

# CITY OF Troutdale

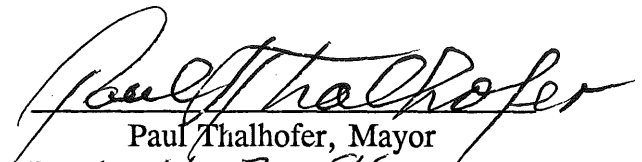
## AGENDA TROUTDALE CITY COUNCIL REGULAR MEETING COUNCIL CHAMBERS TROUTDALE CITY HALL 104 SE KIBLING AVENUE TROUTDALE, OR 97060-2099

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**7:00 P.M. -- NOVEMBER 12, 1996**

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
  - 2.1 Accept Minutes: Regular Session - October 22, 1996
  - 2.2 Accept Business Licenses: Month of October, 1996
  - 2.3 Approve Liquor Licenses: Edgefield Gardens, Inc. - Edgefield Brewery; Tad's Chicken & Dumplings, Flying "J", Inc. - Flying "J" Travel Plaza; Texaco Food Mart.
  - 2.4 RESOLUTION: A Resolution Granting A Slope, Access and Utility Easement along Cherry Park Road to Multnomah County.
  - 2.5 RESOLUTION: A Resolution Establishing Individual Departmental Imprest Petty Cash Accounts for the Handling of Minor Disbursements.
- (A) 3. PROCLAMATION: Encouraging Support of Senior Services.
- (I) 4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 5. PUBLIC HEARING/ORDINANCE INTRODUCED - 10/22/96: An Ordinance Amending Sections 8.24.040 and 8.24.050 of the Troutdale Municipal Code Relating to Construction Noise and Hours of Operation. Faith
- (A) 6. PUBLIC HEARING/ORDINANCE INTRODUCTION: An Ordinance Repealing Chapter 2.24 (Contract Review Board) of the Troutdale Municipal Code; Adopting a New Chapter 2.24 of the Troutdale Municipal Code (Public Contracts); and Providing for an Effective Date. Galloway

- (A) 7. PUBLIC HEARING/ORDINANCE INTRODUCTION: An Ordinance Prohibiting the Extra-Territorial Extension of Public Works Services and Amending Section 12.01.110 of the Troutdale Municipal Code. Galloway
- (A) 8. DISCUSSION: A Discussion Regarding Speed Limits on Troutdale Road and Buxton Avenue. Galloway
- (I) 9. DEPARTMENT REPORTS:
  - 9.1 Finance Gazewood
  - 9.2 Public Safety Berrest
  - 9.3 Community Development Faith
  - 9.4 Public Works Galloway
  - 9.5 City Attorney Sercombe
  - 9.6 Executive Kvarsten
- (I) 10. COUNCIL CONCERNS AND INITIATIVES
- (A) 11. ADJOURNMENT.

  
 Paul Thalhoffer, Mayor  
 Dated: 11-7-96

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

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**November 12, 1996 - 7:00 P.M.**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**

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

City Recorder Martinez Called the Roll.

**PRESENT:** Thalhofler, Smith, Ripma, Thompson, Kight, Regelein, Burger-Kimber

**STAFF:** Kvarsten, Berrest, Galloway, Gazewood, Faith, Martinez, Sercombe

**GUESTS:** Shirley Prickett, Lorne Mitchell, John M. Seidel, Doug Daoust, Lisa Ingstad

**2. CONSENT AGENDA:**

- 2.1 Accept Minutes: Regular Session - October 22, 1996
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- 2.4 RESOLUTION: A Resolution Granting a Slope, Access, and Utility Easement along Cherry Park Road to Multnomah County.
- 2.5 RESOLUTION: A Resolution Establishing Individual Departmental Imprest Petty Cash Accounts for the Handling of Minor Disbursements.

Mayor Thalhofler called this item and read the consent agenda.

**MOTION:** Councilor Thompson moved to approve the consent agenda. Councilor Kight seconded the motion.

**YEAS: 7**  
**NAYS: 0**  
**ABSTAINED: 0**

3. **PROCLAMATION: Encouraging Support of Senior Services.**

Mayor Thalhoffer read a proclamation in support of Senior Services.

4. **PUBLIC COMMENT**

Mayor Thalhoffer called this item.

Loren Mitchell, 767 SW 12th, stated that overall he is opposed to speed humps, however there is one by his house that allows traffic to do the 25 mph speed limit, the others in the city do not, should use the design of the one by his house.

5. **PUBLIC HEARING/ORDINANCE (Introduced 10/22/96): An Ordinance Amending Sections 8.24.040 and 8.24.050 of the Troutdale Municipal Code Relating to Construction Noise and Hours of Operation.**

Mayor Thalhoffer called this item, recessed the council meeting and opened the public hearing at 7:15 p.m.

Faith reviewed the staff report contained in the council packet.

Councilor Kight asked who would enforce this ordinance?

Faith stated if there is a complaint the Code Compliance Officer would first discuss the complaint with the violator, then if the violation continues the Code Compliance Officer would continue with corrective action.

