

CITY OF Troutdale AGENDA

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

7:00 P.M. -- March 9, 1999

- (A) **1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**
- (A) **2. CONSENT AGENDA:**
- 2.1 Accept Minutes:** February 4, 1999 Goal Setting Work Session and February 9, 1999 Regular Meeting
 - 2.2 Business Licenses:** Month of February 1999
 - 2.3 Approve Liquor License:** Shoppe @ the Gorge
 - 2.4 Resolution:** A Resolution declaring certain personal property as surplus and authorizing disposal.
 - 2.5 Resolution:** A Resolution authorizing a Local Option Levy for law enforcement.
- (I) **3. PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.
- (A) **4. PUBLIC HEARING / RESOLUTION:** A Resolution recommending to Multnomah County Board of Commissioners specific zoning and land use designations for land within Troutdale's Urban Planning. Faith
- (A) **5. PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance to increase Troutdale's transient lodging tax from 6% to 6.95%, amending Title 3, Revenue and Finance, Chapter 3.08, Transient Lodging Tax, Sections 3.08.020 Tax Imposed and 3.08.030 Exemptions from chapter provisions. Callan
- (A) **6. PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance requiring future development to connect to the public water system and amending Chapter 12.03 of the Troutdale Municipal Code. Galloway
- (A) **7. PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance requiring future development to connect to the public sanitary sewer system and amending Chapter 12.04 of the Troutdale Municipal Code. Galloway
- (I) **8. REPORT:** A report concerning traffic control on Marine Drive. Chief Berrest

(I) **9. DEPARTMENT REPORTS:**

9.1 Finance
9.2 Public Safety
9.3 Community Development
9.4 Public Works
9.5 City Attorney
9.6 Executive

Gazewood
Berrest
Faith
Galloway
Sercombe
Kvarsten

(I) **10. COUNCIL CONCERNS AND INITIATIVES**

(A) **11. ADJOURNMENT**


Paul Thalhofer, Mayor

Dated: 3-2-99

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MINUTES
Troutdale City Council - Regular Meeting
Troutdale City Hall
Council Chambers
104 SE Kibling Avenue
Troutdale, OR 97060-2099

March 9, 1999 7:00pm

Meeting was called to order at 7:03 p.m. by Mayor Thalhofer.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called on Councilor Rabe to lead us in the Pledge of Allegiance.

Mayor Thalhofer asked for the roll to be called.

City Recorder Stickney called the roll.

PRESENT: Thalhofer, Smith, Thompson, Kight, Rabe, Daoust, Ripma.

STAFF: Callan, Berrest, Faith, Galloway, Gazewood, Allen, Stickney

GUESTS: Dave Munson, Kurt Jenson, David Bauman, Robin & John Ceciliani, Brad & Margi Wilson, Gordon Davis, Jason Culpepper, Kyle Hardy, Steve Shaw, Mike First, Charles Ciecko, State Representative Karen Minnis, Diane Holm, Mary Greenslade, Susan Miller, Dianna Bodenroeder, Hans Bodenroeder, Loraine Domine, Joyce Thomas

Mayor Thalhofer asked are there any agenda updates?

Galloway replied no agenda updates, just a reminder that following the regular meeting we have an appeal hearing.

2. CONSENT AGENDA:

2.1 Accept Minutes: February 4, 1999 Goal Setting Work Session and February 9, 1999 Regular Meeting

2.2 Business Licenses: Month of February 1999

2.3 Approve Liquor License: Shoppe @ the Gorge

2.4 Resolution: A Resolution declaring certain personal property as surplus and authorizing disposal.

2.5 Resolution: A Resolution authorizing a Local Option Levy for law enforcement.

Mayor Thalhofer called this item and read the consent agenda.

MOTION: Councilor Thompson moved adoption of the consent agenda. Councilor Kight seconded the motion.

**YEAS: 7
NAYS: 0**

ABSTAINED: 0

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

John Ceciliani stated I have been a resident of Troutdale for 20 years. I have a problem with parking in my driveway during winter weather, I have a steep driveway. During the winter months I park on the road and when I have company they park on the road. Recently I have received a ticket for parking on the road. I did not know the Ordinance had been changed because there are no signs posted in front of my house for two-hour parking restrictions. I am here representing Greenlee Heights, there are only five homes that face Troutdale Road. In the winter we can't park in our driveway so with the new regulations I followed the path to the court house to the Police Department and now I have been sent to this meeting to see if I can have anything changed on the two-hour parking restrictions just in front of our neighborhood.

Mayor Thalhofer stated I would like to refer this to our Police Chief. Isn't there something we can do, at least talk to Mr. Ceciliani and see what we can do?

Chief Berrest replied I am not familiar with his circumstances. I would like to have someone from our department meet with the folks there and talk with them.

State Representative Karen Minnis stated I just wanted to come by and introduce myself and share a few of the things that are going on in Salem. The biggest agenda item now is funding schools. Another issue is the transportation issues, gas taxes as well as auto registration fees. I would welcome you to contact my office in Salem if I can assist this Council with any concerns you may have.

4. PUBLIC HEARING / RESOLUTION: A Resolution recommending to Multnomah County Board of Commissioners specific zoning and land use designations for land within Troutdale's Urban Planning.

Mayor Thalhofer called this item and recessed the City Council Meeting and opened the Public Hearing at 7:15pm.

