

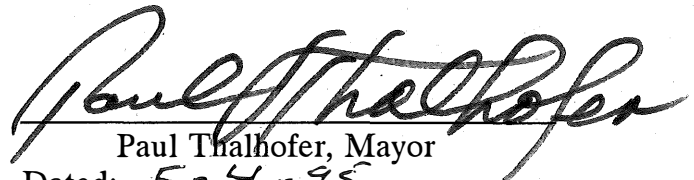
# CITY OF TROUTDALE

AGENDA  
TROUTDALE CITY COUNCIL - REGULAR MEETING  
COUNCIL CHAMBERS  
TROUTDALE CITY HALL  
104 SE KIBLING AVENUE  
TROUTDALE, OR 97060-2099

7:00 P.M. -- MAY 9, 1995

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
- 2.1 Accept Minutes - Regular Session March 14, 1995
  - 2.2 Business License - Month of April 1995
  - 2.3 RESOLUTION: A Resolution Recognizing the Completion of the Ultra-Violet Light Disinfection System at the Sewage Treatment Plant and Accepting it into the City's Fixed Asset System. Galloway
  - 2.4 RESOLUTION: A Resolution Authorizing the Award of a Contract for the Construction of a Pump Station at Well #8. Galloway
  - 2.5 RESOLUTION: A Resolution Authorizing the Mayor to Sign Supplement No. 8 to an Agreement With Multnomah County for Road Maintenance. Galloway
  - 2.6 AGREEMENT: Agreement with Multnomah County for Maintenance of Median Strip on NE 257th Drive by the City of Troutdale. Faith
- (I) 3. PRESENTATION:
- 3.1 Gary Stonewall
- (I) 4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 5. DISCUSSION: Effects of House Bill 3411 on Multnomah Greyhound Park. Julie Fossi
- (A) 6. PUBLIC HEARING/ORDINANCE INTRODUCTION: An Ordinance adopting the Recommendation of the Mt. Hood Cable Regulatory Commission of a Change in Control of KBL Portland Cable Systems, L.P. and KBL Multnomah Cable Systems, L.P., dba Paragon Cable, to Time Warner Inc. Larry Michon & David Olson

- (A) 7. RESOLUTION: A Resolution Approving Transfer of Territory From the City of Troutdale to the City of Wood Village, Which Involves A Tract of Land, Situated in the Southwest One-Quarter of Section 26 and the Northwest One-Quarter of Section 35, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and Further Described in the Exhibit A. Christian
- (A) 8. RESOLUTION: A Resolution Providing for Budget Transfers and Making Appropriation Changes for Fiscal Year 1994-95. Gazewood
- (A) 9. DISCUSSION: A Discussion Concerning Options Pertaining to Transportation System Development Charges. Galloway
- (I) 10. DEPARTMENT REPORTS:
- |      |                       |           |
|------|-----------------------|-----------|
| 10.1 | Finance               | Gazewood  |
| 10.2 | Public Safety         | Berrest   |
| 10.3 | Community Development | Faith     |
| 10.4 | Public Works          | Galloway  |
| 10.5 | City Attorney         | Sercombe  |
| 10.6 | Executive             | Christian |
- (I) 11. COUNCIL CONCERNS AND INITIATIVES:
- (A) 12. ADJOURNMENT:

  
 Paul Thalhofer, Mayor  
 Dated: 5-4-95

Minutes  
Troutdale City Council Regular Meeting  
Troutdale City Hall  
Council Chambers  
104 SE Kibling Avenue  
Troutdale, Oregon 97060-2099

May 09, 1995 - 7:00 P.M.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called the meeting to order at 7:00 p.m. and called on Councilor Smith to lead the Pledge of Allegiance.

Deputy City Recorder Stickney called the roll.

PRESENT: Smith, Ripma, Thompson, Kight, Burger-Kimber, Thalhofer

ABSENT: Lloyd

STAFF: Berrest, Christian, Faith, Galloway, Gazewood, Sercombe, Stickney

2. CONSENT AGENDA:

- 2.1 Accept Minutes - 3/14/95
- 2.2 Business License - Month of April 1995
- 2.3 RESOLUTION: A Resolution Recognizing the Completion of the Ultra-Violet Light Disinfection System at the Sewage Treatment Plant and Accepting it into the City's Fixed Asset System.
- 2.4 RESOLUTION: A Resolution Authorizing the Award of a Contract for the Construction of a Pump Station at Well #8.
- 2.5 RESOLUTION: A Resolution Authorizing the Mayor to Sign Supplement No. 8 to an Agreement With Multnomah County for Road Maintenance.
- 2.6 AGREEMENT: Agreement with Multnomah County for Maintenance of Median Strip on NE 257th Drive by the City of Troutdale.

Mayor Thalhofer called this item and read the Consent Agenda.

**MOTION: Councilor Thompson moved to adopt the consent agenda. Councilor Ripma seconded the motion.**

**YEAS: 6  
NAYS: 0  
ABSTAINED: 0**

**3. PRESENTATION:**

Mayor Thalhofer called this item and read the commendation for service on the City of Troutdale Planning Commission. Mr. Stonewall was not present to receive his commendation.

**4. PUBLIC COMMENT:**

Mayor Thalhofer called this item. He called Tessa Baca to come forward and speak.

Baca stated she came forward to ask for sponsorship for the 1995 beauty pageant she is running in. She is a Freshman at Reynolds High School, she speaks spanish and knows sign language, and would like to become a bi-lingual lawyer. Address is 107 Cherry Park Road.

Mayor Thalhofer asked her to tell us about the pageant and where is it going to be.

Baca answered it will be at the Hilton in Down Town Portland on the 26th and 27th of this month.

Mayor Thalhofer asked how she was chosen

Baca replied she was chosen by the school

Councilor Thompson asked what sort of pageant is it

Baca replied we are running for Miss Oregon.

Mayor Thalhofer asked how much money do you need to raise.

Baca answered I need \$250.00 by the 26th of May.

Mayor Thalhofer stated if anyone out in the TV audience would like to help this young lady she certainly seems worthy to me.

**5. DISCUSSION: Effects of House Bill 3411 on Multnomah Greyhound Park.**

Mayor Thalsofer called this item.

Julie Fossi from Multnomah Greyhound Park came before council to ask for their support of House Bill 3411 which will allow Multnomah Greyhound Park and Portland Meadows to get limited number of video poker machines into our establishments, so we can compete with all the other operators that have video poker machines in the area, and the Indian Casinos. I would like to answer any question you may have. I brought some letters of support from the Wood Village Chambers, Gresham Chambers and the Mayors in the Area, Gresham, Wood Village & Fairview.

Mayor Thalsofer stated Senator John Limm had written to me asking for our view on this Bill.

Councilor Ripma asked you mentioned a limited number of machines what would this Bill allow.

Fossi replied it would allow us to have up to 10 percent of our public space be used for the machines, which amounts to about 200 at Multnomah Greyhound and about the same at Portland Meadows, possibly a few more there.

Councilor Ripma stated the proliferation of these video machines is so widely, that they are practically everywhere now, is severely hurting your operation. I have to ask what is in it for the local communities here to further expand the number of video machines, it seems like you might be better served by putting the cork back on the bottle, I think its doing great harm to the State. What's in it for us.

