


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. -- April 22, 1997

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes: Regular Session - April 8, 1997
 - 2.2 RESOLUTION: A Resolution authorizing staff to invest City funds up to thirty million dollars in the Oregon State Treasurer's Local Government Investment Pool pursuant to ORS 294.810.
- (I) 3. PROCLAMATION: Community College Month.
- (I) 4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (I) 5. PUBLIC HEARING/ORDINANCE INTRODUCTION: An Ordinance amending Section 13.20.160 of the Troutdale Municipal Code pertaining to domestic animals in City Parks. Lantz
- (A) 6. PRESENTATION: Mt. Hood Cable Regulatory Commission FY 97-98 Budget. MHCRC Representative
- (I) 7. REPORT: Status report by ODOT on Frontage Road One-Way Couplet. ODOT Representative
- (I) 8. COUNCIL CONCERNS AND INITIATIVES
- (A) 9. ADJOURNMENT.


Paul Malhofer, Mayor
Dated: 4-15-97

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

April 22, 1997 - 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 Daoust to lead the Pledge of Allegiance.

City Recorder Martinez called the roll.

PRESENT: Thalhofer, Smith, Ripma, Thompson, Kight, Regelein, Daoust

STAFF: Kvarsten, Galloway, Gazewood, Faith, Lantz, Martinez, Nelson

GUESTS: Steve Meckel, Kelley Raab, Joe Raab, Ron Rasmusson, Charles Bush Jr., David Wheaton, Sebastian Rodregues, Norman Thomas, Dale Deatherage, Katy Tobie

Mayor Thalhofer stated that the Council would recess the regular meeting after Item 7 to hold an Executive Session, then reconvene the regular meeting to discuss, and possibly take action regarding, the Executive Session.

2. CONSENT AGENDA:
2.1 Accept Minutes: Regular Session April 8, 1997
2.2 **RESOLUTION:** A Resolution authorizing staff to invest City funds up to thirty million dollars in the Oregon State Treasurer's Local Government Investment Pool pursuant to ORS 294.810.

Mayor Thalhofer called this item and read the consent agenda.

MOTION: Councilor Thompson moved to approve the Consent Agenda. Councilor Regelein seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

3. PROCLAMATION: Community College Month.

Mayor Thalhofler proclaimed April as Community College Month.

Steve Meckel, MHCC Staff, thanked the City for the proclamation.

Mayor Thalhofler reminded the Council of the Volunteer appreciation dinner on the 24th, 6:30 p.m., at McMenamins.

4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

Mayor Thalhofler called this item.

Joe Raab, 736 SW Kings Byway, voiced concerns regarding current traffic congestion and the additional traffic congestion that would be caused by relocating the treatment plant and developing that area by adding to the factory outlet stores. The city needs more foresight and less hindsight.

Mayor Thalhofler stated that the City is continually working to address traffic concerns. There will be a presentation by ODOT, later on the agenda, concerning Frontage Road improvements. The City is growing and with the grow comes traffic, we can't stop the growth, we have to do our best to address it.

Raab asked if any studies have been done on the effects that closing 16B will have on the City's traffic problems?

Mayor Thalhofler stated that there have been studies and the issue will be discussed further later on the agenda.

Councilor Ripma stated that the City has fought the closure of 16B for years and continues to work on alternatives for traffic once it is closed, like connecting to Halsey. The plant issue is separate from the traffic issue.

Raab stated that anything that may have an effect on the traffic is not a separate issue.

Ron Rasmusson, 800 SW Kings Byway, voiced concerns that comments in the Oregonian, concerning the citizens feeling the City is moving in the right direction, made by the Mayor were misleading. The surveys he is using are not accurate reflections of the City's opinion.

Mayor Thalhofer stated that Mr. Rasmusson was entitled to his opinion but felt that his comments were justified by the surveys.

5. PUBLIC HEARING/ORDINANCE INTRODUCTION: An Ordinance amending Section 13.20.160 of the Troutdale Municipal Code pertaining to domestic animals in City Parks.

Mayor Thalhofer called this item, recessed the Council Meeting and opened the public hearing at 7:22 p.m.

Lantz reviewed the staff report contained in the packet.

Council discussed this issue and the responsibilities that the users of the park will need to take, such as leashes, using only certain areas, and cleaning up after their pet.

Mayor Thalhofer closed the public hearing, reconvened the Council meeting at 7:44 p.m. and stated that this will be scheduled for the May 13th meeting for action.

