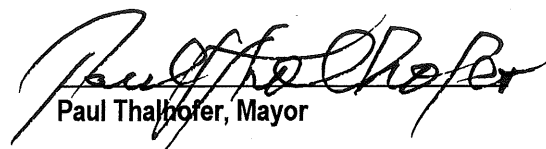


CITY OF
Troutdale
AGENDA

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

7:00 P.M. -- April 27, 1999

- (A) **1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**
- (A) **2. CONSENT AGENDA:**
2.1 Accept Minutes: March 9, 1999 Special Meeting, March 9, 1999 Regular Meeting, March 16, 1999 Work Session
2.2 Resolution: A Resolution recognizing the completion of the public improvements associated with the Stark Street PRV Relocation Project and accepting them into the City's Fixed Asset System.
- (I) **3. PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.
- (A) **4. PUBLIC HEARING/ORDINANCE (Introduced 3/23/99):** An Ordinance adopting Title 8, Health and Safety, Chapter 8.36, Life Jackets in the Sandy River, requiring life jackets on all children 12 years of age or under when they swim in the Sandy River.
Mayor / Lt. Nelson
- (A) **5. LIFE GUARD PROGRAM** *Mayor / Lt. Nelson*
- (A) **6. REQUEST:** A request to remove parking limitation signs from decorative street light poles. *Galloway*
- (I) **7. COUNCIL CONCERNS AND INITIATIVES**
- (A) **8. ADJOURNMENT**


Paul Thalhofer, Mayor

Dated: 4-21-99

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

April 27, 1999 7:00pm

Meeting was called to order at 7:01 p.m. by Mayor Thalhoffer.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhoffer called on Councilor Ripma to lead us in the Pledge of Allegiance.

Mayor Thalhoffer asked for the roll to be called.

City Recorder Stickney called the roll.

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

STAFF: Galloway, Nelson, Sercombe, Kvarsten and Stickney

GUESTS: Ana Hayward, Willie Hayward, Kurt Jenson, Don McGinnis, Carl Baughman, Richard Weill, Terry Smoke, Kristina McMorris, Daniel McMorris, Diane Nelsen Wright, Ray Regelein, David Baumann, Steven Letsis, Keith Neely, Rob Klever, Max Maydew, Catherine Archibald, Rosanna Archibald, Curtis Smith, Jane Frazier, Bruce Tarbet, Linda Yoshida, Loraine Domine, Tom Rutledge, Marleen Sperr, Griselda Jacinto, Alexandra Kuykendall, Trent Westover, Steven Bishop, Casey Schumacher, Curtis Allen, Dan Munger, Perry Stevenson, David Betita, Kenny McAferty

Mayor Thalhoffer asked are there any agenda updates?

Kvarsten replied we have no changes this evening.

Mayor Thalhoffer stated I would like to move agenda item number 6 in front of agenda item number 4 if there are no objections. (no objections received)

2. CONSENT AGENDA:

2.1 Accept Minutes: March 9, 1999 Special Meeting, March 9, 1999 Regular Meeting, March 16, 1999 Work Session

2.2 Resolution: A Resolution recognizing the completion of the public improvements associated with the Stark Street PRV Relocation Project and accepting them into the City's Fixed Asset System.

Mayor Thalhoffer 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.

Mayor Thalhofer asked the Boy Scouts to come forward and introduce themselves.

Fred Westover, Scout Master, Troop 187 from Gresham stated these fine young men are studying about the community learning how to be better citizens.

The scouts introduced themselves.

6. REQUEST: A request to remove parking limitation signs from decorative street light poles.

Mayor Thalhofer called this item and asked Mr. Galloway to come forward.

Galloway reviewed the staff report contained in the packet. One option to look at would be to continue with the placement of the signs as we have started. Another possibility would be to add additional sign posts, I think that would probably be our least desirable alternative. Another alternative would be to discontinue the idea of having parking limitations in down town. In your packet is some information put together by Terry Smoke. Terry did a survey among a number of down town business folks and has a document signed by about twenty-five people indicating that they would like to continue efforts to have the parking limitation down town. Two other points I would like to bring up. One is the County has identified a problem that many of us have probably observed from time to time, as you are pulling out of the side streets on the south side of Columbia it is difficult to see around traffic that is parked near the intersection. They would recommend since they are down here doing other signage and marking activities that the curbs from about twenty-five to thirty feet back from the intersection be painted yellow to prevent parking so close to the intersection to allow a clear line of sight for traffic pulling out. The second thing that we realized a few days ago is there are some apartments in the one hundred block of Harlow for which there is no off-site parking.