Faith reviewed the staff report contained in the packet.

Councilor Rabe asked the clean-up to make the land even considerable for purchase is years down the road, is that right?

Faith replied I really can't answer that, I don't know what is involved or how bad the situation is. Perhaps Mr. Shaw is here this evening, he was invited here to answer some of your questions.

Steve Shaw stated I work for Reynolds Metals, are you referring to the property that is outside the dike?

Councilor Rabe replied particularly the areas that are marked as tier 1 priority.

Shaw stated the remediation that we are contemplating in that area involves two sources. One is company lake which our plans are to dredge that lake. Once we do that the lake itself will clean up quickly. There is contaminated ground water underneath that lake that will take a number of years. There is also a landfill in that area. Options for the landfill are to leave it in place and cap it or remove the land fill. We are still studying those options.

Councilor Daoust stated thanks for showing up tonight. Does Reynolds Metals property go to the Columbia River?

Shaw replied yes.

Councilor Daoust asked do you own that whole stretch of the Columbia?

Shaw replied we own from Sundial Road, if you were to draw a straight line from Sundial Road to the Columbia River, we own from the east side of that around the Columbia on into the Sandy River down to the Airport.

Councilor Daoust asked would Reynolds Metals ever consider selling river front property for greenspace to Metro?

Shaw replied I wouldn't rule it out. We don't have any plans to develop that area currently or in the near future. We utilize company lake and we want to continue to use it. We are looking right now at evaluating the potential for doing some restoration out in that area to mitigate some of the environmental problems that we have caused in other areas of our plant.

Councilor Ripma asked is company lake inside or outside the dike?

Shaw replied outside.

Councilor Ripma asked are there other areas outside the dike that are in the remediation stage?

Shaw replied yes, what we term the north land fill is also outside the dike.

Mayor Thalhoffer stated I was out in that area today looking over the area. It appears that everything north of the dike is not suitable for anything other than wetlands or open space. Where does your main factory property end on the east side of your real estate?

Shaw pointed it out on the map. We own the property along the Columbia River down along the Sandy River right to the airport and there is a little strip south of the airport.

Mayor Thalhoffer asked if we were to say that everything north of the dike on the Columbia would be open space excluding your plant and any plant buildings and everything east of your plant buildings, north of the dike would be open space and the rest as general industrial and of course on the west bank of the Sandy would be open space as well, would that be a problem for you?

Shaw replied if everything on the river side of the dike, if that were open space, that would not conflict with our current or future plans as long as we can continue to use company lake.

Mayor Thalhoffer asked Mr. Faith on the two options presented here, could we modify an option?

Faith replied if that is what you wish to do we could modify if and we can create a new map.

Shaw stated we would not object to it being zoned open space because we do not have any future plans for any development out there. The general industrial zoning would perhaps give us a fuller range of options in the future. Our preference, even though we do not have immediate plans for development, would be the general industrial zoning to keep things more open for the future.

Councilor Kight asked is that lake area in the 100 or 50 year flood plain?

Shaw replied yes, I believe that it may even be in the 20 or 40 year flood plain.

Councilor Kight asked in 1996 we had flooding, was that lake affected by that?

Shaw replied yes.

Councilor Kight asked the site is contaminated and you plan on dredging it?

Shaw replied there are sediments in the lake that are contaminated, that is correct.

Councilor Kight asked are the sediments going to the bottom of the lake or on the surface?

Shaw replied at the bottom.

Councilor Kight asked if there was flooding, there wouldn't be any contamination to the Columbia River?

Shaw replied we didn't experience any in 1996.

Councilor Kight asked what triggered the clean-up or what identified it as a superfund site?

Shaw replied in 1980 EPA sent out a questionnaire to a lot of industries asking them to identify areas that potentially may fall under superfund legislation.

Councilor Daoust asked since you are the major land owner, did you have any input during the Planning Commission Meetings?

Shaw replied I attended the first meeting and it was postponed on the agenda and I did not make it to the second meeting.

Councilor Daoust stated I would like to give you the opportunity to express your thoughts on industrial park versus general industrial zoning in that whole area.

Shaw replied are you speaking of industrial park for the area south of the dike as well or just north?

Councilor Daoust replied south.

Mayor Thalhoffer stated open space north of the dike.

Shaw replied I thought the current proposal before the Council was general industrial for all areas.

Mayor Thalhoffer replied it is for the time being.

Councilor Daoust stated we could I suppose and we have discussed industrial park also, we brought that up as an option and I was just curious if you had any thoughts on industrial park zoning on your land versus general industrial.

Shaw stated the industrial park zoning north of the dike would be acceptable to us, south of the dike we would like to see the general industrial zoning.

Councilor Ripma asked Rich, could they operate company lake if it was zoned open space?

Faith replied if we are treating this as an open space amenity and there are no structural components I think we could simply view this as an open space amenity and not have a problem with it. If you are talking about constructing things that would be part of this waste water facility then it could pose a problem.

Councilor Ripma asked if we were contemplating open space outside the dike, could Gresham Sand and Gravel operate their business as they do it now in open space?

Faith replied they would be a non-conforming use.

Councilor Ripma stated they could keep operating but they could not expand.

Faith stated there would be limitations on any expansions.

Councilor Ripma asked have we received any comment from Gresham Sand and Gravel?

Faith replied not to my knowledge.

