution by title.

Christian stated that there had been a city-wide contest throughout the schools and the newsletter. Ms. Satterlund was the young lady that won the naming contest. She stated that every morning when she woke up she looked out the window and could see the sun coming up over the park.

Christian stated that this was also the updated parks plan for the City which describes the future improvements to the park once the fill is completed. The Parks Advisory Board had submitted it.

MOTION: Schmunk moved to adopt the resolution, as written.

Thalhofer seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea; Thalhofer - Yea

ITEM #10. APPROVAL: Contract for services/Metereaders of Lake Oswego.

Wilder stated that the services had been used for two years with extremely good results. The one day/two day readings had been provided for the entire City. An IBM disk was provided there were no log books needed. The City's cost to read its own meters was 37.5 centers per meter per reading and the Metereaders service costs was at 32 cents per meter reading.

Schmunk verified that the contract was the same as the previous contract? Wilder stated that insurance rates were a little higher. The rate per reading, however, was exactly the same.

Schmunk stated that they had been doing a very good job. Wilder stated he hadn't received a single complaint since they began. Schmunk asked if they had any problems with reading when there is an accumulation of ice.

Bui stated that the landowners of his apartment complex complained that the bark dust had been kicked away from the meter and stated that they were going to call the Director. Cox stated that the meters weren't suppose to be covered over...Bui stated that was his point.

MOTION: Gault moved to approve the mayor entering into an agreement with Metereaders. Bui seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

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

ITEM #11 LIABILITY WAIVER FOR COMMERCIAL BUILDING

Christian stated that this issue began approximately ten years ago when the business had been remodeled. She stated that the Attorney's Opinion was included regarding Waiver of Liability. They are possible to execute but don't hold water in court. Wilder could respond to questions regarding the overhang.

Christian stated that she felt it appropriate to allow time to correct the situation and be covered during that time with a 'hold harmless agreement' and then require compliance - given the reasonable time to correct the problem. It is a new owner, even though not a new problem, and he hasn't been privy to prior

discussions regarding the overhang.

Schmunk stated that the current Council hadn't discussed this issue, however, she was aware that previous Council discussions had taken place.

Christian stated the biggest problem was the City liability as far as being in the City right-of-way, on the curb, not far enough back from the curb and no other support other than the posts that are holding the overhang up -- should somebody hit one of the posts there would be no support for the roof. That would cause a lot more serious damage than just driving up over the curb. Christian clarified that as she understood it the posts could remain as long as they are not the main support of the overhang.

Schmunk asked if the new owner had committed to anytime frame to correct the problem. Wilder stated that he had agreed to work on the problem with a hold harmless agreement but, there is a disagreement with the previous owner comment about who would be financially responsible to make the corrections.

Burgin felt that 60 days should be adequate. If the structure is out of compliance it is the City's responsibility to make sure that it is brought into compliance.

Thalhofer felt also that there was a duty to the citizens of Troutdale that the structure be safe. He didn't feel that it appeared to be a costly change. He expressed concern over the legality in court of a 'hold harmless agreement'.

Gault stated that while it appears simple to change the structure to compliance, it could be quite costly due to the type of building structure (building is cement). He was concerned that the new business owner might, during the first few months of business, need to put his efforts into making the business a profitable one. He stated that allowing the time to come into compliance could be longer to allow some of the initial costs of starting up a new business to be returned to him.

MOTION: Thalhofer moved to direct staff to require compliance by August 31, 1988 to the code issue. Gault seconded the motion.

YEAS: 6

NAYS: 0

ABSTAINED: 0

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

ITEM 11A. Wood Village Water System Intertie

Wilder stated that there was an emergency water connection with the City of Wood Village on Halsey at 244th. The City had utilized the intertie to supply Wood Village with water approximately 3 times in the past 2 years on an emergency basis. Staff had been

approached by Wood Village to pursue the possibility of making a connection at a second point (Columbia Reservoir site). This was done at the City of Troutdale's expense.

Wilder stated that his suggestion be done at the City of Wood Village' expense for an un-metered connection be made between the City of Wood Village and the City of Troutdale at the Columbia Reservoir site and the existing metered installation be removed or abandoned.

Wilder stated that the cost of a meter connection can be \$3,000 + and he felt that it was an unnecessary expense for the nominal use it would provide.

MOTION: Bui moved to authorize staff to negotiate a system intertie with Wood Village. Schmunk seconded the motion.
YEAS: 6
NAYS: 0
ABSTAINED: 0

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

ITEM #12A. SITE AND DESIGN REVIEW VACANCY

The vacancy on this committee was creased when Andy Anderson resigned due to moving out of the area. The S & DR Committee reviews applications for commercial and industrial development to ensure compliance with City regulations relating to building elevations, colors, materials, lighting, utility designs and landscaing. Two staff members, as well as two Planning Commission members serve on the committee.