Those residents have depended upon parking on street as there sole source of parking and they have asked for some relief from the parking limitation which you have also agreed to putting the four-hour parking on the side streets. Chief Berrest is working on a program that will provide for some type of exception decal or permit that those residents could use.

Councilor Ripma stated the choices offered are, continue with the signs as they are and more or request separate posts or get rid of the parking limit altogether. I was wondering if there wasn't yet another option. This seems to be triggered by the appearance of the signs. Is there another style of sign that might be in keeping with the aesthetics of down town?

Galloway replied I think the concern isn't as much the appearance of the sign, it's the desire to not have the sign mounted on the decorative light pole.

Mayor Thalhofer stated I have a question of Mr. Baughman, does Multnomah County have any other way to sign no parking areas?

Carl Baughman replied to do a parking regulation which is something other than a no parking zone can be done by curb painting. However, signing is required for proper enforcement.

Mayor Thalhofer asked has Multnomah County done any innovating things when it comes to putting up parking limitations signs, have they always done it that way? Can you think of any other way to do it?

Baughman replied signing is required for proper enforcement. We need some sort of support structure and to minimize clutter of additional support structures we felt that attachment to the light poles was the cleanest way to go.

Mayor Thalhfer asked can you make them look any nicer and still get the attention of people? We are trying to make down town a beautiful place for people to come and shop. We really want to keep the flavor of beautiful down town.

Galloway replied Multnomah County, like many of the jurisdictions, has adopted the manual on uniform traffic control devices. They have very specific dimensions, wording and color schemes for virtually all of the traffic control signs which includes parking signs.

Baughman stated that is true. One thing that we have done to harmonize with the color scheme of your decorative light poles is to use the black lettering as opposed to what would more often be found as the red lettering.

Councilor Kight stated I have a letter from Richard Weill, a local down town attorney, he indicates that in Fairview Village they have parking signs, but they are small and could be colored and they have a small hanging bracket the same color of the pole so they don't stand out. Is there any way that we could have that type of signage?

Baughman replied Multnomah County utilizes brackets that are available from vendors and I am not aware of any bracket that comes in pre-made colors. But we do understand from experience with the City of Portland that the brackets can be painted over and the brackets will hold the paint. So if there is a desire for the brackets to match the poles, they can be painted.

Councilor Kight asked is there any reason why we can't have signs that duplicate what they are doing in Fairview Village and if you are not able to supply them that the down town merchants could do it on their own. Is there anything that states we have to have your signs as opposed to something that may look aesthetically appealing?

Baughman replied again, this relates to the standards set out in the manual of uniform traffic control devices which sets dimensions, legends and layout.

Councilor Kight asked have you seen the signs in Fairview Village?

Baughman replied I have seen them from a distance. They are somewhat smaller than what is on Columbia Hwy. I want to make another comment that there is additional information that we plan to place on the two hour sign that will communicate that the two hour limitation applies from 8am to 6pm. That will be another line of legend that we will be affixing to the signs already there and any additional signs we might install.

Councilor Kight asked do the signs in Fairview Village meet those requirements?

Baughman replied I would think they would or we wouldn't install them.

Councilor Kight asked to go back to my original question, would there be any reason that we couldn't duplicate what they are doing in Fairview Village in our down town?

Baughman replied I don't know all the details, size, dimension, legend in Fairview Village. I can take a look at it and see if that would fit the requirements.

Councilor Rabe asked there would be some residential parking that would be affected by the two hour parking limitation. Is that still an issue for those people to find a place to park in that area that wouldn't be in violation of the two-hour parking?

Galloway replied just a point of clarification. To my knowledge the ones that we have in that category are on the side street, Harlow, and that limitation would be a four-hour limitation on the side streets. There are three dwelling units in the 300 block of Harlow that indicated that they have parked for a number of

years on-street, they have no off-street parking facilities available and have asked for some sort of relief and Chief Berrest is working on it.