Mayor Thalhoffer asked if we left Sundial, Gresham Sand and Gravel and Reynolds plant general industrial and the part that is riverside to the dike on the Columbia all the way to the Sandy as open space and the rest of the unincorporated land general industrial, could you live with that?

Shaw replied yes.

Councilor Daoust stated I have one more question for staff. What would be our best option. You mentioned open space amenity, open space zoning and then there is the possibility of a recreation overlay district that we could have along both rivers. What in your mind would be our best way to address this river front property that we would like to keep open for recreation use or open space use?

Faith replied the purest method of preserving or protecting this shoreline area for open space use would be to zone it open space. We do have a zoning district within our code called open space.

Councilor Daoust asked could we draw a logical line to exclude Sundial, Gresham Sand and Gravel and company lake?

Faith replied the ownerships are very clear. The dike is a very distinct natural feature that we could use for a zoning boundary along with the property separating Gresham Sand & Gravel from Reynolds Metal.

Councilor Smith asked if we zoned this industrial park instead of general industrial and later Reynolds Metal wanted to expand, could we change it back or give them special permission?

Faith replied if it was zoned industrial park then that industrial operation that is currently there would be non-conforming. The only way in which they could expand there operation is under provisions in our code which allows for non-conforming use expansions and modifications which have very strict guidelines that limit the degree to which you can expand upon and those are subject to approval by the Planning Commission.

Councilor Kight stated at our previous meeting discussing this subject I thought you cautioned us against identifying areas as open space that in affect that would be a taking of property.

Faith replied I did not say it was a taking. I said that advice from the City Attorney was that there was a risk that we could be challenged as a taking.

Councilor Kight stated if you have a piece of property that is worth \$50,000 an acre and all of a sudden you can't sale the property because it is open space it reduces the property value down to zero, am I right?

Faith replied if that were the scenario. However, lets keep in mind that this property is on the riverside of the dike, its in the flood plain, there are certainly wetland characteristics, there are a number of things that may already render it as non-developable or very restricted in its value.

Councilor Rabe asked if an industrial park zoning were adopted, could Reynolds function as they currently function today?

Faith replied within the facility that they currently have, they would be able to operate as they have in the past.

Mike First stated I am a resident of Troutdale and a member of the Planning Commission. I wanted to speak

to you tonight and to clarify any misunderstanding about the thinking of the Planning Commission and recommending the general industrial closer to the Columbia River and opposed to one of the options you are considering of industrial park. We felt that a re-zone to industrial park near the Columbia River causes the existing businesses to become legal non-conforming uses that would limit their ability to expand their business operations. Secondly, several permitted or conditional uses in a industrial park are not financially feasible close to the river. These uses that are permitted or conditional in an industrial park include offices, bank, medical and dental offices, research labs, hotel, convenient sales, personal services. These uses are much more feasible near I-84 which is the current industrial park zone. Third, although the proposed sewage treatment plant would be a conditional use in industrial park, it would not be compatible with typical industrial park development. We felt that it would be better to have transitional zoning from industrial park near I-84 to general industrial closer to the river where more intensive industrial uses were away from the general public and more commercial uses closer to I-84 and the airport. In the Development Code we have a water quality overlay district that specifies the Sandy River, it does not mention the Columbia because it is not now in the City of Troutdale but the purpose of this discussion is if it does become part of the city then we recommend adding the Columbia River to that overlay district.

Councilor Daoust stated you have brought up an important point that I don't think we have discussed yet and that is the fact that industrial park is better suited adjacent to a major transportation route.

Councilor Kight asked one major component that you did not include in your comments was the susceptibility in general industrial to contamination or toxicity to the environments. Was that one of the things you considered?

First replied we recognize that certain general industrial uses have the potential for that and I think that would be detrimental where ever it occurred.

Councilor Kight asked are you familiar with the contamination or the potential for contamination of the well heads, the back-up supply system for the City of Portland which is adjacent to Fairview?

First replied no.

Councilor Kight asked are you aware that those are contaminated or the potential for contamination as a result of the general industrial electronic specialties and cascade corporation?

First replied I am aware of many contaminated sites around the Portland area.

Councilor Kight asked are you aware that we have, at least in Troutdale, that we get our water supplies from wells within the City, we are not supplied by Bull Run?

First replied yes.

Councilor Kight asked do you see the potential for contamination of ground water for our water supply if we were to allow or expand general industrial in that area?

First replied I think that there is a potential for contamination with many uses where ever they are located. That is why I think there ought to be criteria for development regardless of where it is located.

Councilor Daoust stated I would like staff to address the question Councilor Kight brought up about our well waters being potentially affected by general industrial.

Galloway stated I think a threat to our City water supply is fairly remote from an introduction of pollutants in that particular area primarily because the flow of the ground water in this area is basically to the north and to the west, so our wells are upstream from that area. However I don't think anyone can downplay the

potential effects of any kind of significant contamination.