Cathy Hamme has expressed an interest in serving on this Committee and the request is to appoint Cathy to the position if Council deems that it is an appropriate selection.

Cathy's familiarity with the climatic scheme of the area, as well as her knowlege of landscaping and general interest in the City qualify her to this position.

Christian stated that once the Comp Plan and Development Ordinance is revised, it is hoped that the Site & Design Review process will be more streamlined than it is currently. That final process is anticipated for October, however, until then the vacancy needs to be filled under the existing ordinances.

MOTION: Schmunk moved to appoint Cathy Hamme to the Site & Design Review Committee. Thalhofer seconded the motion.
YEAS: 6
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Gault - Yea; Jacobs - Yea; Schmunk - Yea;

Thalhofer - Yea

ITEM #12: COUNCIL CONCERNS AND INITIATIVES

Schmunk stated that it had been discussed during the Goal Setting to have a work session every 3 months at the 2nd meeting of that month. It will be six months into the year and there had not been a work session. She stated that she would like to see it set up as soon as possible.

Christian stated that there is a necessity to have the second meeting in June due to the Budget adoption requirements. She stated that she had kept the June 14, 1988 meeting clear for a work session as long as it is acceptable with Council.

Christian clarified that there would be no formal agenda. Department Heads could be available if Council wished to ask questions or discuss concerns, the Council could then meet without staff to discuss any concerns they may need.

Council was unanimous for consent to meet in a work session, June 14, 1988, 7:00 p.m.

Thalhofer expressed his thanks to the voters for the recent passage of a new Tax Base for the City of Troutdale.

Bui stated that he had attended a Community Block Grant meeting to confirm block grants for the coming year. There were no changes in the public hearings for the recommended grants. The County Commissioners will have the approval before them on Thursday.

Bui also stated that as Parade/Picnic Chairman for the City this year, he recommended that Ed Whalen be the Grand Marshall, with Council approval. Mr. Whalen had accepted the invitation.

Christian discussed the Speed Board setting the 45 mph limit on 257th. Jim Wakeman, a resident in that area, stated that there was a letter and petition going around to request that the speed limit be dropped to 35 mph. It is 35 mph on the other side of Stark.

Bui stated that the County should be made aware of it also, whether or not they are the ones to petition.

Farr stated that, in his opinion, it should be 35 mph. It is currently posted as that southbound on 257th/Stark. If you're going 45 between Columbia and Cherry Park on 257th, and a car is trying to make a left turn onto 257th, it is very difficult! Prior to construction and during construction it was posted at 35 mph.

Wakeman stated that the noise level, and the children in the area, with the higher speed limit, the noise level has increased. Also, with the Head Injury Clinic proposed across the street, there will be additional traffic entering 257th...also some of the therapy would be 'walking' for those patients. Riding a bicycle and having

a truck-trailer go by at 45 mph along the sidewalk, it is pretty dangerous along that stretch of highway.

Christian stated that if Council agreed they could prepare an appeal to the speed board directly and cc the County. There are also driveways entering directly onto 257th.

Wakeman stated that the presence of police in the morning while the school bus is in the area picking up students has been working great. Christian stated that the police average 10 tickets per morning, she stated they aren't driving in the morning.

Wilder stated that the petition that Wakeman had in process could be submitted with the appeal.

Thalhofer asked about the sound walls. Wakeman stated that the homeowner, at the time objected to a soundwall...now, he was unable to get the soundwall going in nearest his residence. He called the City Engineer and stated that he hadn't been notified because he was too far away from the street. Because one person objected, there would be no soundwalls. The person originally objected, has moved. The wife does not object at all, and the husband doesn't live there anymore. Because of the soundwall the project was overrun. Rewriting the contract to include the additional 3 lots soundwall, when there isn't the additional monies...Schmunk stated that the bids have already been let.

Wakeman stated that this was a Federal funded project. He stated that the County would not, under any circumstances, change it because the money was already allocated and could not be re-engineered. Wakeman stated that he was most concerned because he wasn't notified and had no way of going to the City Engineer, Polly Casterline or anybody else.

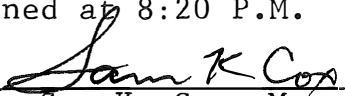
Schmunk stated that he was probably outside of the amount of feet which is required for notification. Christian asked if they required dedications on the lots that soundwalls were built on? Mayor Cox stated staff would check into it.

ITEM #13. ADJOURNMENT.

MOTION: Schmunk moved to adjourn the meeting. Bui seconded the motion.
YEAS: 6
NAYS: 0
ABSTAINED: 0

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

The meeting adjourned at 8:20 P.M.



Sam K. Cox, Mayor
Dated: June 28, 1988

ATTEST:



Valerie J. Raglione
City Recorder

CC3:4