Councilor Daoust asked to clarify the Fairview Village situation. I drove every street in Fairview Village looking for parking signs but they have none. What they do have is the regular stop signs attached with a black bracket that matches the color of the decorative light poles and the street name signs are done with a fancier bracket. But they do not have any two-hour or no parking signs. They do not have anything compatible with what we are looking for.

Baughman stated streets within Fairview Village which may not be county maintained, they may somehow do that. The county utilized the stainless steel bracket as its standard attachment.

Councilor Daoust stated that what really caught my attention was the statement that these signs may require the removal of the hanging flower baskets. I certainly don't want to exchange beautiful flower baskets for two-hour parking signs. Can you clarify whether we can still have the baskets?

Galloway replied it is my understanding that since I made that statement, that the county folks have looked into that, the signs are on the street side of the pole and the bracket for the flower baskets are on the non-street side of the pole and appear to be compatible with each other, so you can disregard that statement.

Richard Weill, 102 W. Historic Columbia Hwy. I took a photo through my window so you could see the view I have. The problem I see is the scale of the sign, it is huge. It is on a decorative light pole that nothing like that should be attached to. The gentleman from Multnomah County spoke about the manual of uniform traffic control devices. The purpose of that manual is so that if you travel across this state or country you see the same size stop sign, speed sign, yield sign, safety related signs so that we have uniformity. I really doubt that the uniform traffic control device manual was meant to apply or even does apply to something like a no parking sign because that isn't a safety related issue, at least in Troutdale. With respect to Fairview Village, I didn't want to mislead anybody, they do not have any no-parking signs there, what I was referring to is the street signs themselves, they are attached horizontally from the pole and I think they are bordered by a decorative bracket and they are very attractive. I can't speak as to whether you should have two hour parking. I have problems, I only have one parking space in front of my office and lately I sometimes don't even find a space in front of my building or on the side. I think that those signs are inappropriate for those light poles.

Councilor Ripma asked are you in favor of removing the two-hour limit?

Weill replied I think there are ways you can deal with it if you can get the employees not to park there, if you can put flyers on the cars. Not on those poles and not those signs.

Councilor Kight stated I agree with you. Would you be willing to replace that sign with something that was decorative that had a black background and the band was painted?

Weill replied I don't think anything should be wrapped around the pole. The pole has striations going up, it's one continuous thing and from an architectural view I don't think you should interrupt that from the base to the top.

Councilor Kight stated so your issue is how it is mounted on the pole as well as the design and size of the sign.

Weill replied I think they could be mounted on the pole but it would have to be a very slender thing and shoot straight out. It would have to be a bracket that is screwed into the pole, and that can be done.

Councilor Kight asked if Multnomah County wouldn't be willing to do this and we had to do this on our own, as far as the City or the down town merchants, do you think they would support something like that?

Weill replied I would, if we aren't talking about \$500 per light pole.

Councilor Daoust asked besides Fairview Village, have you seen anything similar to what you are talking about in any other city as far as parking signs go?

Weill replied no.

Councilor Rabe asked Mr. Galloway, I heard something in regards to curb signage, is that an option?

Galloway replied that question was asked of Mr. Baughman and his response was, other than painting the curb to indicate no parking that otherwise would require signage. I had a conversation with the Police Chief on that and even though he wasn't one-hundred percent sure what the law said as far as signage versus painting something on the curb or on the pavement, I think he felt from an enforcement point of view, he would prefer the signage as well.

Councilor Daoust asked could the City forego the County sign standards and design our own signs and put them up?

Galloway replied only with the permission of the County.

Don Curtis, Chairman of Down Town Merchants Association, stated as you all know, sometime back I got together with some of the business people and we formed committees to handle all of the issues that are taking place down town. One of the committees that we formed was parking and aesthetics and Terry Smoke is chair of that committee so I would like to defer this to Terry.

Terry Smoke of Nostalgia Antiques stated we have met with the County and Jim Galloway and we went over this and we did not make harsh decisions as far as these signs. We are at a point where today we had two business owners and one employee parked in front of the chamber office the whole day. I would love to see a option for a better way to make the sign, we did discuss that at length with the county to try to come up any different idea we could that they would accept and we didn't get anywhere. At this point the main thing that we are looking at as merchants, is to have the parking spaces available. If we can't park our customers, we are going out of business. We are open to any options that we can do to change the signs at any point to come up with a better idea, but for now we just need those parking spaces opened up.