Councilor Kight asked if the complaints would go to the police on the weekends?

Faith stated the citizens could call the police.

Councilor Burger-Kimber asked if there was any response from the builders?

Faith stated he didn't receive any, the Building Official, Dave Traxler, passed on a couple comments that he heard during the course of his inspections, there were concerns about summer hours and concrete pourers wanting to start early rather than pour during the hottest part of the day, and there was a concern that the construction industry was being blamed for noise made by the garbage haulers.

Councilor Burger-Kimber asked about lawn mowers, chain saws, and garbage haulers.

Faith stated lawn mowers, chain saws, and that type of equipment is addressed in the ordinance, garbage haulers are not.

Councilor Regelein asked who would be responsible at the construction site?

Faith stated it would be the general contractor.

Councilor Burger-Kimber asked if the concerns regarding concrete pouring should be addressed in the ordinance?

Faith stated that is up to the council.

Loren Mitchell, 767 SW 12th, voiced concerns regarding the need for such an ordinance, felt that people should take responsibility for their actions and the neighbors should try to work it out before laying it off on government. If this does take effect then there should be some flexibility so that the neighbors take responsibility for their problems.

Shirley Prickett, 2617 SW Indian John Place, stated that she favored the ordinance, you can ask someone not to do something but if they do it or not is up to them, this will give people somewhere to go if their neighbor doesn't cooperate, the hours are reasonable, I don't believe the garbage haulers are the problem, do not know much about concrete pouring.

Councilor Regelein, asked how this came about?

Prickett stated that there were complaints to the Planning Commission regarding problems on the weekend, the existing ordinance is unenforceable, the Planning Commission forwarded the recommendations to the council.

Council discussed the concerns regarding concrete pouring.

Councilor Ripma stated that there has only been one comment regarding the concern over concrete pouring, it isn't even serious enough for anyone to show up at the meeting.

Councilor Ripma asked if it is true that there would be complaints before action is taken?

Faith stated that a complaint would come in, the Code Compliance Officer would contact the alleged violator and explain the ordinance, if more complaints came in then the Code Compliance officer could begin the enforcement process, up to issuing a citation.

Councilor Burger-Kimber asked if the process should be outlined in the ordinance?

Faith stated the process is in the Nuisance Ordinance.

Councilor Kight asked how the police would handle it on the weekends?

Berrest stated that the code enforcement process is working good to this point, if the Police Department received a complaint on the weekend they would contact the alleged violator and discuss, if complaints continued it would be turned over to the Code Compliance Officer on Monday, or if it was serious the police could issue a citation.

Mayor Thalhoffer closed the public hearing and reconvened the council meeting at 7:41 p.m.

**MOTION: Councilor Ripma moved to adopt the ordinance. Councilor Kight seconded the motion.**

**YEAS: 7**

**NAYS: 0**

**ABSTAINED: 0**

6. PUBLIC HEARING / ORDINANCE (Introduced 10/22/96): An Ordinance Repealing Chapter 2.24 (Contract Review Board) of the Troutdale Municipal Code; Adopting a New Chapter 2.24 of the Troutdale Municipal Code (Public Contracts); and Providing for an Effective Date.

Mayor Thalhoffer called this item, recessed the council meeting, and opened the public hearing at 7:42 p.m.

Galloway reviewed the staff report contained in the packet.

Councilor Kight asked if Galloway is comfortable with the exemption for contracts of less than \$10,000. from the requirement to provide bid performance and payment bonds.

Galloway stated yes.

Councilor Burger-Kimber asked if section 2.24.240 allows for the City Administrator, at their own discretion, to hire consultants or anything if the cost is under \$25,000. without the councils approval?

Galloway stated that is correct.

Sercombe stated that if it is within budgetary limits, it exempts it from the formal bid process.

Mayor Thalhoffer closed the public hearing and reconvened the council meeting at 7:55 p.m.

7. PUBLIC HEARING/ORDINANCE INTRODUCTION: An Ordinance Prohibiting the Extra-Territorial Extension of Public Works Services and Amending Section 12.01.110 of the Troutdale Municipal Code.

Mayor Thalhoffer called this item, recessed the council meeting, and opened the public hearing at 7:56 p.m.

Galloway reviewed the staff report contained in the council packet.

Councilor Burger-Kimber asked if the Open Door Baptist Church was notified of this hearing.

Galloway stated that they were not given special notice.

Councilor Burger-Kimber asked if there has been any contact with them?

Galloway stated he spoke with them last week regarding S.D.C.'s and they are still following the process as discussed when the council last addressed their issue.

Councilor Burger-Kimber asked if this would prohibit them from getting services.

Galloway stated yes unless they are annexed.

Councilor Burger-Kimber asked if there is any reason why we have to rush through this?

Galloway stated there is no effort to rush the council gave direction and staff is responding to that direction. This may be of assistance at the Metro UGB Hearings for the Open Door Baptist Church if the City says no.

Councilor Burger-Kimber asked if this has been discussed with them?