6. PRESENTATION: Mt. Hood Cable Regulatory Commission FY 97-98 Budget.

Mayor Thalhofer called this item.

Norm Thomas and Sebastian Rodriques, Mt Hood Cable Regulatory Commission, presented the Commission's Budget for FY 97-98, as contained in the packet.

Councilor Kight complimented the cable crew who broadcasts the City Council Meetings.

7. REPORT: Status report by ODOT on Frontage Road One-Way Couplet.

Mayor Thalhofer called this item.

Katy Tobie and Dale Deatherage, ODOT Representatives, updated the Council on the Frontage Road One-Way Couplet project. Will be meeting with Chamber of Commerce tomorrow and there is a meeting scheduled on the 29th for Frontage Road business owners to update people on what will be happening, also have plans to inform commuters, we intend to keep the council informed on our progress.

Deatherage stated that there is a delay with the contractor getting started, one of the targets is to have the contractor at the meeting on the 29th, we feel that it is essential that the public be informed to make this project run smooth, we are trying to set up walk throughs of the project for those who are interested. The contractor probably won't be starting until the first of next week with some sidewalk and curb type work. If this project is delayed too long it will effect things such as the closure of 238th. The concrete work for the poles will start fairly

quickly, it has to be cured before we can set the poles, once that is done we can begin staging the one-way component of the system.

Mayor Thalhofer asked Deatherage to draw the final layout of Frontage Road on the board so the members in the audience who did not have a copy of the map in the packet could see what it will look like when it is finished.

Deatherage drew the layout and explained the flow of the traffic.

Councilor Ripma voiced concerns that there is not a lane for emergency vehicles to travel against traffic shown on the plans, felt that it was part of the final agreement with ODOT.

Deatherage stated that he was not aware of an emergency lane being part of the plan.

Council discussed this issue.

Mayor Thalhofer directed staff to review view the minutes and documentation to determine if an emergency lane was part of the final plan as discussed the last time ODOT was at a Council meeting.

Council discussed the project, issues such as delays during project, performance of intersections, sequencing of lights to ensure best traffic flow, and was ensured by ODOT that Exit 16B would not be closed until the Frontage Road project was complete.

Councilor Daoust asked what the long range plans are for this interchange?

Deatherage stated that he did not know at this point, this is planned to be mitigation to address traffic until when or if something else can be done. This is planned to be used for several years, possibly 15 or more.

Raab voiced concerns regarding the closure of 16B and the hazards of traffic stacking up onto I-84.

Deatherage stated that the improvements to the off ramp at Exit 17 will help to prevent this, also the site distance will be improved as the railroad overpass is reconstructed, which is going to begin very soon and is scheduled to be completed Oct. 99.

Raab asked if there will still be a connection to Marine Drive and if a frontage type road running along the freeway from 238th to Halsey has been considered.

Deatherage stated that the access to Marine Drive will not change and that he is not sure if a frontage road type idea was studied.

Tobie stated that they could look into the frontage road idea but everyone must understand that it is very late in the game to begin coming forward with ideas, this has been studied for years and is scheduled to begin construction in August.

Mayor Thalhoffer asked that Mr. Raab talk with ODOT to discuss his idea further.

ODOT and Mr. Raab were agreeable to this.

Chuck Bush, 323 SW 8th Circle, voiced concerns that there are going to be sidewalks on the South side of South Frontage, this area could be used for an additional lane.

Rassmusson stated that he favored Raab's idea.

Raab stated that there isn't any foot traffic so there isn't a real need for the sidewalk.

Mayor Thalhoffer recessed the Council meeting at 8:54 p.m. to meet in Executive Session, then reconvened the Regular Council meeting at 9:42 p.m., and explained the Council needed to take action on the Cable Commission's Budget.

MOTION: Councilor Ripma moved to approve the FY 97-98 Mt. Hood Cable Regulatory Commission Budget. Councilor Kight seconded the motion.

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

Mayor Thalhoffer asked City Attorney Nelson to review the issue concerning the Waste Water Management Lease.

Nelson stated that the staff is asking for direction on the issue or whether or not to terminate the lease of WW Mgt. who leases the land they are located on from the city. The lease requires WW Mgt. to pay the rent for use of the property by the first day of each month, it has a ten day grace period. Staff notified me that WW Mgt. had not paid it's April rent and we looked into the lease, the lease states that failure to pay the rent is a default of the lease and the City has the option to terminate the lease. The payment was received on the 21st, but has not been accepted by the city. If the council directs, staff would return the check along with a notice of termination.