Councilor Ripma asked all the merchants that signed the petition, the feeling is regardless of what they think of the aesthetics, they want them there and they would rather have them there whatever they look like then not have them.

Smoke replied in every case that I talked to they said that the aesthetics of them after they saw them up and standing back looking at them and after the flower baskets were put up, they don't think they look to bad. They don't think that it detracts from what we are doing down town. I agree with the strap on the back, if the county agrees and whether they paint them or we do, I agree, that will help. As far as the business owner, the main thing is back to the parking issue.

Councilor Ripma stated so in general, the business owners support the signs and will live with the ones that we have, they may paint the strap. You have heard one complaint about the aesthetics, but you haven't got that many?

Smoke replied no.

Mayor Thalhoffer stated it is important to the businesses down town to have the two-hour parking limit.

What astounds me is that the business owners and employees would park in front of there business or any other business on main street. You would think that the business owners themselves could enforce that to where there wouldn't be a problem.

Smoke replied this is a customer friendly two-hour parking. We are going to make sure that a customer never gets a ticket, this is only a resource that we have to have for the businesses and employees to monitor.

Councilor Daoust asked how would you and the business folks down town feel about this yellow painting of the curbs within twenty-five feet of an intersection? It would take away some parking spots, have you discussed this at all?

Smoke replied this is not an issue we have discussed.

Mayor Thalhoffer asked is that something you could take back to the committee?

Smoke replied yes.

MOTION: Councilor Ripma moved to approve option "A", that Multnomah County resume placement of the parking limitation signs on the decorative street light poles. Seconded by Councilor Kight.

Councilor Ripma stated that the idea of a committee getting together and trying to work something out with the county is an excellent idea, but in general it is obvious that the feeling against the look of them is far out weighed by the merchants wanting the signs.

Yeas: 7

Nays: 0

Abstained: 0

4. PUBLIC HEARING/ORDINANCE (Introduced 3/23/99): An Ordinance adopting Title 8, Health and Safety, Chapter 8.36, Life Jackets in the Sandy River, requiring life jackets on all children 12 years of age or under when they swim in the Sandy River.

Mayor Thalhoffer called this item and stated that the purpose of this Ordinance is to save lives. I have been down there countless times to look at the situation to look at where people are swimming to see what danger if any there is there and certainly there is a lot down there. To see the children on the beach, near the water and in the water with the current close by. We have had a couple of near misses in the past. In Oregon we have a law where children twelve and under have to wear a life jacket in a boat. I submit to you that if we require children under twelve to wear a life vest in a boat, then I consider the Sandy River to be even more dangerous than a boat, therefor that is why I am proposing this Ordinance to save lives. I would like to now turn this over to Lt. Nelson.

Nelson reviewed the staff report contained in the packet. The City staff did apply for a grant through the US Foundation for Boating Safety and we did receive fifteen life jackets.

Councilor Ripma asked how many children under twelve have drowned?

Nelson replied none to my knowledge.

Councilor Ripma asked is it possible that a child with a life jacket might be tempted out into the current. Up until now we haven't had a life jacket requirement and no life has been lost. I guess I am really concerned

about the possibility of a child being tempted out into the current of the Sandy, which we know is very dangerous. Did you discuss that possibility and the danger involved to the child.

Nelson replied that has been discussed before and it has been considered.

Councilor Ripma stated the most recent death on the Sandy was a kayaker, was he wearing a life jacket?

Nelson replied I don't know if he was wearing a life jacket, but he was wearing some form of floatation device.

Councilor Ripma asked is it possible that with life jackets on children getting swept into the current might actually cause adults on shore to get into the water and into dangerous situations. Did you ever discuss that situation?

Nelson replied you can speculate about a lot of different scenarios and that could be one of them.

Councilor Thompson asked why magic age of twelve?

Nelson replied we choose the age of twelve to coincide with the same age requirement that is required by law for children to be in boats.

Councilor Kight asked are there any guarantees that if a child under twelve has a life jacket on that they will not drown?