Fossi replied we are mainly trying to get the Bill passed for our survival. In other states where these have come into play, the parimutuel industry has not been involved or been allowed to have them in their establishments, they have closed down. If this does not pass in a few years we may close down, and that will have a significant impact on the community. We provide about 8,000 jobs state wide in the parimutuel industry, these jobs are for teachers, college students and people who need seasonal work.

Councilor Ripma asked is your survival going to be as a casino then, instead of as a race track.

Fossi stated we do not see it that way. We don't see it as bringing in a whole lot of new business, but want to keep the people that are coming to see the dog races, we are hoping to give the people something more to do.

Councilor Ripma asked will you be required to keep the racing going in order to operate the video machines

Fossi replied yes, the racing will continue.

Councilor Kight asked can you give us a round number of machines.

Fossi replied probably 200 I would say it could be less than that. It allows up to ten percent but that does not mean the legislator will give us that much.

Councilor Kight asked what would the projected income be from the video machines

Fossi stated she was not sure what the income would be, but the Bill states they would keep thirty -five percent, which is the same as everyone in the state.

Councilor Kight stated you mentioned that seven months of the year the Kennel Club is closed down, and you would like to keep it open year round with the machines.

Fossi replied we are open the other seven months for simulcasting, so we are hoping to be able to operate the machines year round.

Councilor Kight stated that kind of answers Councilor Ripma's question as to whether this is going to turn into a gambling casino, if seven months out of the year you are going to be operating a simulcast as well as the machines.

Fossi stated I don't know if I would term it as a gambling casino because that does not make us a gambling casino. With just the video poker machines we are not going to be anywhere near where the gaming casinos are going to be.

Councilor Thompson asked what would make you a casino in your definition if 100 or 200 poker machine and parimutuel betting doesn't make a casino what would?

Fossi answered that is a good question I have not really talked about that with them. I suppose we would have to discuss that. I don't see it as a casino, we are just trying to compete with local establishments.

Councilor Thompson asked what is in it for our community?

Fossi stated that we have been in the community for 67 years and we have a great impact on alot of jobs in the area.

Councilor Ripma mentioned he was interested in looking at the graphs you stated in your letter. What are you requesting from us.

Fossi answered we would like a letter of support.

Councilor Ripma stated the mad proliferation of gambling in Oregon and the State Government looking for easy money is out of control. Your asking us to allow you to survive by completely changing your business over to a further fastly increase the number of machines around for gambling purposes. I think to me these machines are very profitable for the local businesses, so there is powerful interest in the state level, who are interested in continuing this proliferation, and you seem to be wanting to join that and that is your businesses decision. That coupled with the state governments

looking for ways of raising money and not having to actually justify it by taxes. I absolutely question the benefit for Troutdale, is there no end in sight, what about the increase of these machines, don't you see some harm in that.

Fossi replied I can not see myself where the end will come to all of this, we are just trying to compete. You need to realize back in 88 and 89 we were doing double the business that we have done in the past few years and our business has been cut in half mainly due to back in 1992 when these video poker machines came in around the state our business took a dive.

Councilor Ripma stated my final word is Ms. Fossi I want you to survive too, you have been a good business in the area for many years, but if you were coming in here to try and swelch some kind of slowing of the proliferation of these machines and survive in the business you are in, I would be 100 percent with you, but you are actually, what I think, causing huge proliferation of gambling.

Councilor Burger-Kimber asked in reading through House Bill 3411, one thing that struck me was how the break down percentages of gross receipts is disbursed. Have you ever seen any House Bill of this nature that addressed the disposal or handling of the dogs after retirement.

Fossi responded I have not personally been involved in one, there may have been in the past. They are taking here about the adoption agencies.

Councilor Burger-Kimber stated it has been my experience in the past in any kind of business there are so many dollars that don't come in the door and everybody is always trying to grab as many of those dollars as they can. There is usually a ceiling on how many dollars that are spent. I can understand if there are a certain number of dollars going out and they are not coming your way any longer, don't you think that one of the things that might happen by putting two hundred machines in your facility is that you would be pulling business back in from the smaller businesses that have machines in.

Fossi replied no, they do not see it that way. We have discussed that point alot. We see the Greyhound Park as a destination place, unlike the local establishments and smaller bars and restaurants that have the machines in. People just stop by those places and have a drink and play the machines, where as we are a destination spot. They are coming in mainly to watch the races and we are just hoping to give them another chance for something to do there while they are watching the races.

Councilor Burger-Kimber stated if sales have gone down since the proliferation of these poker machines then actually you are losing your draw of people, or are you still having the same people coming and there just not spending as much money

Fossi replied no, we have lost the number of people

Councilor Burger-Kimber stated you are no longer a destination spot, these people are

going someplace else. You would actually be pulling people back out of local taverns and bringing them back to your facility.

Fossi stated yes we would be getting some of the business back.

Councilor Burger-Kimber asked whether the people coming to the Greyhound Park are from the Portland area.

Fossi replied yes we get people from the portland area but we also get alot from the local area.

Councilor Burger-Kimber stated I am concerned about all the letters of support from the different jurisdictions. I can not support video poker no matter who has it, I think it is an unfortunate blithe on our community and our state, and I can not support anything that supports that. It doesn't have anything to do with Multnomah Greyhound Park and the loss of sales, I can not support your video poker concept in any form. The other thing that concerns me is, if people are going to be spending there gambling dollars, I would rather have them spend them in there community then to go to a destination point. I think that the racing industry and dealing with the exploitation of animals has been fading across the country. Greyhound has been notorious for not taking care of there animals after they use them for racing. That is not as true here in the Portland area, they have extensive volunteer program that provides adoption for the retired dogs. Most of the facilities use the dog and then put them down. I can not support this for those two reasons.

Mayor Thalsofer stated that it is ridiculous that the State of Oregon is funding state government with gambling proceeds, I don't know how we ever got on this track but we did and now we are trying to finance the entire state government with gambling proceeds which makes no sense to me at all. Because of all this excess gambling going on, it has drawn from the Multnomah Greyhound Park a great number of people that would normally go to the dog track. The Greyhound park has been with us in our community for many many years, they have been good corporate citizens, they have made contributions to our communities in different ways. They have paid taxes to the City of Wood Village and the money which is bet at the Greyhound Park gives the state additional revenue. It make no sense to me to have the Multnomah Greyhound Park with parimutuel betting getting the business cut in almost half and not even being able to survive with this onslaught of video poker machines. Maybe the only way we are going to be able to stop this gambling craze is to have so many machines out there that people just overdose on it and finally they will say that's it, we have had enough, lets get rid of gambling to finance state government, then perhaps we can get them out of our businesses and out of the Greyhound Park and Portland Meadows. I think it is only fair to let Multnomah Greyhound Park have machines so that they can compete with the Indian Gambling Casino's. The Greyhound park in my opinion would not be considered a casino. They are at a competitive disadvantage because of the state allowing video poker and other forms of gambling to finance city government and I say let them be able to compete to survive as a Greyhound Park, which brings a great deal of pleasure for



alot of people to come out and watch the dog and horse races. I would be in favor to allow them to have video poker machines. I hope some day that this state comes to its senses and gets rid of all the gambling and tries to finance state government in a different way and one that is more morally satisfying. I would be in favor of writing to Senator Limm supporting video poker for Multnomah Greyhound Park.

Councilor Smith stated truthfully I feel like two hundred machines is one step short of a gambling casino, whats going to say that they can't put something else in once they get the video poker machines. I think it is just asking for trouble, and five is alot but two hundred is and awful lot, alot of people that go to the tracks or that gamble like that, I know there kids go without alot. Truthfully I just don't see it.