Charles Ciecko - Director Regional Parks and Greenspaces for Metro. I would like to say that Mr. Faith did a more than adequate job of giving an overview of our Columbia River target area. The one point that I would add in reviewing the refinement plans that he mentioned is that under tier II objectives, consolidate the public ownership along the shoreline, where possible priority should be given to those parcels that will facilitate a future separated trail along the river from Blue Lake Park westward from M. James Gleason Boat Ramp from Chinook Landing eastward to the Sandy River. I reference that based on our previous conversations and your potential interest in ultimately developing a trail somewhere along the shoreline of the Columbia River. Within our existing refinement plan, I think we have the capability, presuming we have willing sellers, to pursue land acquisitions that would further that particular objective if it were in fact an objective that was shared by the City of Troutdale. Beyond that I did bring some maps that depict our refinement areas and three target areas. The two that would appear to be most appropriate tonight would be the Columbia River (Ciecko pointed out the areas on the maps he brought) and the Sandy River. I should mention that our program is only seller based, so it would be up to Reynolds if they wanted to initiate a conversation with us. In regards to the trail, the reference that I made from the refinement plan was referring to the dike which runs from chinook landing, not on the river front but south of the river front, eastward all the way to the Sandy River. What I don't know at this time is who owns the dike, does the Corp of Engineers and the Drainage District have an easement over private property to construct and maintain the dike or do they own it. Depending on the response to that, there is a possibility that we could work with the Drainage District to site a trail on the dike at some point in the future. I believe the same would hold true from the Sandy River south towards Down Town Troutdale. The area from the down town core to the Columbia River appears in my review of the refinement plan to not be part of either the Sandy River Refinement Plan or the Columbia River Refinement Plan. I should point out however, that there have been occasions where refinement plans have been amended by Council, where a case has been made that an oversight has been made by staff in putting together these refinement plans and forwarding recommendations to Council.

Councilor Daoust asked if we zoned the river front area as open space, would Metro still be interested in a land purchase?

Ciecko replied our first and foremost interest is to preserve the natural resource values on those sites. Our secondary interest, where it is appropriate, is to provide for public access to those areas. Typically you have to have title to provide public access.

Councilor Daoust stated so you still would.

Ciecko replied yes.

Mayor Thalhofer stated the Sundial site, Gresham Sand and Gravel and Reynolds, those are not sites you are interested in, at least not at this time, except for trail purposes along the dike.

Ciecko replied our interest in those sites is limited to the Reynolds property north of the dike and whatever opportunities there are between Chinook, Sundial and Gresham Sand and Gravel. But our understanding is that the Sundial and Gresham Sand and Gravel sites are moving towards aggressive industrial development and we respect that and have not initiated any contact there.

Mayor Thalhofer asked is there anyone else who would like to speak to us on this issue.

No further testimony received.

Mayor Thalhofer closed the Public Hearing at 8:15pm and reconvened the City Council Meeting.

Councilor Ripma stated one option that you have been talking about is not in our packet. I would like to discuss it for a moment. I have to say I am impressed with the willingness of Reynolds to allow open space zoning outside the dike. I hadn't expected that. I had strongly favored industrial park up until I heard that. I think I am anticipating what you were thinking, and that is general industrial except north of the dike, outside the dike along the river fronts which could be zoned open space, excluding Gresham Sand and Gravel and Sundial and the rest of Reynolds which would remain general industrial. Is that what you are thinking?

Mayor Thalhoffer replied yes. I was out there today and it just struck me that it would be perfectly screened from any other general industrial inside the dike.

Councilor Ripma asked we don't actually have a map like that, but for purposes of initiating a discussion, I would move that.

Councilor Kight stated I think we need to see a map.

Mayor Thalhoffer asked Mr. Faith, can you produce a reasonable facsimile of a map that would indicate the boundaries, roughly drawn?

Faith replied that would be fairly easy for us to construct a map based upon your descriptions here. If you were to adopt the Resolution with instructions to attach a map that corresponds to your directions for the zoning lines, we can certainly do that. I don't think we need to postpone the decision just to come back with a map.

Councilor Ripma stated are the only owners of the land that we are talking about Reynolds, which owns most of it except what Sundial Marine and Gresham Sand and Gravel own?

Faith replied there are three other minor ownerships, this is based upon the County tax assessor records. Two small parcels owned by the U.S. Government, two parcels owned by Portland General Electric and Pacific Power and Light and a small parcel or lot with the name of James River Inc.

MOTION: Councilor Ripma moved to adopt the Resolution, removing the attachment "A", option 1 and 2 and instead add to recommend the zoning of General Industrial except for the Reynolds property outside the dike which would be zoned open space. Seconded by Councilor Daoust.

Councilor Ripma stated the offer of Reynolds not to oppose Open Space Zoning is very significant. I think it provides excellent protection, better than any of the overlays or anything else.

Councilor Daoust stated there are five major reasons why I seconded the motion. One is when I was looking at comparing Industrial Park to General Industrial, the fact that General Industrial would support 600 more jobs was a major factor to me. Second is I agree with both the Planning Commission and the Citizen Advisory Committee and this alternative we are talking about here is a good combination of both. Third is I do not want to limit existing businesses such as Reynolds, I want to allow Reynolds a full range of options in case they desire a fuller range of options later. Fourth is I think Industrial Park is more suited towards major transportation routes. This piece of land that we are talking about is rather isolated. Industrial Parks like to be along major arterials and not tucked back behind an aluminum plant. The fifth reason is simply being a good neighbor with Reynolds who has been there for fifty-eight years.

Councilor Smith stated I am not for General Industrial because I hate to see heavy industry

down there. I realize that Reynolds has been a good neighbor.

Councilor Thompson stated I am basically in favor of the motion for many of the reasons that have already been enumerated.