Nelson replied no.

Councilor Kight asked do you think it creates a false sense of security especially in a fast, swift moving river such as the Sandy River? When I have been down there and seen young children, and because they didn't have life jackets on, I have seen there parents be more observant and the children were in shallow water. Could it be that young children that are used to learning how to swim in pools and use to using water wings or some other floatation device, that they may get a false sense of security may try out how the device works and be enticed or drawn out into deeper water?

Nelson replied that is a possibility.

Councilor Rabe asked in your opinion, if this Ordinance passes would it have any affect on the effectiveness of enforcement of other issues that would be going on at the beach?

Nelson replied the primary function of the Beach Patrol will not be to just enforce this Ordinance. It will just be an additional tool they will have and an extra safety feature.

Councilor Rabe asked do you consider it a safe place to swim?

Nelson replied no.

Councilor Rabe asked do you feel that the availability of floatation devices to anybody, particular young people, is not is some way a mixed message that it is permissible to swim and that we in a since are condoning the swimming by making these available.

Nelson replied that is similar to the scenario that Councilor Ripma pointed out earlier. That is very likely that it could happen.

Councilor Daoust stated that only at a Troutdale City Council meeting could you hear such things as a reverse logic; life jackets are potentially dangerous, unquote; life jackets entice children to venture further into dangerous water, unquote; life jackets condone unsafe actions, unquote. To me I have a hard time matching those reverse logics to what I hear in safety courses, what I hear from swift water rescue teams. In your opinion, what would a swift water rescue team safety course say about the use of life jackets?

Nelson replied first thing they would probably say would be to not swim in the river. From the safety aspect of course they are going to suggest that someone wear a life jacket anytime they enter the water, especially a child. The purpose of a life jacket is to put the person on their back so they can breath. I am just agreeing with the other Councilors as well, that there thoughts could also have some merit. I am not necessarily agreeing with them, I am saying that it could happen.

Councilor Smith stated we have fifteen life jackets, what happens when those fifteen run out? Does that mean that you turn the children away, or we have to buy more and that would cost the City?

Nelson replied we do have some that we were given last year, so we will have around thirty or forty. If there are not enough available and they are in the water without one they would be asked to leave the water and go get there own or wait for one to become available.

Councilor Ripma asked does any other city have an ordinance like this?

Nelson Replied not to my knowledge.

Councilor Ripma asked could the life jackets be distributed by Jack Glass or other volunteers without this ordinance? Do we have to pass this ordinance for those to be available?

Nelson replied I do believe that Jack Glass did that last year with the life jackets we had.

Councilor Ripma asked the ordinance itself defines swimming as being in water six inches or deeper and the child has to be twelve years of age or younger. Do you see an enforcement problem determining wether this ordinance would be violated?

Nelson replied that is something that we would have to deal with.

Councilor Ripma asked is there any additional money in the police budget to carry out enforcement of this?

Nelson replied no, it would just be the money budgeted for the Beach Patrol.

Councilor Thompson asked what part of the Sandy River will be covered by the Life Guard Program and what part will the life jackets be required in?

Nelson replied the Life Guards would be located at the beach area at the Glenn Otto Park. The life jackets will be required within the Troutdale City Limits.

Councilor Thompson asked how would you enforce that, it is a large area to cover.

Nelson replied we don't have beach patrol that far, the only place we have beach patrol is at the Glenn Otto Park. We don't have any way to control other parts of the river.

Mayor Thalhoffer stated that very few people pay attention to their children. Wouldn't the child be better off with the life jacket on?

Nelson replied yes that argument could be made.

Mayor Thalhofer asked the role of the Troutdale Police Department is to be involved in the public safety, that is not just confined to the residents of Troutdale, it also includes guests of the City.

Nelson replied correct.

Councilor Kight stated we have never lost any children under the age of twelve, they have all been over 18 years of age. Wouldn't we be better served if we were talking about providing life jackets for everybody, not just exclusive to children since all the people that have drowned, at least to my knowledge, have been over eighteen years of age.

Nelson replied there were some fifteen years of age. That would not be possible to enforce. I think if you are talking about that the next logical step would be better to just close the beach altogether.

Councilor Rabe asked do we have any ordinance that requires children under the age of twelve to be accompanied by an adult at any of our parks?

