

# CITY OF TROUTDALE

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

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7:00 P.M. -- JUNE 28, 1988

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:  
2.1 Accept: Minutes of May 24, 1988  
2.2 Accept: Business License Report Mo. of May  
2.3 Accept: Bills for month of May, 1988
- (A) 3. PUBLIC COMMENT:  
Please restrict comments to non-agenda items at this time.

DISCUSSION OF POLICE CHIEF CRITERIA  
ASSESSMENT CENTER EXPLANATION

Helen Terry

- (A) 4. RESOLUTION: Accepting 5/17/88 Tax Base Election Results from the Director of Elections, Multnomah County, OR

\*\*\*PUBLIC HEARING\*\*\* (Items 5, 6, 7, 8,9, 10, 11)

- o Open Public Hearing
- o Declarations or Challenges
- o Staff Summary
- o Public Testimony:  
Proponents, Opponents, Cross Examination
- o Staff Recommendation
- o Council Questions or Comments
- o Public Hearing Closed

- (A) 5. RESOLUTION: Adopting Supplemental Budget for FY 87-88
- (A) 6. RESOLUTION: Providing for Budget Transfers and Making Appropriation Changes for FY 1987-88
- (A) 7. RESOLUTION: Certifying City Eligibility to Receive State Shared Revenues
- (A) 8. RESOLUTION: Declaring City of Troutdale Election to Receive State Revenues
- (A) 9. RESOLUTION: Adopting City FY 88-89 Annual Budget and Making Appropriations

- (A) 10. RESOLUTION: Levying Ad Valorem Taxes for FY 1988-89
- (A) 11. RESOLUTION: Authorizing Interfund Loans from General Fund to Water Fund and Street Fund
- (A) 12. ORDINANCE: Changing Official Street Name and Amending Official Street Map (Portions of SW Hewitt Place to SW 29th Way or SW Laura Court)  
FIRST READING
- (A) 13. AUTHORIZE: Settlement of Business Income Tax Litigation
- (A) 14. RESOLUTION: Accepting Recommendation for Cessation of East Multnomah County Economic Development Commission

\*\*\*PUBLIC HEARING\*\*\*


- o Open Public Hearing
- o Declarations or Challenges
- o Staff Summary
- o Public Testimony:
  - Proponents, Opponents, Cross Examination
- o Staff Recommendation
- o Council Questions or Comments
- o Public Hearing Closed

- (A) 15. COMPREHENSIVE LAND USE PLAN INVENTORY
  - Economy
  - Urbanization
  - Substantial Change in Circumstances
  - Columbia River Gorge Scenic Area
  - Urban Planning Area

- (A) 16. DEPARTMENT REPORTS:
  - Public Safety
  - Finance
  - Community Services
  - City Attorney
  - Executive

- (A) 17. COUNCIL CONCERNS AND INITIATIVES

- (A) 18. ADJOURNMENT.

  
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 Sam K. Cox, Mayor  
 Dated: \_\_\_\_\_

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

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JUNE 28, 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, Gault, Schmunk, Thalhofer, Cox  
EXCUSED: Jacobs

STAFF: Christian, Farr, Gazewood, Raglione, Wilder

PRESS: Webb Reubal, Oregonian  
Robin Franzen, Gresham Outlook  
Cable Television Staff

GUESTS: Jim and Sally Wakeman

Agenda Update: None

ITEM #2. CONSENT AGENDA

MOTION: Bui moved to accept the consent agenda as presented.  
Schmunk seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #3. PUBLIC COMMENT

Mayor Cox called for any comment from the audience. There were none.

DISCUSSION OF POLICE CHIEF CRITERIA - ASSESSMENT CENTER  
EXPLANATION - Helen Terry, Consultant

Christian then introduced Helen Terry. Terry gave a presentation describing an assessment center process and asked Council, staff, citizens for input regarding the criteria in what type of personal characteristics/traits, knowledge, skills and abilities would be of benefit to the City in determining the selection of the Police Chief position.