Mayor Thalhoffer stated I am also in favor of the motion. Having seen what I saw today, it made me realize that the area north of the dike on the Columbia screens itself from any industrial uses south of the dike. This is a very good compromise. General Industrial creates more jobs and they are hard to come by in Troutdale.

Councilor Kight stated when you talk about Reynolds being a good neighbor, one has to wonder what a good neighbor is. Being the number one superfund site in the entire state of Oregon doesn't necessarily identify you as a good neighbor. Job creation, there is no doubt about it, but you have to consider that this is a multi national corporation. One of the reasons that they started up, as I understand it, is because they had an aluminum plant in Africa and because there was a shortage of water they couldn't generate enough electricity to run the plant. I like the idea that its an open space site and they are willing to do that. I maybe challenge there motive to some degree. It is probably a toxic waste land and not good for anything else. I am going to support this motion. I like the open space and since they are cooperating to that degree. I don't know if that joins Metro or the City of Troutdale if we take over that site before it is completely cleaned up, I think it would from a legal prospective. We also would be responsible for cleaning that site up. We may not be able to use that site until it is cleaned up. But because they did proffer the offer to utilize it as open space, I am going to support the motion. I like Industrial Park, it is the less invasive. I am not buying into the argument that you can only have family wage jobs in General Industrial when you look at hotels, motels, restaurants and medical and dental centers and that type of thing, a lot of those operations have family wage jobs. They also supply taxes to the City of Troutdale in the form of hotel/motel tax, which we include in our general fund budget. It is a difficult decision but I think I will support it.

Councilor Rabe stated I walked in the door not supporting it. Although it had not been proposed at the time. I must say that the notion of having open space was the sway. I have spent a considerable amount of time in that area over the last fifteen to sixteen years. If they are willing to throw in this open space the connectivity to the Delta on the opposite side of the river provides what I would consider to be a trust in the sense of the riparian zone that exists on the east and west banks of the Sandy River. If we can protect this piece in compromise by keeping it General Industrial zoning and inherit this piece of open space then I will support the motion.

Councilor Kight asked what assurance do we have, if we go forward with this motion, that Reynolds is going to follow through and provide that area as open space.

Councilor Ripma replied the County would zone it open space. I was going to say that since we are making a recommendation, we should add to our recommendation to the County that we make it clear that it was Reynolds offer to allow an open space zoning where we are designating it, that caused us to make the recommendation that we did. I think that should be in the letter.

Yeas: 7
Nays: 0
Abstained: 0

Mayor Thalhofer called for a break at 8:40pm

5. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance amending Title 3, Revenue and Finance, Chapter 3.08, Transient Lodgings Tax, Sections 3.08.020, Tax Imposed and 3.08.030 Exemptions from chapter provisions, increasing the transient lodgings tax from six percent (6%) to six and ninety-five on hundredths percent (6.95%), dedicating ninety-five one hundredths of one percent (.95%) of the transient lodgings tax to the Troutdale Chamber of Commerce and exempting federal employees who rent rooms for official federal government business from the tax.

Mayor Thalhofer called this item, closed the City Council Meeting and opened the Public Hearing and asked Tracy Callan to come forward.

Callan reviewed the staff report contained in the packet.

Councilor Daoust asked have the motels expressed any concerns about this?

Callan replied that Curt Jensen could better address this because they did go around to the area hotels and motels and talked to them individually.

Councilor Kight asked is it true that all the other surrounding cities in the Metropolitan area have hotel/motel tax that supports their visitor centers?

Curt Jensen, President of the Troutdale Area Chamber of Commerce replied that not all cities in fact fund the chambers. However, in one form or another, either through the chamber or the visitors center there is, with one exception other than the City of Troutdale that does not fund either the chamber or the visitors center, so as far as funding goes I am going to have to be inclusive of both of those entities. The Visitor Center, there is only one city in the state other than West Linn, the reason for that is because they have no hotels or motels in West Linn, all the other cities that are involved that we have done polling on they are either funded through the chamber to the visitor center or the visitors center directly.

Councilor Kight asked is it my understanding also that the Troutdale Area Chamber of Commerce will not receive any direct funding from the city this year?

Jensen replied that is correct. In the past we have received as much as \$50,000 through the general fund.

Councilor Kight asked how many people go through our visitors center right now?

Jensen replied last year we had between 8,000 to 10,000 people sign in. Of course not everyone signs in. This year we are anticipating between 12,000 and 15,000 people.

Councilor Rabe asked is the Chamber in part or in whole funded by some City money?

Jensen replied absolutely not. We have received some money in the past, it is on a yearly basis that we make a presentation to the Budget Committee. At this point and time we have been lead to believe that money will not be available for next year from the City.

Councilor Daoust asked if we were to incorporate this .95 percent increase in the hotel motel tax, I see that it would disburse to the Troutdale Chamber of Commerce about \$55,000 next year. Could you tell me what that would allow the Chamber to do?

Jensen replied we did an analysis on the amount of money that we bring in, and there are other sources such as membership dues and fund raisers. We did an analysis on what the visitors center is costing us and we have come up with a conclusion that our staffing and funds and materials, the visitors center itself uses about two-thirds of our funding. What that would do would allow the Chamber to continue operating and operating the visitors center in the capacity that we feel is important.

Councilor Ripma stated the way this is presented to us is the money goes to the Chamber and I am wondering does your visitors center operating cost somewhat approximate the amount that it is slated to bring in?