Councilor Ripma stated one interesting thing that comes up on this chart, the 1984 eighty millions dollars, and in 1995 one hundred nineteen million dollars, a fifty percent increase. Gambling is just exploding in our society and it is not to the good. I would like the Greyhound Park to survive but times change, people tastes change, I think it is on the way out but maybe it can survive as a Greyhound Park and I would like to see that very much. Would we allow a new business to start out with two hundred machines in this area? We certainly would not. And this bill in effect is converting that park from what it is to a casino, or close to a casino. One distinction, at least in kaneetah and I think most of these Indian Casino's don't allow alcohol, where Multnomah Greyhound would have machines and alcohol that will be a very big draw. I can not see converting it to video poker machines, I guess I go along with Councilor Burger-Kimber as far as just plain moral opposition to the video machines, for that reason I can not support Senator Limm on this.

Councilor Thompson stated he agrees that gambling is a very poor way of funding government and in my judgement allowing two hundred machines at the Greyhound Park is the equivalent of a casino, and if we are going to do that lets be honest and allow casinos. Legislation that allowed video poker machines specifically prohibited casinos within the State of Oregon. I understand we are constrained to allow the Indians to have casinos. I think it is somewhat ridiculous to argue that in order to preserve what in effect is a gambling industry. Multnomah Greyhound Park has been a gambling industry in Oregon for a long time and that's the reason for its existence. To allow them to survive by increasing the gambling in my judgement is a ridiculous argument. I can not support the proposal to allow two hundred video poker machines at Multnomah Greyhound Park. I an not opposed to gambling itself, but I don't believe we should allow this in this facility.

Councilor Kight stated currently the state takes over six hundred and sixty million dollars in lottery profits. This fund has never been audited, its become a giant slush fund for which apparently nobody is accountable. I am not in favor of adding to that. In fact I think the state is going to regret the day they ever opened the door to gambling on the level which we currently have and there doesn't seem to be any end to it. I do not support adding additional gambling machines here in our community.

Mayor Thalsofer stated that without voting on this I think the Nays have it. We won't be supporting this Bill as the other communities have and as the Chamber of Commerce.

Councilor Burger-Kimber stated I would like to say thank you to the council for being brave and standing up in opposition, and I really appreciate it and I am proud to be on this council this evening because obviously nobody else has been gutsy enough to take this position.

Mayor Thalsofer stated I don't think its a matter of guts, I think its a matter of how you view the issue. At this time I am going back to the public comment section of the agenda and ask that the Scouts be introduced at this time.

Troop 898 Bob Shermeyer Advancement Chairmen for the Troop, Nancy Radlett Communications Councilor. All of these boy are going after the communications merit badge. Alex Radlett is going to be a Eagle Scout in a couple days this is his final requirement. Chris Lowskioni, Curtis Shermeyer, Dale Howard, David Keller, Charlie Keller, Travis Olson.

6. PUBLIC HEARING / ORDINANCE INTRODUCTION: An Ordinance adopting the Recommendation of the Mt. Hood Cable Regulatory Commission of a Change in Control of KBL Portland Cable Systems, L.P. and KBL Multnomah Cable Systems, L.P., dba Paragon Cable, to Time Warner Inc.

Mayor Thalsofer called this item.

Larry Michon 3038 SW Laura Court representing the City of Troutdale on the Mt. Hood Cable Regulatory Commission, David Olson of the Cable Regulatory Staff is also present. I would like to recommend passage of an Ordinance that approves change in control of your cable franchise from Houston Industries to Time Warner. Your commission has spent a number of months studying this transfer, gathering information and researching the qualification of Time Warner. We held a major public hearing right hear on March 20th in these Chambers, and we received both live and call in testimony from many citizens. This ownership transfer process is different from the 1989 process that was used to transfer the franchise from Rogers Cable System to Houston Industries. Congress passed a law in 1992 which required that final action on a cable franchise transfer must be completed in 120 days. Since we were formally notified of the ownership change on February 21st the commission has had to work very hard to make sure that you would be able to act before the final deadline of June 20th. Based on our research of Time Warner we believe that Time Warner is qualified to own the cable franchise here, subject to certain conditions which are addressed in the ordinance. Among these conditions are requirements that Time Warner comply with all conditions of the current franchise. That Time Warner provide a full guarantee of franchise performance at the highest corporate level. That Time Warner provide information about the final financing of the transaction so we can be sure that the subscribers are not that greatly affected. That Time Warner reimburse our direct cost such as legal and financial

consulting. Time Warner commit to carry forward in good faith the current Paragon renewal process. Time Warner has agreed to abide by these conditions and as we understand it the Ordinance before you has been agreed to by Time Warner. The acceptance form will be signed and returned to you if you act favorably on the Ordinance. This has been an intensive process involving a considerable amount of unplanned work by myself and the cable commission.

Olson stated this has been an intensive process, its the kind of thing that you can not plan for ahead of time it was an announcement of a major transaction affecting systems around the Country. Some of you may remember going through something like this before when Rogers was initially transferred, the rules are a little bit different this time and its our first experience with this new federal process.

Councilor Ripma asked if Troutdales vote on this Ordinance, could we block the transfer if we voted no.

Olson replied yes, you are the franchising authority for the contract the cable company issued in your jurisdiction ownership and can not transfer without your consent. I imagine if you or any of the other jurisdictions that are partners made a final decision in the negative on this, I imagine there would be considerable effort on the part of the company and the Cable Commission to address your concerns.

Councilor Ripma stated in the Ordinance number 8 page 5 Competition issues among transferee and US WEST which I think is the big issue here, if you look at the problem that the transferee partially owns US West Direct that there is some common ownership. US West would be the most likely Entity to provide competing service, which I think in the end is the ultimate way that we are going to get better service. If you look under the long paragraph saying that basically there is this problem that there is interlocking boards, and then there is A, B, & C that says in view of the fact, I am summarizing now, if there is some problem about competition between transferee and US West - A. Transferee will not establish any corporate or management structure for Portland or Multnomah Franchisees, that involve any degree of common management or control. B. Any proposal by transferee to establish such common management or control. A says they will not and B says if we do, then other steps would revoke the franchise. I see that as there directly opposed, its obvious that transferee and US West are going to work together, they are not going to compete with each other. That is the main thing I am worried about here.

Olson stated the reason we added B is because it holds something over the company in terms of, if that should happen the franchise agreements would be subject to revocation. As the partnership sits right now US West will not be in direct link to our existing franchise.

Councilor Ripma stated the franchise agreement goes for another five years, its not that long before it is up for renewal anyway, so if then part "B" means if they go ahead and establish some common management between the two entities that might compete, then

the franchise agreement is subject to revocation. Well within five years its in effect up for renewal anyway, so I'm concerned that isn't very much of a hook, it's a little bit of a hook. Whats really going to help service in this area is the competition. I worry about this being highly anti competitive in the end and we will end up with just one provider like we have now.