Nelson replied no.

Councilor Rabe asked so it is feasible that children could go to the beach unsupervised?

Nelson replied that is possible, yes.

Councilor Kight asked couldn't we try a pilot program and make it voluntary instead of requiring it and see how it works?

Nelson replied we tried that last summer with Jack Glass, and he could tell you better than I the number of vests he handed out.

Councilor Daoust asked if it were a pilot program without a City Ordinance, how would that be enforced or could it be?

Nelson replied there would be no enforcement if there is no ordinance.

Councilor Smith asked right now, do we have many people who use life jackets when they are in the Sandy River swimming?

Nelson replied no.

Mayor Thalhofer called for a break at 8:34pm.

Mayor Thalhofer reconvened the meeting at 8:47pm and called on Al Hayward.

Al Hayward introduced his daughters Willie and Anna. We had a situation on the Sandy River last summer. The girls did a very good job of articulating their story on Channel 8 tonight, so I am going to first let them tell you their story.

Willie stated I was swimming in the river and having fun. My dad told us it was time to go. My sister was backing up more because she wanted to swim more. She backed up and the current grabbed her and took her into a deep place and my dad hollered at this young man and he grabbed her from the current. It was a really scary moment for me.

Anna stated one sunny day me, my dad and my sister went to the Sandy River and we were swimming and having fun and then it was time to go so my dad said that. I thought I could swim a little bit more so I swam back and back and then the current pulled me to a deep hole and I almost drowned but then my dad hollered at this guy to get me and he went and got me. When I got out of the water I was coughing, that is why you should wear life jackets because the current doesn't care how old you are.

Hayward stated the same arguments were made for seat belts a few years ago. I spent several years in the Seattle area and life jackets are required up there. I will close with this comment, if it was your daughter that you stood on the beach and watched the current grab, there wouldn't be any of this argument.

Councilor Kight asked since you are a resident of Troutdale, you better then anyone else recognize the danger of the Sandy River. I have to question you, both of your daughters are quit cute but they are young, why didn't you have these kids in life vests if you are such a proponent of life vests, especially since they were available from Jack Glass for free?

Hayward replied in retrospect, I didn't realize it was as dangerous as it was.

Rob Klever stated I just wanted to briefly give you the Troutdale Boosters opinion of the program. As I mentioned at the last meeting we are an organization that is primarily concerned with water safety issues on the Sandy River. We are a fund raising organization and to that extend we are now working to provide all the life jackets that Jack Glass can use at his snack shop to pass out to anyone who wants to use them. We are working on getting some quality life vests so they will be more attractive to people to wear. We propose we will do all the work to get the life vest at no cost to the City.

Councilor Kight asked are these life jackets available to both children and adults?

Klever replied they come in different sizes. We will provide any sizes needed down there.

Councilor Rabe asked will the Boosters also be interested in providing signs so that those who use the beach clearly understand that they may borrow those?

Klever replied we are open to any proposal that comes to us that needs money.

Councilor Rabe asked I am not so interested in the money as I am in the time to install and make the signs?

Klever stated I would have to bring that up at the next board meeting.

Councilor Ripma asked could you provide life jackets and Jack Glass distribute them without this ordinance.

Klever replied yes.

Alexandra Kuykendall stated I am here representing a few groups. I work for a division of Catholic Charities which serves the Hispanic community in east county, and I am also representing Hud Lashner, Superintendent of the Reynolds School District. He asked me to come here tonight because he could not make it but wanted to support safety on the River and specifically to support life guards. On behalf of Hud Lashner he will support life guard program and use Reynolds Schools as a means to get information out to families. Many of the victims that have died in the Sandy River have been members of the Hispanic community.

Jack Glass stated this is an issue that has been going on for awhile. I have been a resident on the river since 1981 and I work on the river as a fishing guide, now with the new store it has been an eye-opening experience. We did start loaning out life jackets last year and on a busy day eight to ten jackets went out.