Jensen replied yes it is a fairly accurate figure to assume that this amount of money from the hotel motel tax would be approximately equal to what it costs us.

Councilor Daoust asked can you explain on your table in your proposal for the City of Troutdale, tell me if I am reading this table correctly, the first one the example of distribution. If the tax receipts for the City are at \$317,000 so .95% goes to the Chamber is that a correct assumption?

Jensen replied what we are suggesting for example, the hotel motel tax is at 9% in the City of Troutdale, 3% goes to the county, the city gets 6% of the 9%. What we are suggesting is that the additional .95% goes to the chamber. The amount of money the City gets is 6% of the 9%, we would be getting 1% of the total taxable receipts.

Councilor Daoust stated so you are taking .95% of the taxable receipts. Mr. Gazewood is that a proper method of calculating that?

Gazewood replied the table is not correct. The general premise is probably correct but what we are dealing with is we are having a add-on tax. For example the 97/98 fiscal year it shows the tax receipts for \$298,281 that is a twelve month period based on the 6%. If we really looked at that figure properly we would roll the rate up .95% higher, so the actual collections would be roughly about \$47,000 higher. There projections for how much revenue the .95 also generates would be somewhat on the high side. The reason I say that is because even though we have an additional motel that came in at the beginning of last fiscal year it did not generate any additional revenues over the year aside from \$8,000. What it did in relation to all the rest of the motels, it just redistributed the income around all the other motels. So in terms of the projection when we go into the next fiscal year we will probably be projecting a very slight increase. I would expect the .95% based on the rate of revenue that we are getting in right now to approximate about \$47,000 or \$48,000 rather than the \$57,000 that they have quoted.

Councilor Daoust asked what is the bottom line, what do you multiply the .95 by?

Gazewood replied based upon the revenue of \$298,000 the equivalent over a years time, 1% is equivalent to \$49,714. If you take then .95 of that 1% or that 6% figure of what that 1% would equate to, that .95 would equate to about \$47,000 that would be the revenue that they would expect for the first year.

Jensen stated we did go to all the hotels and motels we also sent them letters explaining what the proposal was and I had a conversation with Mr. Scott from the Oregon Lodging Association and through all of this I don't believe that there is anyone protesting it.

Gazewood stated that Mr. Galloway just noticed something in the Ordinance that appears to be a wording problem that would not give them the revenue that they anticipated. On page 2 of the Ordinance in the top portion "the city shall dedicate ninety-five one hundredths of one percent (.95%) of the proceeds from the transient lodgings tax to the Troutdale Chamber of Commerce", the word proceeds in the way we would look at it would appear to be the revenues that we would receive from the taxes and therefore they would only receive around \$29,000. That wording needs to be changed to the total projected taxable

receipts of the motels.

Mayor Thalhoffer closed the Public Hearing and reconvened the City Council Meeting at 9:28pm and stated that this is the first reading of this Ordinance, action will be taken at the March 23rd City Council Meeting.

Due to the similarity in these two items, they were addressed at the same time.

6. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance requiring future development to connect to the public water system and amending Chapter 12.03 of the Troutdale Municipal Code.

7. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance requiring future development to connect to the public sanitary sewer system and amending Chapter 12.04 of the Troutdale Municipal Code.

Mayor Thalhoffer called these items and closed the City Council Meeting and opened the Public Hearing at 9:30pm.

Galloway reviewed the staff report contained in the packet.

Councilor Rabe stated it makes good sense to me. I am in favor of it.

Councilor Daoust asked our neighbors to the east of the Sandy River, they are on wells?

Galloway replied for the most part that is correct. I don't know of any that are not.

Councilor Daoust asked so if there well went out would they be liable for the cost of putting a waterline all the way to their house?

Galloway replied there are a variety of ways that could work. One would be that they could make an appeal to the Council that the City put in such a water line. More likely would be one of two alternatives; either the formation of an L.I.D. such as those costs are shared by all the benefitting property owners or the second would be the use of a relatively new tool we have, the reimbursement district whereby one developer could put in such a line and by direction of the Council a reimbursement district forms so that anyone else who utilizes that improvement over the next ten year period would be required to share in the cost. Or of course, as you suggested the developer bear those costs solely by themselves.

Councilor Daoust asked do you feel there is any need to notify those folks east of the Sandy River that we are considering this and it may be quite an impact on them?

Galloway replied I don't know that there is a legal need to notify them. Certainly anything that we can do to get the word out would be beneficial so you can hear all sides of the issue. A concern that we have is anytime you try to do that there is always the possibility that we are going to miss someone.

Councilor Ripma stated I am concerned about the area east of the Sandy and Jackson Park Road they are really the only areas that are not very close to water and sewer.

Galloway replied those are the ones that come to mind where there are several homes involved.

Councilor Ripma stated in other parts of the City the properties would probably be fairly close to water and sewer lines. It does trouble me that there is no distance limitation. I've heard of requiring people to hook-up to sewer that goes by your house if your within 150 feet or so. Someone who is living east of the Sandy, the way this is worded, expansion or replacement of private water source or sewer system, could face a

horrendous bill. The opportunity to form a L.I.D., I can see that not being well received by all the neighbors who don't have the problem. I don't think it is realistic. The reimbursement district idea also, ten years, people could easily out wait the ten years and not have to kick in there and somebody would have to fund that. It worries me, I favor the general idea but I am concerned about no distance limitation. If you are 1,000 feet from the line or some reasonable number I guess I would favor some kind of exemption. If you are in the developed part of the City, by developed I mean developed with water and sewer lines nearby, yes. I would favor some sort of distance beyond which someone could repair their well or septic. We shouldn't encourage installation of new ones, we should make them hook-up at a certain distance and I don't know what that distance is.