Olson stated this is a significant issue in this proceeding, in fact there was alot of testimony on this subject when the hearing was held March 20th in your Chambers here, and the commission was very concerned about it. We have been assured by Time Warner and US West in writing that they intend to vigorously compete. US West has already announced plans to begin offering video services in its territory and has an application pending. The entity of Time Warner will operate this cable franchise is not the entity in which US West passed the addressment interest that is a subsidiary called Time Warner Entertainment, which US West has a partnership with and there having this franchise actually owned by the parent corporation and not by the subsidiary where US West has an ownership. They have separated legally and they are separated fiscally speaking. This Ordinance actually goes beyond that and says, legal separation is fine, fiscal separation is fine, we want you to come back to us if you so much as start sharing management of this, because we are worried about pollution that could rid this competition. I think the commission took that very seriously, in the local level these conditions are about as far as they can go short of Federal Government and anti trust issues coming in. In terms of the renewal, your point is very well taken that has to be looked at, in fact the advantage is you will have a little bit of operating experience under the new ownership structure.

Mayor Thalhofer asked if there were any further question.

Mayor Thalhofer recessed the Council Meeting and opened the Public meeting at 8:03. Is there anyone here who would like to testify as to this issue.

At 8:05 Mayor Thalhofer closed the public hearing and reopened the Council Meeting. Mayor Thalhofer read the Ordinance it will be carried forward to the next meeting for council to vote on it. Mayor Thalhofer asked Sercombe to take a look at the Sub-paragraphs in which Councilor Ripma had concern about.

**7. RESOLUTION: A Resolution Approving Transfer of Territory From the City of Troutdale to the City of Wood Village, Which Involves A Tract of Land, Situated in the Southwest One-Quarter of Section 26 and the Northwest One-Quarter of Section 35, Township 1 North, Range 3 East Willamette Meridian, City of Troutdale, Multnomah County, Oregon and Further Described in the Exhibit A.**

Mayor Thalhofer called this item.

Mayor Robertson from Wood Village asked that the City of Troutdale approve the Resolution to allow us to proceed with the boundary commission and Multnomah County

for re-zoning and transferring 6.87 acres so we can extend our City Park.

Councilor Ripma asked about the map received in packet, not sure which piece of property it was.

Mayor Robertson showed Councilor Ripma which piece of property it was on the map.

Councilor Kight asked if there was any compensation the City would receive?

Mayor Robertson answered that you would get a park that the citizens of Troutdale could use.

Councilor Burger-Kimber asked how far up does the strip of land go, does it just go to the Treehill condo's

Mayor Robertson answered yes.

**Councilor Thompson made a motion to adopt the Resolution. Councilor Kight seconded the motion.**

**YEAS: 6  
NAYS: 0  
ABSTAINED: 0**

**8. RESOLUTION: A Resolution Providing for Budget Transfers and Making Appropriation Changes for Fiscal Year 1994-95.**

Mayor Thalsofer called this item.

Gazewood explained the transfers, \$12,470 is needed to cover certain housekeeping items, \$600 is to supplement the parks and facilities department for beach signs and life rings authorized last summer, \$2,000 is for hanging and maintaining flower baskets on light poles, \$2,850 grading and rock for improving the parking lot at Columbia Park, \$7,020 for repairing heating and air conditioning unit which burned out due to a power surge \$4,703 less \$1,000 deductible is covered by insurance, net amount for this is \$2,839. The insurance company recommended that a surge protector be installed. These transfers still leave a balance in the general fund contingency account of \$227,315. Section two of the resolution provides for transfer of \$28,000 from internal services fund contingency appropriation for Subdivisions contract inspection fees. These are reimbursed costs from the developers. This will leave a net balance in this contingency fund of \$ 3,741.

Councilor Kight asked if anyone had contacted PGE regarding the power surge that affected our heating unit.

Christian stated that the insurance company will follow up with a claim against PGE.

Councilor Burger-Kimber stated I am confused on section two regarding the transfer of \$28,000, I understand that the projects increased, the last sentence states all costs are reimbursed to the City by the developers, if we are appropriating \$28,000 but it is reimbursed?

Gazewood explained it comes in as a revenue item to offset the expenses appropriated for that.

Councilor Burger-Kimber asked why do we need to appropriate it.

Christian explained when you have an appropriation amount in order not to over expend your adopted budget amount, which was \$28,000 less then needed to cover, you have to show that revenue coming in and raise that appropriation amount.

Gazewood stated the City can not spend money unless it is appropriated. Even though the money comes in, it can not be spent unlet it is appropriated, and that is the purpose here.

Councilor Burger-Kimber stated it seems that it brings the contingency allocation down awfully low to \$3,700

Gazewood stated that this late in the year we don't expect any problems with that fund.

**Motion was made by Councilor Thompson to adopt this Resolution. Councilor Ripma seconded the motion.**

**YEAS: 6  
NAYS: 0  
ABSTAINED: 0**

**9. DISCUSSION: A Discussion Concerning Options Pertaining to Transportation System Development Charges.**

Mayor Thalsofer called the item.

Galloway stated the City has had for several months now the system development charge for transportation with two components. One a performance for local streets that's issued by the city and one for regional streets that ties into similar legislation enacted by the Cities of Fairview, Gresham, and Multnomah County. At the February 14th Council Meeting we talked about the annual adjustment to other system development charges it was also mentioned that there might be a need or responsibility to adjust the local component to our Transportation System Development Charge by spreading the cost of projected capital improvements over a longer span of time then

we currently are showing in our plan, that could result in as much as \$230 deduction in the local component it would obviously have a down side of prolonging the completion date for some of those projects. At that time Councils action was to postpone actions until pending issue regarding Regional Transportation System Development Charge was the result in the City of Gresham. The City of Gresham has since acted on there particular matter regarding the Regional Fee and have enacted legislation which would adjust the number of assumed trips that the development makes under some criteria I mentioned in the staff report. Basically within the Transportation Development District the assumed reduction in the number of trips of up to 27 percent was made, and in certain transit street areas and assumed reduction in the number of trips up to 10 percent was provided for and then down to certain transportation demand management strategies that would allow varying degrees of trip reduction based upon the strategy the particular business might enact, such as requiring car pool lane, or employer provided assistance for public transportation. I believe at this time we have an opportunity to make adjustments to our payee to the local component or the regional component. On the local component the only thing I would say, if you care to do so, might be to complete the projects in our plan over a longer span of time which would allow a reduction in the fee and exhibit 3 in the packet would indicate the impact that would have on prolonging the completion dates for certain projects. On the regional portion of the fee I think there are probably a number of things you might care to do, obviously one of those is to make no changes, others that you may want to take a look at, possibly adopting a transportation demand management strategy similar to what the City of Gresham did. I think the other two components of the program that they adopted are probably not applicable or suitable for our situation. There transportation development district is heavily dependant on the Max Line, we don't really have a good similar situation here. Another possibility might be a reduction in the same number of trips that our development generates, possibly based on the logic that the impact from some of the Troutdale development would not be as great on the regional streets that are the focus point for the improvement fees on the regional bases. Another possible strategy might be to make some assumed reduction in the number of trips the development here would create so that the loss in revenue from Troutdale would equal roughly the percentage loss in revenue that the regional fund is going to experience from Gresham. The most recent information I have from Gresham staff is that it will result in a net increase of about 4 percent of the amount of monies that Gresham will be paying to the regional fund. Council has advocated in the past to take a look at reducing our fee so that the total amount of fees paid by development in Troutdale would not exceed total amount of development fees paid in another jurisdiction. Because of a requirement in the statues that a change in methodology for our system development charges does require 45 day notification to any entity that asks to be notified, and we do have one that has asked to be so notified, the Homeowner Association, that I have not put that particular procedure notification out yet pending some indication from council in the direction that you would like staff to go, and at that time we can prepare the appropriate action, and start the notification procedure.