Galloway stated that the direction from the last Council meeting when this was discussed was clear they would pursue the UGB Adjustment.

Councilor Burger-Kimber asked that the Open Door Baptist Church be informed of this item.

Galloway stated he would invited them to the next meeting.

Council discussed this issue.

Mayor Thalhofler closed the public hearing and reconvened the Council Meeting at 8:08 p.m.

Councilor Ripma stated that the church wanted this to happen, felt they could be invited but did not feel they should be encouraged to attend.

Councilor Burger-Kimber stated that she just felt a little uncomfortable discussing this without them being aware, an invitation would be fine.

8 DISCUSSION: A Discussion Regarding Speed Limits on Troutdale Road and Buxton Avenue.

Mayor Thalhofler called this item.

Galloway reviewed the staff report contained in the council packet.

Mayor Thalhofler asked why the speeds are posted in conflict with the speed orders?

Galloway stated he doesn't have that answer.

Councilor Kight asked if there is any speed enforcement problems along the stretch of road that is signed 25 mph and may possibly increase to 30?

Berrest stated that the citations issued on that stretch of Troutdale Rd. is for speeds in excess of 35 mph.

Councilor Kight voiced concerns that if the speed limit is raised then the speed of the violators will increase.

Galloway stated that there have been studies done that show people drive at a speed they are comfortable regardless of the speed limit.

Council discussed this issue.

Councilor Kight raised concerns with the fact that there is limited shoulder space along the "S" curves on Troutdale/Buxton and the hazards it creates for pedestrians.

Shirley Prickett, 2617 SW Indian John Place, voiced concerns with raising the speed along Buxton and the hazards it would cause for school buses trying to enter traffic, along with the



problems it would cause for children crossing the street going to and from the Elementary School.

Councilor Kight asked if it is legal for traffic heading South on Buxton to turn on to Sandy at the "S" curve?

Berrest stated that he is unsure what the markings are in that area.

Lorne Mitchell, 767 SW 12th, stated that buses would not turn from Buxton onto Sandy if they were South bound.

Mayor Thalhoffer stated that he has had several comments from citizens regarding speed limits on Buxton and Troutdale Rd. that is why this was placed on the agenda. Would favor moving the signs to the appropriate location.

Councilor Thompson voiced concerns with the speed changing when you are South bound on Troutdale Rd., just past "S" curve, going down hill and the speed is 25 mph, it has the appearance of a speed trap, I don't see the need for this stretch to be 25 mph, the houses are set back from the road and it is a straight stretch.

Councilor Smith voiced concerns with lack of sidewalks or shoulders in the "S" curve area, felt that 25 mph was appropriate.

Council discussed this issue.

**MOTION:** Councilor Ripma moved to direct staff to contact appropriate government agencies to rescind 1962 speed order on Buxton Road so that the speed limit may remain 25 mph and also request the appropriate government agencies to put the speed signs on Troutdale Road in the appropriate place in conformance with the current speed orders.

**YEAS: 6**  
**NAYS: 1 (Thompson)**  
**ABSTAINED: 0**

## 9. DEPARTMENT REPORTS

Mayor Thalhoffer called this item.

Gazewood drew attention to sections of his report contained in the council packet.

Faith informed the Council on the success of the meetings regarding Downtown Development Design.

Councilor Ripma complimented the Community Development staff for securing town center grant funds and the quick response to graffiti clean up.

Councilor Regelein asked when the one-way grid on Frontage Rd. would be completed?

Galloway stated he believed ODOT's target date for completion is the end of July.

Councilor Kight voiced concerns regarding the hazards for pedestrians along Buxton in the "S" curve area due to the fact that there are no sidewalks.

Galloway stated he would discuss it with the county.

Sercombe informed the council regarding a report that will be sent to them regarding measure #47.

Kvarsten stated that staff is looking at the issue of measure #47 and how it fit into the long range financial plan and will be scheduling a meeting with the Budget Committee as soon as we can.

#### 10. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalhoffer called this item.

Councilor Burger-Kimber encouraged everyone to attend the November 14th meeting regarding Jail Siting.

Councilor Regelein suggested that the city have a more organized observance of Veteran's Day next year.

Mayor Thalhoffer agreed with Councilor Regelein and Councilor Burger-Kimber.

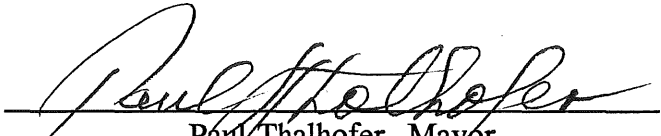
#### 11. ADJOURNMENT

Mayor Thalhoffer called this item.

**MOTION:** Councilor Smith moved to adjourn. Councilor Kight seconded the motion.

**YEAS: 7**  
**NAYS: 0**  
**ABSTAINED: 0**

Mayor Thalsofer adjourned the meeting at 9:22 P.M.

  
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Paul Thalsofer, Mayor  
Dated: December 4, 1996

**ATTEST:**

  
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George Martinez, City Recorder