Galloway asked is your concern only on the existing system if the current septic system or well fails or is it also on a concern about new development going in being forced to meet this requirement as well?

Councilor Ripma replied I don't know. If someone built a new house on the east side of the Sandy, they could possibly fund the water system to their house. Up to now they would drill a well and put in a septic system. My concern is mainly on replacement of existing systems, I haven't really thought of new development.

Councilor Thompson asked how many people would be affected by this Ordinance?

Galloway replied I don't have an absolute count. As I mentioned there are probably a dozen on Jackson Park Road, the properties east of the Sandy, I don't have a good count there. If I had to take a guess City wide, I would say approximately fifty.

Mayor Thalhoffer stated whether it is existing or not, if new development goes in east of the Sandy, that would be just as much of a hardship for them as it would be for existing users that have to replace there structures. I don't know how they would do it if they were east of Tads by a half mile or so.

Galloway replied it certainly would be.

Mayor Thalhoffer asked hearing these concerns is there something we can do to bring back an Ordinance that would address these concerns?

Galloway replied one option would be to delete the requirement to connect if it is simply repairing or replacing an existing system as opposed to the new development. I think if we are going to create an exception that applies to both then we are probably not too much different than we are today, which says if there is a line within 300 feet of what you are going to build and it comes to your property you have to connect to it. The question is, do we want to stop the proliferation of private wells and private septic systems?

Councilor Ripma stated if someone has a well right now and wants to replace it, now we don't require them to hook-up to City water we allow them to hook-up if they are in the City. If it is a new development, or the waterline is extended we require them to hook-up?

Galloway replied if they were in a situation where we had the waterline to their property within 300 feet and we were aware of it, we would require them to hook-up.

Councilor Ripma asked even if the well was still operating?

Galloway replied no, they are grand-fathered in if the well is still operating but if it were to go bad and we were made aware of it we would require them to hook-up. One of the issues is often times we are not aware of it since they deal with another agency there is no requirement that they have to come to the City or that the City has any kind of sign-off on that.

Councilor Kight stated I think our main goal is to, since the City gets its water from a ground well source, we want to maintain the integrity of that water as much as possible. What happens when someone vacates a septic system?

Galloway replied there is a closure procedure which would be to either remove it or fill and cap it.

Councilor Kight asked are there homes within Troutdale that are within the 300 feet limitation that are on septic and or well water?

Galloway replied I believe so. I don't have an absolute listing.

Councilor Kight asked could they bypass the City of Troutdale without our knowledge should their septic or well fail and go through Multnomah County to get D.E.Q. approval?

Galloway replied that is correct they would go to City of Portland acting on behalf of Multnomah County.

Councilor Kight replied and we would have no knowledge of that?

Galloway replied that is correct.

Councilor Kight stated my main concern is our ground water and to maintain that integrity for generations to come. I don't know how long it takes for a septic system to perk down to that level.

Councilor Rabe stated the residents up on Woodard Road, if they have a septic or well failure then they will have to go all the way up Woodard Road, or is that small trailer park already served by the City now?

Galloway replied I suspect it is served for septic. We have a septic line that goes out as far as Tads.

Councilor Rabe asked the sewer goes all the way to Tads, but only to Tads?

Galloway replied that is correct.

Councilor Rabe asked so every home up river from there is on their own system. The City water stops at the Sandy, is that correct?

Galloway replied yes.

Councilor Daoust asked even though there is a sewer line going to Tads, that probably would not be adequate to take on a whole lot more residents, it was a line just designed for Tads.

Galloway replied no, it was designed to accomodate those properties in between. Not everyone has connected to it.

Councilor Daoust stated I agree with the general concept, but it is time to ban new water wells and it is time to ban new septic systems. When I first read this it seemed real simple, but then I started thinking about the people east of the Sandy River, that is my main hang-up. I am wondering if we couldn't change the Ordinance to move in that same direction but increase the footage from 300 feet to 1,000 or 1,500 feet such that it would incorporate most of any new development within the City limits with the exception of the east side of the Sandy River.

Mayor Thalhofer asked could you bring this Ordinance back for the second reading with those changes?

Galloway replied yes.

Mayor Thalhofers closed the Public Hearing and reconvened the City Council Meeting at 9:58pm. This is the first reading of this Ordinance. Action will be taken at the next City Council meeting.

8. REPORT: A report concerning traffic control on Marine Drive.

Mayor Thalhofers called this item and asked Chief Berrest to come forward.

Chief Berrest reviewed the staff report contained in the packet. It is my recommendation that we table the study at this time and take no action.

Councilor Rabe asked as you head east down Marine Drive around the curve, as I recall, there is not even a speed limit posting. There is no warning signs about congestion or intersection approaching. Has this been explored as a possibility to mitigate the situation?

Chief Berrest replied I am not familiar with traffic devices that warn of construction or if there are any east bound on Marine Drive. You are correct, there are no posted speed signs on Marine Drive, it is a 55mph zone. On N. Frontage Road it is a 40mph zone. We can discuss the warning signs with the County.