Mayor Thalhoffer stated that he understands that they have been late 3 times before and those checks have been accepted. Felt the only reason this is being considered this time is because at sometime the Council would like to see the WWTP and WW Mgt. relocated from the downtown area.

Councilor Thompson stated that he felt the Mayor's comments to be inappropriate because he doesn't know the councils thoughts on this issue.

Mayor Thalhoffer stated that he has a right to state his opinions. This will cause more harm then good. This should not be done at this meeting without any notice to them. I don't approve of the process or the way that it came up, or taking any action at this time in this manner, considering past practice.

MOTION: Councilor Ripma moved to direct staff to return the late payment and terminate the lease. Councilor Thompson seconded the motion.

Councilor Ripma stated that he respectfully disagrees with the Mayor on his thoughts on the motive for this action. The late payment is a breach of the lease. We would not be doing a service to the citizens if we didn't terminate the lease. The City will be better off without them if the treatment plant moves or not. There is years and years of violations. The odor downtown, I believe, is 80% to 90% from them. This has nothing to do with the issue before the voters.

Councilor Thompson stated that he concurs with Councilor Ripma. It doesn't have anything to do with moving the treatment plant. Agree that they are responsible for the odor problems, they have not been a good tenant, there is a long history with them.

Councilor Regelein stated that he agrees with the previous councilors, they have not been a good tenant or member of the community. Suprised the council renewed the lease several years ago. The lease is clear in this area. I would vote in favor of this if the treatment plant is moved or not.

Councilor Daoust stated that he is sympathetic with what the Mayor said about where we are coming from. I am looking at the cost to the citizens if we were to pursue condemnation of the property, which is substantially higher then terminating the lease. Looking at everything I would have to support terminating the lease, however I don't like strong arming anyone and that may be the apperance.

Councilor Smith stated that she agrees with the other councilors, if we don't move the plant I would still want them gone because the smell is ridiculous. If they have defaulted we should take action, there is a history with them, they are not a good neighbor.

Councilor Kight stated that the councilors have articulated the issue. From the tax payers point of view this is the best thing to do, especcally if we have to pursue condemnation.

YEAS: 6
NAYS: 1 (Thalhoffer)
ABSTAINED: 0

8. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhoffer called this item

Councilor Ripma assured the citizens that the City is very involved in the discussions of consolidation, the virtues are zero in his opinion.

Mayor Thalhoffer also ensured that the City is involved in the issue to ensure the City is heard.

Daoust encouraged the citizens to update their status as registered voters, or to inform the county if a relative is no longer living with them, if the list is not correct then we basically give veto power to the non-voters. On May 5th will be talking with the Gresham Chamber Public Affairs Committee to get their endorsement on moving the Plant.

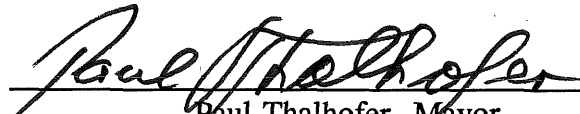
9. ADJOURNMENT

Mayor Thalhoffer called this item.


MOTION: Councilor Thompson moved to adjourn. Councilor Kight seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

Mayor Thalhoffer adjourned the meeting at 10:07 P.M.



Paul Thalhoffer, Mayor
Dated: 5-14-97

ATTEST:


George Martinez, City Recorder

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

April 22, 1997
CITY COUNCIL REGULAR MEETING

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Rich Faith	" "	" "
Mark Berrest	Police Dept.	665-5175
Valerie Lante	City Parks & Rec	"
Steve Weckel (MHC)	21403 SE Alder Eden	666-3592
KELLEY RAAB	736 SW Kingsbyway	674-9067
Joe Raab	" " " "	" "
Ron Rasmussen	800 S.W. Kings Byway	661-5962
Charles S. Bush Jr	323 S.W. Steel	665-9707
DAVID WHEATON	2075 SW Sunrise Circle	661-5841
Sebastian Rodriguez	mt Hood cable Regulatory Dept MHCRC	813-5413
Norman D. Thomas	2757 SW Clara Ct Troutdale	667-4320
Dale Deatherage	999 NW Frontage Rd #280	667-8834
Katy Tobie, ODOT	123 NW FLANDERS, Portland 97209	731-8281