The following is the list developed from input received at the meeting:

- Bui: Leadership ability - take direction, temperament (open-minded), diverse citizenry, viable/flexible, enforces the law
- Gault: Technical expertise, Oregon and local law knowledge to make intelligent decisions
- Schmunk: Work w/jurisdictions "interact", effective relations, multi-aid response calls
- Gault: Enjoys street officer duties and does that regularly, not an administrator only, has street savvy
- Cox: Business/civic relations
- Bui: Plans w/others for effective operations, long range/future planning, patrol freeway/shared services
- Thalhofer: Maintains good morale w/officers, keeps them motivated and challenged, instill pride, not serve as training grounds, crime prevention initiative
- Burgin: Can read and prepare budget, aware of drug problems and crime, cooperation with schools
- Bui: In house training; ability to develop specialties, follow-up investigations
- Christian: Reconcile community values and priorities w/overall enforcement of State and local laws, traffic enforcement versus parking violations
- Jennings: Sensitive to working w/woman City Administrator, migratory farm worker problems (spanish speaking?)
- Thalhofer: Sense of humor

Terry stated she was very pleased to get this type of input and it would help a great deal in determining the process and evaluating for selecting a 'best' candidate for the community of Troutdale.

Terry stated that 2 assessors from the 'field' (police from another community); 1 from the political arena of the City; 1 citizen leader (this would mix the talent and give better data). The Assessment Center runs best with 6-8 candidates for the final stages of the process.

ITEM #4: RESOLUTION: Accepting 5/17/88 Tax Base Election Results from the Director of Elections, Multnomah County, Or (700-R)

Christian stated that this was basically a housekeeping item.

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Schmunk seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

Yea

PUBLIC HEARING: 7:35 P.M. ITEMS 5, 6, 7, 8, 9, 10, 11

Cox opened the Public Hearing at 7:34 p.m. (Tape 2 :34)

Each of the following items were dealt with individually:

- Resolution: Adopting Supplemental Budget for FY 87-88
- Resolution: Providing for Budget Transfers and Making Appropriation Changes for FY 87-88
- Resolution: Certifying City Eligibility to Receive State Shared Revenues
- Resolution: Declaring City of Troutdale Election to Receive State Revenues
- Resolution: Adopting City FY 88-89 Annual Budget and Making Appropriations
- Resolution: Levying Ad Valorem Taxes for FY 88-89
- Resolution: Authorizing Interfund Loans from General Fund to Water Fund and Street Fund

Christian stated that these are annual requirements for budgeting and accountability purposes. Christian reviewed each item for information purposes. Gazewood had included a handout which, by fund, described the increase/decrease for each account for Item 5 - Supplemental Budget for FY 87-88 and, Item 6 - Budget Transfers and Making Appropriation Changes.

There were no proponents, opponents speaking to these issues.

All necessary criteria for meeting the public notices/legals had been met and publications of the funds had been in the local newspaper as mandated by State law.

Staff recommendation for each item was to pass the resolutions, as written.

There were no questions or comments at this time from Council.

PUBLIC HEARING CLOSED: 8:00 P.M.

ITEM #5. RESOLUTION: Adopting Supplemental Budget for FY 87-88  
(701-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Gault seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #6. RESOLUTION: Providing for Budget Transfers and Making

Appropriation Changes for FY 87-88 (702-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Gault seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #7. RESOLUTION: Certifying City Eligibility to Receive State Shared Revenues (703-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Gault seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #8. RESOLUTION: Declaring City of Troutdale Election to Receive State Revenues (704-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Gault seconded the motion.

YES: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #9. RESOLUTION: Adopting City FY 88-89 Annual Budget and Making Appropriations (705-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Gault moved to adopt the resolution as amended. Bui seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #10. RESOLUTION: Levying Ad Valorem Taxes for FY 88-89

(706-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Gault seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

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

ITEM #11. RESOLUTION: Authorizing Interfund Loans from General Fund to Water Fund and Street Fund (707-R)

Mayor Cox read the resolution by title. There were no further comments or concerns.