With raising my own children on the river, we were very concerned with that. Our kids at the young age of three, four and five were reluctant to get out in much more than knee deep water and we started to require them to wear life jackets. As they started wearing life jackets they ventured right out there. It also gave them good expertise learning how to paddle and swim. It didn't take very long for my son to take off his life jacket and at ten years old he was swimming across the river. A requirement of life jackets is going to press those kids to get out into the water a lot sooner and they will be pulling those life jackets off and trying without life jackets a lot sooner because all the adults aren't wearing them. The real little kids are just real eager to be there and are happier to wear life jackets. It is a tough issue, it is a safety item and it is definitely needed for those who are not very experienced but it will push them to the level of wanting to experiment before they are ready. We are real eager to loan these out and spread the information as much as possible. The Beach Patrol has done a wonderful job on our beach to make it a family friendly environment. As far as passing this as an enforcement issue, I think in the long run it will drive people away from our beach. Education is the key, having a sign at the entrance to the beach that we offer free life jackets is a real key issue. We should also encourage people to wear tennis shoes, it is a rocky bottom. I would be interested in an incentive program, where kids who wear a life jacket get a free ice cream instead of making it a law.

Councilor Ripma stated you provide a great service and your store is a great asset to the beach.

Mayor Thalhoffer asked do you agree that some of the parents are not attending to their small children.

Glass replied yes.

Mayor Thalhoffer asked wouldn't they be safer, especially the young ones, in life jackets if their parents aren't paying attention to them?

Glass replied if we start driving people away from the beach they are going to start going someplace else where there is no education and enforcement.

Councilor Kight asked what kind of signs do we have now to inform the public that you have free life jackets available?

Glass replied unfortunately I didn't have any signs last year. I hung the life jackets around our deck to make them visible.

Councilor Kight stated it sounds like the Troutdale Booster may cooperate in helping with the signage. You came up with an idea that I really like, by using the reward system. How effective do you think that would be and who would pay for it?

Glass replied something like a snow cone which the cost is fairly low would be a fairly reasonable donation for the cause.

Councilor Rabe stated thank you for what you have done so far. Everything you have done has been very positive.

Councilor Daoust stated I appreciate your wisdom and knowledge of the river.

Jane Frazier stated I have been a resident of Troutdale for the past twenty-five years. In the summer I raft the Deschuttas River and I take novices with me. I will not go down the Sandy River, it is a dangerous river. When I was raising my daughter I refused to let her go in that river. There are other places to learn to float and swim. I think there should be a big sign indicating that this is a dangerous beach, proceed at your own risk. I get really upset when I see these places where people drown year after year, week after week. One

day in the news it is somebody who fell out of a boat and didn't have a life jacket on and the very next day it is also in the news that somebody else in the same river fell out of a boat and didn't have a life jacket on. What is wrong with these people. They expect the community to spoon feed them common sense and how to take care of themselves. If they want to go swimming they need to bring their own life jacket otherwise you are taking the risk of going in there and drowning, if you drown, no whining allowed. You take your cherished children to the beach and you don't care whether they drown or not, well that is your business, but don't come to the community and complain that this is a dangerous beach. Now if you cherish these children or yourself, put a vest on, save your own life, does someone have to tell you to do these things. I don't understand why we are here having to talk about this. I suppose we will be hearing talking about this again next year because you can not legislate good sense.

Mayor Thalhoffer asked are you for or against this ordinance?

Frazier replied I am not going to come here to say what you should or should not do. I am just here to express my despair about people not using their common sense. I am in favor of what you are going to do to have a safe beach and not have any more deaths and for everyone to have a nice time at the beach.

Mayor Thalhoffer closed the Public Hearing and reconvened the City Council Meeting at 9:23pm.

MOTION: Councilor Ripma moved that we do not adopt this ordinance. Seconded by Councilor Kight.

Councilor Ripma stated while the purpose is to save lives, I am not convinced that it is going to. I have expressed my despair at the example of the child that is encouraged to wander far into the water by having a vest on, I think, was reinforced by some of our speakers. That is what I am concerned about. I think the example of the experienced kayaker wearing a wet suit and a vest, got into the wrong place and got pinned under a branch, that is exactly what I am afraid is going to happen with inexperienced children. I think it is at least a close question as to whether we should do this or not and in view of the difficulties with the ordinance itself, I think it would be unenforceable and as a public policy I am against passing unenforceable ordinances just to do something. No one can deny if a child is out in the current a life vest would be very helpful, the point I am trying to make is that the wearing of the life vest will tend to get them out into the current more than they would have been. I respect the Mayor's desire to do something and all the work of the Safety Committee. My opposition to this ordinance should not be taken in any way as a non-recognition of the amount of work that people are doing on this issue of water safety. In the end, Jack Glass said it right, it is a tough issue. I personally think that it is going to cause kids to experience beyond their limit and it will drive the good people away. Education is the key and the reward system that was talked about might be better. None of this should discourage the Boosters from financing the life vests on a voluntary basis if they want to. I do think that this ordinance is ill-advised.