Councilor Kight stated exhibit 3 shows street system development charge, capital improvement plan and you have a project description. Out of all these projects how

many would you say are capacity enhancement.

Galloway replied there is an element of capacity enhancement in all of them.

Councilor Kight stated on 4th street from Buxton Ave to Sandy Ave is capacity enhancement.

Galloway replied yes it is, we are widening the street and we are adding a sidewalk on one side.

Councilor Kight stated I am familiar with that, but that is already an established neighborhood, so how does it become capacity enhancement to the local people who have been using it for the last 30 years.

Galloway replied by having the wider pavement that can give you a greater capacity and by having a sidewalk added to the south side provides an opportunity to get pedestrian traffic on the street and in our view would increase the capacity level on the street.

Councilor Kight asked how many of these are new or in this case just widening the street, not just putting in a curb or sidewalk but actually, in my perspective, capacity enhancement in non established neighborhoods.

Galloway replied going down the list, SW Sturges, SW Kendall from 2nd to Columbia, SW 21st from Hensley to Troutdale Rd., Entrance road to Columbia Park, SW 18th Way, 7th Street from Buxton Ave. to Kings Byway, SE Dora from 3rd to 5th, Harlow from 4th to 5th. Jackson Park Road.

Councilor Kight asked what do you plan to do on Jackson Park Road.

Galloway replied these would either be widen or to add sidewalks and perhaps storm drainage. This would be a continuing effort to try to bring the established streets up to or as close to current standards.

Councilor Kight stated but not necessarily capacity related are they.

Galloway replied I think the items I mentioned can be determined to be capacity enhancing.

Galloway stated 7th and Dunbar is a dead end its a existing street certainly not to city standards.

Ripma stated on the issue of the homebuilders wanting 45 day notice - if we just reduced the regional fee, are they saying we need to give them 45 day notice, not changing any of the formulas or anything.

Galloway replied if you simply elect to charge a fee, perhaps Tim can respond to this



better than I, but my view would be if you are simply going to charge a lesser fee than the maximum fee allowed to charge under the current methodology, then that is not a change to the methodology and the notice would not have to be made. If you are going to tinker with the procedure that we use to arrive at the charge, I think that would constitute a change of methodology and the notification period has to be.

Ripma stated at the East County Transportation meeting - Gresham is considering a change to their fee. We all adopted this regional fee approximately six months ago. Gresham is considering and rather rapidly enacted a change in their fee more or less on their own, they did tell us they were doing it but they would wait to see if we liked the idea. They were warned that we might decide to reduce our contribution by me, because I am certainly leaning that way. I am curious, the 4% figure that we got from Dave (Gresham's Transportation Manager) that would be Gresham's cash contribution to the fund that we charge, and Fairview and the County. Gresham would be reducing its overall cash contribution by 4% I guess is what they are arguing. Do you have any way of checking that, we need to make our own independent verification of that. The reason I ask is they have designated a fairly large slot of Gresham, the Max line cuts across Gresham I think it goes a half mile corridor on either side of the Max line plus the whole downtown area, a lot of the area where Gresham will experience commercial development is under the portion that gets a 26.9 % reduction in the fee automatically just by being there, and 10% for other streets. What do you think of that 4% figure, it strikes me to be just a little bit low

Galloway stated I have made no attempt to double check these figures, I have no reason to doubt them.

Mayor Thalhoffer asked if there were any other questions of Mr. Galloway

Councilor Burger-Kimber stated I just wanted to clarify the County has its own Capitol Improvement Plan for various streets and things.

Galloway replied yes it does

Councilor Burger-Kimber asked are these supplemental projects to that

Galloway replied the regional projects that are proposed for the use of the regional portion of the transportation fee is (exhibit 1) are projects that are within the County's Improvement Plan, but because they can be tied specifically to increase transportation needs going on by new development they are eligible for and the proposal is that they be paid by the new regional fee.

Councilor Burger-Kimber stated I was curious as to why I thought there were some streets that were on the County Capitol Improvement Plan, like Troutdale Road and Stark Street, that are not mentioned on this list.

Galloway replied this is only a segment of the County's total Capitol Improvement Plan.

Projects that are currently in the mill to identify or to solve existing deficiencies would not be included here because there not being created by future demand on the system, they already exist.

Councilor Thompson asked would you just verify for me that all the jurisdictions agreed to charge the Regional Transportation Fee

Galloway replied that is correct.

Councilor Thompson stated Gresham has changed there method of calculating where that fee applies.

Galloway replied what they have changed is the formula that you use to compute the fee that a developer would need to pay. You look at the type of development that is coming in, you look at its land use and its size and then normally you go to a trip generation manual and you would look up and see for that particular land use that is projected to create so many trips during a pm peak hour. Gresham has said that because certain development would be occurring in a particular area or certain development criteria that Gresham would impose, they can assume that particular type of land use of a particular size in Gresham will generate fewer trips then the normal because of the special criteria that they have required them to meet. So they have not changed the fee, the fee is still \$1,190 per trip, but there making different assumptions about the number of trips being generated.

Councilor Thompson stated the end result is they are paying less

Galloway replied that is correct

Mayor Thalhofer asked are there any other question of Mr. Galloway.  
We have Jan Giunta from the Port of Portland that would like to testify

Giunta stated I am employed by the Port of Portland and I am representing them tonight. Troutdale Airport has the ability to provide jobs in your community. I did a quick poll today, there are about 125 to 150 employees at the Troutdale Airport employed by about 26 businesses. These businesses produce about 3 1/2 million dollars in annual payroll. We are an industrial force and a industrial member in your community. In the last 6 months four of the businesses at the airport have expanded. There experience with the Traffic Impact Fee has been detrimental to there growth. I would like to give you two examples. One small business has been at the airport for a number of years decided to move from one hanger to another hanger to increase his square footage and hire a couple additional employees. When they came to apply for the expansion they discovered that the Traffic Impact Fee would be \$16,000. The total cost of there construction was only \$37,000, so that represented a huge addition to there total cost. At the airport we are fortunate that we have built up credits, and so the Port of Portland has determined as a matter of policy to allow credits to be used on existing facilities, and because they were moving into an existing facility the credits were available, so the

\$16,000 fee was absorbed by the credits. Another situation occurred just a month ago where we have an acute need to build additional T-hangers, a T-hanger is a simple structure it simply houses and stores an airplane. The investor wanted to put up 30 hangers, as those 30 units were rented, we would have 30 additional airplanes and increased fuel sales and increased revenues, increased payroll ect. As that investor met with the City, they discovered that the potential Traffic Impact Fee would be \$65,000. for 30 T-hangers. The construction cost for 30 T-hangers is only \$300,000. So we were in serious negotiations for a lease but he said thanks, but no thanks. I can't afford that Traffic Impact Fee. It would not have caused any hiring of new employees, there might have been some additional trip generation. The Port of Portland is here to disrespectfully request that you review the level particularly of the Regional Fee, and of course we would like to see that fee reduced. The new level of the fee is retarding the expansion of our existing businesses.

Councilor Kight stated doing some quick calculation, you said the construction cost on the last example you gave was \$300,000, and you said the traffic impact fee is \$65,000, are you talking about the local as well as the regional?

Guinta replied I miss spoke, its \$400,000 and 65,000 its a 16% increase to the construction cost. Its \$400,000 total construction cost, and that does not include any SDC'S. That is simply the cost of the pavement, cement pad, steel structure those kind of things.