MOTION: Bui moved to adopt the resolution as written. Gault seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

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

ITEM #12. ORDINANCE: Changing Official Street Name and Amending Official Street Map (Portions of SW Hewitt Place to SW 29th Way or SW Laura Court) (513-0)

(Tape 3: 8:02)

Christian stated that there had been one objection received which was in writing. Copies were included in the Council packets.

Wilder stated that the objection was from Keith George, 3014 SW Hewitt Place, Troutdale. He stated that in the 2 1/2 yrs. of living there, he had no complaints, or problems in anyone locating his property. He stated that his checks, car title/registration, credit cards, loans, titles and employee records, as well as notification to friends and relatives would have to be re-addressed.

Christian stated that Multnomah County and State requirements for all official street name changes be in ordinance format and a prior City ordinance required all streets follow a grid system. The Post Office had expressed conflicts for additional building permits being issued on this portion of SW Hewitt Place (east/west). The elimination of conflict in dispatching police, fire and medical services for emergency purposes, was vital. There had been no other objections during the public hearing.

Schmunk stated that it was unfortunate, however, the Council responsibility is to make certain that emergency vehicles can be dispatched without unnecessary delays.

Mayor Cox read the Ordinance by title. There were no further comments.

MOTION: Schmunk moved to pass the ordinance as written. Burgin seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #13. AUTHORIZE: Settlement of Business Income Tax Litigation

ITEM #14. RESOLUTION: Accepting Recommendation for Cessation of East Multnomah County Economic Development Commission (708-R)

Schmunk reported that the City of Gresham and the Gresham Chamber of Commerce had decided not to fund EMCEDC any longer. Troutdale had been an active part of this Commission. It had been determined that the fulfillment of the initial mission had been met.

Christian stated that the intergovernmental agreement which was approved on September 13, 1983 would be terminated as of June 30, 1988 and the Resolution was a formal statement to the Commission members of the termination of the agreement.

Mayor Cox read the resolution by title. There were no further comments.

MOTION: Schmunk moved to adopt the resolution as written. Gault seconded the motion.

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

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

ITEM #15. COMPREHENSIVE LAND USE PLAN INVENTORY  
Economy, Urbanization, Substantial Change in  
Circumstances, Columbia River Gorge Scenic Area, Urban  
Planning Area

Public Hearing Opened at 8:35 P.M.

Barker reviewed detailed materials on each of the topics listed above. She stated that the legislature required 'substantial change in circumstances' to be addressed. One of the most substantial changes was the proposed interchange and express/freeway. She stated that any changes would be incorporated before the Council final review.

Thalhofer asked about page 16-economy section stated that the figures regarding income were very interesting. It indicates a Troutdale household income of \$25,683 per capita of 8,034 -- he asked if that meant every man, woman, and child in



Troutdale made 8,034 or what?

Barker stated that is based on an average family size of 2.3 -- Christian stated that Troutdale has a lower family size than the Metro area which is why -- it is per household --not per person. Christian stated that the Metro area has a higher income per capita but a lower household income. Troutdale has a higher household number average than the Metro area does in total. Even though Troutdale has a higher household income we have a lower per capita...you are dividing by a larger number per household into that number.

Barker continued with the Columbia River Gorge Scenic Area. This summarizes what it is intended to do and reviews some activities that are anticipated. It is expected that this will change somewhat over the next few years as it is further refined by the focus of tourism and the Bi-State Commission will eventually be in full control over the Gorge area.

Barker continued with Urban Services. Annexations and continuation of serving and planning for service for areas within the urban services growth boundary.

Mayor Cox called for proponents, and opponents. There were none. Mayor Cox called for Council questions, there were none.

The Public Hearing was closed.

A motion was needed to submit to DLCD for review. This does not mean that it is being accepted as yet for the final Comp Plan.