Councilor Smith stated since we have the trucking company over there, they are trying to cross two lanes of traffic. I think it is an accident waiting to happen. I think the speed ought to be posted at 45mph.

Chief Berrest stated there is some opinions out there that say by lowering the speed limit doesn't necessarily mean the vehicles are going to go slower. As an example on I-84 between here and Portland the speed is posted as 55mph, I would be willing to bet that the majority of vehicles are in excess of 65mph.

Councilor Ripma stated the way the speed limit is lowered in Oregon is by still going through the speed order process where the State comes out and monitors it.

Chief Berrest stated that is my understanding, that they gather all the information from traffic counts, speed counts, accidents and citizen complaints.

Councilor Ripma asked do you get many citizen complaints about Marine Drive being to fast?

Chief Berrest replied I am not aware of any.

Councilor Ripma stated neither am I. I think you have made a very wise recommendation that we leave it alone.

Mayor Thalhofers stated I concur with Councilor Ripma. I think we ought to leave it alone at this time so I support your recommendation.

Councilor Kight stated I am willing to concede maybe going west bound on Marine Drive, but I don't think there is anybody on this Council that could possibly justify keeping it at 55mph as they enter into the intersection of N. Frontage Road and I-84. At the very minimum once they enter that area it should be at 45mph. As the I-84 Corporate Park comes on-line you are going to have more congestion. The one thing that really concerns me is they are coming off east bound on Marine Drive going 55mph right into a major intersection. I think that is a prescription for disaster. I don't want to wait until someone gets killed.

Chief Berrest stated I can look at east bound warning devices and make a recommendation.

9. DEPARTMENT REPORTS:

Mayor Thalhofers called this item.

Faith stated on page one of the long range planning, we did receive the final evaluation from Metro on our compliance report. The conclusion that Metro drew from information that we provided them is that we do substantially comply with the Functional Plan housing target capacity figure that is the 3,260 units that we anticipate we can accommodate versus the 3,789 that we were targeted for. However, they have also found that we do not comply with the Functional Plan with respect to the allowance for accessory residential dwellings and if we do not adopt a requirement allowing for those then an exception to the Functional Plan will be necessary. The second item to bring to your attention is in the report under the Parks and Facilities Division. At the February 16 Parks Advisory meeting they considered the request to rename Mayor Square to Mayors Square at the recommendation of the Mayor himself. The Parks Advisory Committee will be hosting a community forum next Tuesday night for the purpose of discussing matters related to Sunrise Park. We have extended an invitation to approximately 100 residents in the area of Sunrise Park so they can learn first hand the findings of our most recent methane testing and to also apprise them of various alternatives we are studying for dealing with waste water management for this site.

10. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalhofer called this item.

Mayor Thalhofer read a letter from Jonathon Smith regarding possible cuts to the Gresham Fire Department personnel. If there are no objections I will write a letter to the City of Gresham.

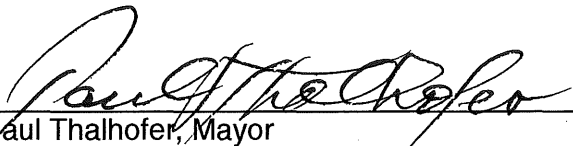
Councilor Ripma stated I concur, in addition we should ask them to come and explain to us. They owe us a full explanation.

11. ADJOURNMENT:

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

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

Meeting was adjourned at 10:35pm.



Paul Thalhofer, Mayor

Dated: 4-30-99

ATTEST:



Debbie Stickney, Acting City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

March 9, 1999
CITY COUNCIL REGULAR MEETING

PLEASE COMPLETE THE FOLLOWING

NAME <small>(please print)</small>	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Mark Berrest	Police Dept.	665-5175
Tracy Callan	City Hall	665-5175
Rich Faith	" "	" "
DAVE MUNSON	1150 SE 34 CIRCLE	669-1044
KURT TENSION	107 EITCRA TROUTDALE	491-2025
DAVID BAWMAN	938 SE Roberts	666-4425
Robinson John Ceullani	2051 S. TROUTDALE RD	669-0292
Brad & Margi Wilson	2039 S. Troutdale Rd.	492-8109
GORDON DAVIS	1035 NW Hoyt PDX 97209	221-5306
Jason Culpepper	1437 SE 26 th ct	661-0840
Kyle Hardy	1619 SE Sandy Dell Rd 97066	661-3629
Steve Shaw	5100 NE Sunial Rd 97060	666-0201
MIKE FIRST	455 SW 18 th ST. TROUTDALE	492-2183

CITY OF TROUTDALE PUBLIC COMMENT SIGN-IN SHEET

March 9, 1999
CITY COUNCIL MEETING

PLEASE COMPLETE THE FOLLOWING

PRINT NAME <small>☞ ☞ (please print) ☞ ☞</small>	ADDRESS	PHONE #
2051 S Troutdale rd	2051 John Cecilian	660292
5100 INE SUNDIAL RD	Steve Shaw	666-0201
MIKE FIRST	455 SW 18 TH	492-2183
KURT JENSON	107 21 ST CRT	492-1997
Diane McKeel	4350 SE Oxbow Pkwy	663-3825
ROBERT E. FREDRIKSON	2806 SE 75 TH AVE	775-4010