Councilor Kight stated the total project was \$400,000, and what was the regional traffic Impact Fee

Guinta replied when they met with the City of Troutdale Staff they were quoted two possible Traffic Impact Fees. The lowest would have been \$35,000 the highest is \$65,000.

Councilor Kight stated doing some quick math, that amounts to almost 16% of the project. That's just for the Regional Traffic Impact Fee, it didn't include the SDC's.

Councilor Thompson asked could we get some clarification to this Jim.

Galloway replied I believe Sue took a look at couple possible other land uses, one that she looked at I believe was General Aviation, and that I believe resulted in the very high number that has been quoted (\$65,000). The lower number I believe was when Sue got the purpose of what is a T-hanger and what does it do. She went through the manual to try to find some other land use category that might be more appropriate, and I believe came up with a storage facility or warehousing type facility that resulted in the lower number. (\$35,000) I think that's how the information got passed. Typically what would occur then is after giving out rough information to someone, if there is a question or problem we sit down and have a meeting with the folks and try to come up with what we think is reasonable.

Councilor Kight asked can I please go back to her 1st example, the one stated that it was \$36,000 for the improvements, was that on a pre-existing building?

Guinta replied that was in an existing building.

Councilor Kight stated that was my understanding. You said the Regional TIF for this was quoted at \$16,000.

Guinta replied it was quoted at \$16,000, whether it was regional or local I don't know.

Councilor Kight stated something isn't right here, maybe some dropped a zero or added a zero. How can you have \$16,000 worth of Regional TIF when you only have a \$36,000 project.

Galloway replied there is no correlation between the two. Someone could put up a \$50.00 hot dog stand, and if the hot dog stand was to generate 100 trips, the fee would be high compared to the cost of construction. What we have done in effort to administer this properly and fairly is if there is an existing structure, we go back and try to determine the original size and original use of the facility was and in effect grandfather them, and say if this was built to be a warehouse of 5,000 square feet, a warehouse of 5,000 square feet typically generates x number of trips, so you start off with x number of trips for that facility. If you are going to change its use and its going to double the amount of traffic its going to generate, then yes the fee would be required a SDC for transportation because of that transaction. But if they are going to take an existing building used for a warehouse that's been vacant for some period of time, and your going to move back in and continue to use it as a warehouse, then because of the credits, there would be no fee required.

Councilor Kight asked what was this building going to be used for

Guinta replied they repair propellers

Galloway asked are the costs you are mentioning only for transportation or are they all the system development charges

Guinta replied my understanding is that they are only the TIF

Councilor Kight stated if it is a pre-existing building and your not changing the building that much, your not adding sewer and water lines, you would not be paying those any way, you would just be paying the regional and local transportation fee, right?

Galloway replied basically, let me go over those quickly. The transportation fee is based on the number of trips generated. The sewer for most commercial industrial uses is based on the number of employees. The water is based on the size of the meter. Storm water is based on impervious surface. Parks only applies to residential.

Councilor Burger-Kimber asked these 30 T-hangers that you were going to bring in, do you have any kind of demographics on the type of business or person that would occupy those.

Guinta replied no, it is a wide variety

Councilor Burger-Kimber asked do you work with the Hillsboro Airport also

Guinta replied yes

Councilor Burger-Kimber stated you have alot of T-hangers out there

Guinta replied we have some

Councilor Burger-Kimber stated you said some, in comparison to out here

Guinta replied we have more in Hillsboro, it is a larger airport

Councilor Burger-Kimber stated my understanding is that the development around the airport has been a result of the airport.

Guinta replied I would not concur with that

Councilor Burger-Kimber asked do you have a Traffic Impact Fee at Hillsboro

Guinta replied Washington County has a Traffic Impact Fee, I'm not sure if the City of Hillsboro does.

Mayor Thalhoffer stated I would like to suggest that we adjust our Traffic Impact Fee to bring the total down to no more than what any other jurisdiction is paying total, in other words \$1,190. It is currently \$1,770. We have a local Traffic Impact Fee and it is working well for us, but when we add \$1,190 on to our local Traffic Impact Fee its up to the \$1,770, that is just to much. We are regional players we have fought Gresham taking over the regional roads, saying that those roads are regional, now we have a responsibility to contribute to the regional road system but, I feel we are way to high on our total Traffic Impact Fee, and I would like to see it reduced down to the same level other cities are paying, and Gresham will be paying even a little bit less than that overall I guess.

Councilor Kight stated Mr. Mayor this is a point of clarification on your proposal. Are you asking for us to keep our local the same, but the total to be 1190.

Mayor Thalhoffer replied the reason I don't want to stretch out the local projects is because that would put them from 12 years as I understand to 20 years completion time.

Councilor Burger-Kimber stated I concur with that, we have a Traffic Impact Fee because we have been planning to tackle projects in our community and that I didn't want to see us jeopardize those projects, but the local projects benefit people who come through our community. I felt we should have the same charges as other jurisdictions, but not cut into our own local projects to do that. I am in favor as having the same Impact Fee, but retaining a portion that we have always had for ourselves and distributing the balance to the regional projects.

Councilor Ripma stated the answer by Gresham in adjusting there fee does give us the opening. The fee is no longer regional and uniform and so I think we should reduce our contribution. I never did think Gresham's approach, and Mr. Mayor you and I met with Mayor McRoberts a couple weeks ago over breakfast to discuss this very thing and we laid out why we didn't think Greshams approach really applied to Troutdale. We can not develop like they can, we are not as transit oriented. I also favor leaving our present fee where it is, so the question tonight is how much do we reduce our fee. Gresham is reducing there contribution by 4%, if we reduce it to the Mayors suggestion, we will be reducing our contribution to the regional fee by about 50%. One of the big problems here in Troutdale is virtually none of the regional projects are in Troutdale. Half of one of the intersections happens to lie in Troutdale. It is hard for us to justify such a high fee. Personally I favor a lessor reduction with the option of reducing it further if Gresham's contribution turns out to be reduced more than 4%.

Councilor Kight stated I concur with both the other Councilors. The majority of projects are in Gresham. I did some quick calculations, they are receiving in excess of \$2 million in gas tax receipts, we currently received \$415,418 for FY 93-94. I think we should keep a ceiling of \$1,190, the local should stay the same. I would like to see it reduced to \$1,190.

Councilor Thompson stated I have been one the strongest opponents of leaving the regional fee alone because if we are a regional player we deserve to contribute our fair share. But that changes if Gresham is going to change the method of calculating or the amount that they are paying and if we are not all paying equally then I feel we should not be constrained to do that either. I concur currently to reducing our total fee to \$1,190, but maintaining our own local development fee and at such time as Gresham and the other cities involved are willing to institute there own traffic impact fees, so that there fees are equal to ours, then we can put ours regional fee back up to \$1,190.

Councilor Smith stated I guess I concur. Someplace you have to put the brakes on, and I feel that if we are paying that much, and it doesn't even apply to us as far as what we get out of it, then if 50% fine, and if not later see if it works will make it more.

Councilor Burger-Kimber stated I would like us look at the calculation of the trips for development, and see if we can get a little bit closer to reality, maybe we can fine tune this a little bit better. We don't necessarily have to comply with the indicated trips in that manual, those are just used as a guideline. Maybe we can work on developing our own guidelines.