MOTION: Bui moved to submit to the Department of Land Conservation and Development for their review the portions of the Comprehensive Land Use Plan Inventory to include: Economy, Urbanization, Substantial Change in Circumstances, Columbia River Gorge Scenic Area, Urban Planning Area. Schmunk seconded the motion. YEAS: 5  
NAYS: 0  
ABSTAINED: 0

Bui - Yea; Burgin - yea; Gault - Yea; Schmunk - Yea; Thalsofer - Yea

#### ITEM #16. DEPARTMENT REPORTS

Public Safety: Acting Chief Farr stated that he had nothing further to report but would respond to any questions or concerns.

Finance: Gazewood had nothing further to report but would respond to any questions or concerns.

Community Services:

Wilder stated that the building division would be exceeding the projected housing starts for this year by at least three and probably more. Wilder stated that there would be test pumping on the Well #6 and hope to have the system back on line by the end of July. Wilder asked if there were any other concerns.

Burgin asked about the 10 cubic yards of garbage that was dumped at the landfill. He wondered if there was anything with a name or address in the garbage so the owner could be notified to pick it up. Christian stated that it was searched for those types of materials, however, there weren't any.

Cox asked about the West side of 257th. Wilder stated that utility undergrounding work was being done by the phone company -- was putting in optical phone lines and PGE would be putting in overhead power in the same trench. The sidewalk was being cleaned by the County also. The County claimed that the seeding and grasswork would be affected. The timeframe wasn't good for this work last year when it was done.

Schmunk asked about communications with Burns Bros. Wilder stated that it demonstrated an adversarial relationship and how they can be resolved peacefully. Schmunk stated that during the lunch they appeared friendly and helpful to all. Schmunk also discussed the McDonald's Corporation letter which was included in the packet materials. It would be in the west site of Burns Bros. property. McDonald's was looking at the site to locate. Schmunk asked about the freeway site and how common it was. There were others located next to the freeway. The engineer met with Sue Barker and Greg and had a 14 page form and in an hour and a half meeting left knowing everything he had to do to develop in Troutdale including phone, gas, power, what the City rules and regulations were, County/State contacts, etc.

Christian stated, as a follow-up to being above projections as far as residential activity...the chart including commercial activity far outstripped projections real or hopeful for the past year.

Schmunk stated that the Woodpecker site was a concern in the appearance and the trucks that are out there for sale look very nice and neat, and are not an eyesore.

City Attorney:

Jennings stated that the litigation between Gresham, Fairview, Wood Village, Troutdale, and the County regarding the Business Income Tax proceeds from 1986-87; 87-88; 88-89 and another lump of proceeds in the future to be divided. A tentative settlement was reached. A settlement document and an intergovernmental agreement will be before Council at the July 12 Council meeting.

Basically, a June 17 letter from Sponsler, Gresham City Attorney to Laurence Kressel, Multnomah County Counsel. The first six parts of the letter are the same. However, there will be a new Intergovernmental Agreement called the Business Income Tax Agreement. Council had a copy of the agreement before them. There would be two changes over which the City Administrator had concerns. The County may not amend this agreement or change the agreement without two years prior notice to the affected cities. Two years prior notice beginning 1987-88 when the agreement will theoretically take place and secondly, the County may not repeal this agreement again without two years prior notice. But, it is also to be made explicit in the agreement that the County may, if they choose to do so, repeal the entire Business Income Tax program.

Jennings emphasized that the County always had the power to repeal the program. So, if the County chooses to repeal the tax - for an instance in an increased Tax Base two years from now, they could do so. Nothing in the agreement affects that right. However, the County may not unilaterally appeal the agreement itself, they may repeal the underlying Business Income Tax without the two years notice. The only other time the agreement may come to an end is if the cities chose to end the agreement (sharing Business Income Tax revenues) or, if the cities themselves pass their own Business Income Tax they would no longer be a party to the agreement.

The agreement essentially says that the cities will now share 25% of the 6% tax rate revenue that is continued to be levied by the County. Funds held by the County will be paid out relatively quickly and ensures distribution of 1987-88 tax year; 1988-89 tax year on schedule.

Jennings asked if anyone had a strong feeling about not entering into the agreement to please state so, and he would pass the information to Gresham Counsel.