Councilor Thompson stated I am not in favor of us trying to develop anything on our own. We need to all use the same one and apply it equally.

Councilor Burger-Kimber stated Gresham does have some unique areas they have obviously decided to recalculate there trips for. But we also have the airport and industrial areas that are unique. Since they are not in the manual and there is nothing implying to those, then perhaps we can look at other areas like Hillsboro and see how they work those.

**A motion was made by Councilor Ripma to direct staff to return with an appropriate resolution reducing our contributions to Regional TIF from \$1,190 to \$609. The motion was seconded by Councilor Kight.**

**YEAS 6  
NAYS 0  
ABSTAINED 0**

#### 10 Department Reports

Mayor Thalhofer called this item

Gazewood stated he had nothing to add.

Berrest stated he had nothing further to add.

Councilor Kight stated I would like to give accolades to the officers, as we heard today the unfortunate incident of the two young men that were beat with baseball bats. Your officers worked in cooperation with Gresham and the County. They came in with dog units, and were able to capture the young people that are suspected of that particular crime.

Mayor Thalhofer commented that this kind of act will not be tolerated in the City of Troutdale. We have also had a problem with some youngsters at the mini storage is that correct.

Berrest stated the storage unit located on Stark Street near 242nd is in the City of Troutdale. It has been a problem with vandalism, graffiti and some thefts. This last weekend we arrested two juveniles that were charged with criminal mischiefs.

Faith stated in addition to my written report I would like to inform you of an upcoming sign code enforcement action that we will be taking in the near future. This responds to a presentation to the council approximately one month ago by Mr. Scott Fults who

spoke on the issue of proliferation of illegal signs. Particularly signs that are being placed in the public right-of-way on traffic posts and utility posts. At that time I believe he was making an offer to take care of the problem for the city for some kind of a price. At that time the Council directed me to meet with Mr. Fults to learn more of his proposal. Mr. Fults has been in once to talk to me. The tone of his meeting was that he is working with the City of Gresham to put together a proposal. When he concludes that I have asked him to come back and we would take a look at it. He did bring to our attention the magnitude of the problem. I have decided that we need to give this priority attention, and therefore I have schedule a date of action, which we are going to be going out to remove these illegal signs. The date is Friday May 19th. We will be publishing a notice in the Outlook to give advance warning to those who are responsible for the signs.

Councilor Burger-Kimber stated I am excited that you are going to do this project. You might consider promoting this as something the scouts can do in the future for a service project.

Faith stated it has the potential for that, we will wait and see.

Councilor Kight stated can I refer you to page 4 on your list of projects currently going on in Troutdale. This is the Strawberry Meadows Phase I. I received a call today from Sharon Nesbit, and Sharon works with the Historical Society. As I understand it, this particular property had alot of controversy surrounding it. One of many issues was doing the archeological inventory. Apparently at one time was a site where the Indians were some time back. Apparently the owner Bob Dix has found evidence of Indians at one time being on the property. I am curious where we are on that particular process.

Faith stated the project has gone through extensive review, the subdivision was approved by the Planning Commission actually before I came on board here. It has been delayed for a number of reasons, there were a number of concerns about the design of this project. The staff put the developer through a strenuous scrutiny of the design of this project. We finally found everything to be at our satisfaction in terms of the engineering and design and the authorization to proceed on the project was given on April 5th. There was some questions raised about the archeological artifacts on the property, apparently this was not raised at the time it went through the public hearing process before the Planning Commission. Consequently there were no conditions attached at that time about the requirement to do an archeological survey. The Historical Society as we know has brought this up and raised the question with us, and there was some further studies done or walking the site to determine if there was any evidence that Indians had been on this site. There was nothing on the bases of all the evidence that we could gather, there was nothing to indicate to us that this particular site had any more significance then any other site in the community. It was not listed on the cities inventory of historical or archeological sites. Based on that I concluded that there was really no bases for us to require a archeological survey. The Historical Society however felt they had some authority under state law, that they themselves could block this project or force them to do an archeological survey. I passed that on to the developer in the course of one of our design or pre-construction meetings, and it was



reported back to me by the developer that they had in fact hired an archeological firm, and had been in contact with the state archeological office to do a study of the site to determine if there was any significant artifacts there. It was also reported to me that for the last several months they had been sifting through this site looking for artifacts. Because it was not a condition imposed by the city they did not have to report to the city what there findings were or what there conclusions would be. I assume they had been in communication with the Historical Society or with the state archeological office in terms of any significant findings that would have made. As it stands from the cities prospective they have received the authorization to proceed with this project, and I do not know if they have actually begun any kind of construction on this site.

Councilor Kight stated apparently they have not communicated with the Historic Society otherwise I don't think Sharon Nesbit would be communicating with me. Is there a way for the Historical Society to get a copy of this report if there is such a report at this time.

Faith stated I would think that if they were to contact the state archeological office, I would think they would have a way to get that report of information to them.

Councilor Ripma stated I spoke to Rich about this today and I will attempt to contact the people responsible for conducting the survey. I would concur with Rich, because this site went through full public hearings and the Planning Commission and many requirements were imposed on this property and I think city staff has labored very long and hard to implement those. One of the things that did not get mentioned at the public hearings, no one thought to mention the possible archeological site. So it was not a condition of approval, so the city is a bit out of the loop on enforcing that, there is a state law but I think we've done about all we could. We would like to preserve the site because it's up on a plateau above the conjunction of two rivers it just is the type of site that probably was an Indian encampment. Do we have any city ordinance that protects archeological sites

Faith replied no we don't.

Councilor Ripma asked is that being looked into

Sercombe replied when this issue came up I was directed to prepare a draft modeled after the Gresham one which was done.

Councilor Kight stated there was quit a bit of controversy on this particular piece of property, the fact that we are two years into the process gives evidence of that. Is there any way the city council on a project like this where there is controversy involved, can have a brief status report as to how different issues were handled so that we know what the closure is. In otherwords if they bring up issues in the Planning Commission that are controversial in this particular case of ingress and egress, the traffic pattern as to how people are going to get out of that particular project. Is there any way your folks can put together a status report so we can know how these different issues were handled.

Faith replied I am sure we could. The easiest would be to simply include copies of the minutes from the Planning Commission Hearings. We can circulate those as part of your packet or attach to our monthly report.

Mayor Thalhoffer stated we were getting copies of the Planning Commission minutes for awhile but then it stopped, I don't know why we don't get them anymore. But I find it very informative to get the Planning Commission minutes in our packets.

Councilor Kight stated more importantly than just getting the minutes, there are issues that are brought up at the Planning Commission that we would like to know what the final resolution is once you sit down with the developer and work out the final solution. Once the Planning Commission sets down what the conditions are, is that open to interpretation, its not poured in concrete. I mean there is personal interpretation on the part of the Community Development Director as well as Sue Barker, am I right.

Councilor Ripma replied I would say having been present at the Planning Commission and on the Planning Commission, there is not very much flexibility. The Planning Commission usually sets down a list, sometimes a long list, and on this project is was a very long list of very specific things. Frankly that is the way the project goes, the staff just follows that list.

Councilor Kight stated in that case as the Mayor pointed out it would be helpful to get the minutes from the Planning Commission Meeting.

Councilor Kight stated just one more question, the project over here on 257th the mini storage, what is the status on that?

Faith replied they have not yet received authorization to proceed, the grading activity that occurred there was done without the benefit of authorization to commence work. They were given a stop work order at which time they did quit the work that was in progress. Then they submitted there construction plans and they are still under review at this time.

Galloway stated just one item Mr. Mayor bottom of page 10 and the top of page 11 of my report. Just wanted to bring to your attention one of the items in there. As the County proceeds on the first phase of the Stark Street improvement between 257th and Troutdale Road. The first element of work to be done is to extend the culvert under Stark that takes care of Beaver Creek. The extension of the culvert will be done to the South side of Stark Street. Right now the County is contemplating that one of the courses of action would be the total closure of Stark Street while that particular work is done. It would be closed for probably 2 to 3 weeks. The alternative would probably be to have stop and go limited one way traffic for a period of probably 4 weeks. They have asked at this point for our comment on this.

Councilor Thompson asked have we done a traffic count on how much traffic is on that road?

Galloway replied yes, it is in the 12 to 14 thousand per day count.

Councilor Kight asked on this very project, what ended up with the final design. We talked about having an island in the middle, what ever happened to that

Galloway replied I don't think they have finalized the surface design on that, but I will try to get some information back on that.

Councilor Kight asked how about the undergrounding of utilities

Galloway replied I guess the ball is in our court, as far as the portion of Stark in Troutdale. Gresham is not prepared to act at this time.

Councilor Kight asked help me out here, what part is actually on Stark Street from 257th to Troutdale Road, what part is actually Troutdale's, is it on the North side of Stark.

Galloway replied center line to Stark to a point just West of Beaver Creek and then our city line extends to the South. Basically 257th to almost Beaver Creek the utilities are actually within the City of Gresham.

Councilor Thompson stated on page 7 you talk about Frontage Road study done by ODOT. On the possibility of making those roads one way. The last time we talked about this a couple years ago they told us there was no possibility because the traffic count was to high.

Galloway replied actually when that came before council, several businesses came forward and objected to that and the guidance from the council was not to endorse that particular action, basically it was to send a letter going to both county and state asking them to come up with something. The state, I believe ODOT had it entirely to there own doings, and this council were to support that action, I think would favor the one way traffic pattern.

Councilor Thompson stated the last time ODOT gave us a study and there conclusion was because the traffic was so heavy on one way, they really didn't favor the one way.

Councilor Burger-Kimber stated that was about 4 years ago that they did that and two years ago we re-addressed that issue and ODOT at that time said they favored the one way, but the council decided not to follow through with the recommendation and asked them for traffic figures in support of there cause. The Council decided because of the opposition of the businesses that we wouldn't do anything about it.

Councilor Thompson stated I remember the whole thing, I still maintain that the only solution to that is to make those one way.

Galloway asked is that an issue that you think we might want to re-open and perhaps go through the public process again.

Councilor Ripma stated we had 100% opposition from all the businesses along there, lets not open up this issue again. I can't believe that we would re-open this now.

Mayor Thalhoffer stated let me say this, we need to talk to ODOT about the overall problem.

Councilor Smith stated I don't think this can be put off, I can testify to the amount of traffic.

Christian stated I have only a couple issues, Edgefield Station Inc. is in a spot in terms of getting on the Regional Transportation Plan. They have requested that the city write a letter of support. We also need to pass a Resolution of intent to modify our comprehensive plan to give some kind of official recognition to the Edgefield Station Project. They would like a letter prior to the resolution being passed because they are in the process of getting approved. Last Thursday had a meeting with Emergency Management trying to resolve this whole Emergency Management Plan, the County has been looking at for a year now. I think we have reached an agreement, Marge Schmunk is still your representative.

Sercombe stated I have no comments

**11. COUNCIL CONCERNS AND INITIATIVES.**

Mayor Thalhoffer stated the City Administrator interview schedule is as follows. Thursday May 11th, 2 interviews one at 7:00 and one at 8:00. Monday May 15th one at 7:00 and one at 8:00. Tuesday May 16th 3 interviews, Thursday May 18th 3 interviews, and Monday May 22nd 4 interviews. That will complete our interviews for the fourteen people.

Councilor Smith stated I have nothing to add

Councilor Ripma stated I have nothing to add

Councilor Thompson stated I have nothing to add

Councilor Kight stated I have nothing

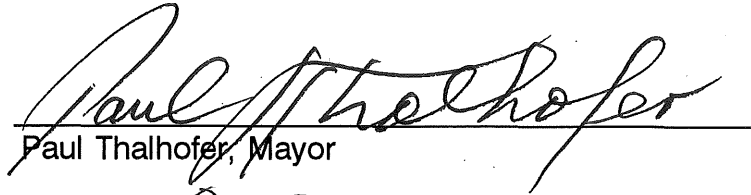
Councilor Burger-Kimber stated One thing on the 20th of April I went to my Bi-State work session where we decided to dissolve Bi-State. Issues that pertain to both states are now addressed by Metro.

**12. ADJOURNMENT.**

**MOTION: Councilor Thompson moved to adjourn. Councilor Ripma seconded the motion.**

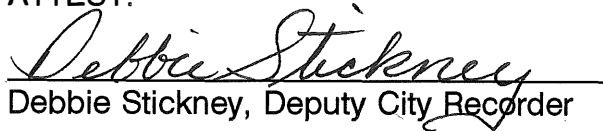
YEAS: 6  
NAYS: 0  
ABSTAINED: 0

Mayor Thalhofer adjourned the meeting at 10:00 P.M.

  
Paul Thalhofer, Mayor

Dated: 8-28-95

ATTEST:

  
Debbie Stickney, Deputy City Recorder

# CITY OF TROUTDALE

## PUBLIC ATTENDANCE RECORD

MAY 09, 1995

### ◆◆◆REGULAR CITY COUNCIL MEETING◆◆◆

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Rich Faith	" "	" "
Bob Gazewood	" "	" "
Mark Berres	" " Police	665-5175
JULIE FOSSI	Multnomah Greyhound Park	667-7700
Tessa Baca	107 Cherry Park Rd	492-2920
PAT BACA	" " " "	492-2926
DAVID C. OLSON	Mt. Hood Cable Reg. Comm. 1211 SW 5th #1169 PORTL 97204	823-5385
Jan Giunta	Port of Portland	335-1068
Larry Michu	3038 S.W. Laura Ct.	666-0536
TERI SCOTT	PARAGON CABLE	230-2099
KEVIN KIDD	" "	230-2099
ERIC AMEELE	130 MAPLE BLVD.	667-0570
SHERRY REESE	620 SW 40th ST.	665-6928
ROBERT SCHUERMYER	16535 NE EVERETT CT GRESHAM	255-9977
Chris Volpiani	16246 NE EVERETT CT Gresham	255-6005
Chris Schuermeyer	16535 NE Everett Ct Gresham	255-9977
Doyle Howard	739 NE 160th	252-5968
ALEX RAPELET	2215 SW KENDALL CT.	669-3602
David Keller	3227 NE 145th Portland 97230	256-4399

PLEASE COMPLETE THE FOLLOWING

NAME	ADDRESS	PHONE #
Charlie Keller	3227 NE 145 <sup>th</sup> Ave Portland 97232	256-4399
Travis Olson	18699 N.E. Marine Dr Portland, ORE. 97230	666-6768
Patrick Keller	3227 N.E. 145 <sup>th</sup> Ave. Portland, OR 97232	256-4399
Nancy Radelet	2215 SW Kendall Ct 97060	669-3602

DATE \_\_\_\_\_

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