Cox asked if the County could be considering of dropping it and putting their own Business Tax for the City of Portland? Jennings stated that the County negotiated very hard and wanted it very clear that they would have those rights. He stated that the County probably wouldn't have negotiated so diligently if they didn't have some long term plan. He did not know what that plan would be. He mentioned that they could be looking for a trade off of business income tax for an increased tax base. (This made sense politically.) That is a scenario that occurred to Jennings. He stated that he personally thought that the City should consider in the long term the City should begin looking for other sources of income.

Christian stated that one of the issues that came up during initial negotiations was that there were no plans on the County's part for termination. From a legal point of view those type of interpetuities have no legal stnding anyway once tested in court. This was a form to get a termination clause for both parties into the agreement.

Jennings stated that the County wanted to preserve the legislative right that they had all along which was to repeal and amend agreements.

Jennings stated that Troutdale Council was the first one the agreement was before for a decision.

Executive:

Christian stated the need for volunteers in participating in the Planning Commission selections. If Council was interested in still being a part of the process.

Barker stated that Anderson (due to a move), Mitchoff (effective July 19). There are 6 persons that completed an interested persons applications.

Bui and Thalhofer volunteered dependent on the date scheduled for the interviews.

Christian stated that she would be on Jury Duty from July 18 - two week period of time.

ITEM #17. COUNCIL CONCERNS

Burgin stated that his chair needed service.

Burgin commented on a neighborhood arbitration run by the Park Dept of the City of Portland. Christian stated that materials have been requested and were not yet received.

Burgin asked if there was a method of getting information to people (developers, real estate) a sketch or scenario of the

area indicating what the area is zoned, or potential developments might occur and the buyer could sign off on at closing. He asked if the City could get involved in it or developers?

Schmunk stated that the Homeowners Association dues had been a surprise to some buyers in Sweetbriar and the information should depend on the Real Estate Committee to inform buyers...some realtors do and some don't. Once the people sign and get in, that's it.

Christian stated that one avenue might be the utility department since the name of the occupant is changed by the occupant when the water is turned off or on.

Burgin stated that he was mainly speaking of new developments. Although, any new sale would be nice.

Barker stated that there was a package of information that was attached with the building permit, however, it was the contractor's responsibility to place it in the garage of the house and sometimes that wasn't done. For new construction, th City tries to inform them.

Jennings thought that Burgin was talking about something that would need to be ultimately given to the developer of the subdivision and at time of sale he would give the information to them.

Cox invited interested persons to contact Valerie Lantz or Gene Bui if they wanted to be an entry in the City parade.

Thalhofer asked about the condition of Columbia Highway and if there was any intention from the State of correcting the terrible condition the highway was in...considering it is also the Scenic Highway route, he felt that it was a disgrace. He felt it was one of the only things wrong right now. He gave credit for the tax base passing to the City Administrator and Department Heads and the outstanding work the City has been doing. The Troutdale Business Association had some discussions and the problems are behind now and we should forward to a much brighter outlook for the future of the City.

Bui stated that the staff was authorized to do a cost study for fire services and a report should be forthcoming in the near future. He added that there had been little, if no cooperation from the Fire Bureau. He invited anyone interested to attend, Wednesday, July 6, at 2:00 p.m. a groundbreaking dedication of the New Barn at the Harlow House.

ITEM #18. ADJOURNMENT.

MOTION: Bui moved to adjourn the 6/28/88 Council meeting at 9:30 p.m. Burgin seconded the motion.

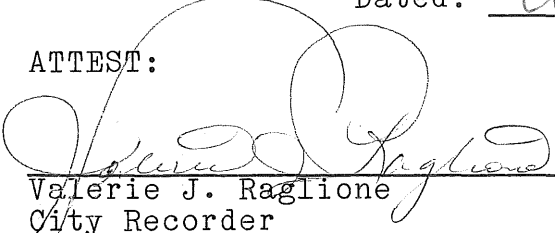
YES: 5  
NAYS: 0  
ABSTAINED: 0



Sam K. Cox, Mayor

Dated: August 10, 1988

ATTEST:

  
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Valerie J. Raglione  
City Recorder

CC3:7