Councilor Kight stated that Councilor Ripma covered it. I think we want to make the beach a friendly area. If we make it too punitive, too restrictive or if we hassle the general public they are either going to go north or south of the park and the beach patrol will not be there to help or educate them. We want to make it open to families, that is why we have the beach patrol there to hand out tickets for alcohol. I think that is one of the main contributors to people drowning in the river. We would like to make the life jackets available for all ages, not just for children under twelve. It makes more sense to have more signage.

Councilor Rabe stated I was wondering how long it would be before someone commented

on what our last witness mentioned. At what point do we become responsible for our own behavior. In spite of warnings or lack of warnings, as adults and parents we have the responsibility of raising our children in a safe environment. We do so knowing full well that there will be risks if we choose to participate in those risks then we take precautions. I have two children of my own, we have a pool at our house, I understand the risks of having it and I understand the risks to my neighbors and I took all the precautions that were necessary at the time. The Sandy River is not a safe place to swim. We have stated it, it is posted. I don't see the role of us having a law or ordinance or regulation that controls the activity of the people. I would like to see the city take a pro-active role with a group such as the Boosters or any other group that would like to step forward. For those reasons I would endorse Councilor Ripma's motion.

Councilor Daoust stated I will speak in opposition to the motion. I think the City of Troutdale has had so much attention paid to this issue, both in the newspaper and television. I just want to be a part of a Council that does something and that tries something that takes on a pro-active positive thing and jumps in with both feet. I don't want to come across to the people, that are closely watching us, as a Council that is afraid to try things. There are numerous reasons that we should proceed with at least this life jacket thing. For the most part I don't think people realize the danger of that river. It is nice when people have educated kids that know what to do in the river. A lot of kids that go into the river don't realize the danger. The parents are so busy they have a lot to worry about, it is really hard to watch young children especially if they have four or five kids they have their hands full, and if they had life jackets on the worry would be less. In addition to that we have the skids greased to implement this program. We already have a volunteer in Jack Glass willing to hand them out, we have the Booster willing to supply them, we have no affect on the City's budget whatsoever. We have the grant that the Police Department received to get fifteen life jackets. The work has already been planned and now we are going to back off. I was just hoping that we would be willing, since we are in the spot light so much, that we would find a way to do something pro-active.

Councilor Smith stated it is like the seat belt situation, you have the good and the bad. The Sandy has a stiff current and I feel children would be out in the current if they had life jackets on. I feel parents will send their children to the river because we have life jackets so they don't have to worry which makes us a babysitter, which I don't feel is the City's responsibility. People should take their own responsibility. I feel that since we have signs posted that it is a dangerous river, we should just close the beach.

Councilor Thompson stated I am in support of Councilor Ripma's motion because I agree with the last lady who testified that you can not legislate common sense for people. It comes to a point that you can do more than tell people of the dangers of the river. We have a sign down there already that tells you of the danger of the river in four languages. That should be enough to educate people to be careful. I agree with the point that was made that life jackets on kids encourage them to go out beyond their capability and gives them a false sense of security. Life jackets will be available for anyone who wants to voluntarily wear them. Jack Glass has those life jackets there, what we need is a sign to let people know they are there and that is a small matter to take care of.

Mayor Thalhoffer stated since I proposed this ordinance and it was not light-heartedly and it is not because we need more regulations in the City. It is because I want to see lives saved. To me this ordinance is a matter of life and death. Surely we can not point to a particular child who has drowned. We know we have had some near misses. I don't know

how much more evidence you need. Here was a man who was watching his children and she backs up to far and gets swept away by the current and he can't help her and he hollers at a young man who saves his daughter from drowning. Had she had a life jacket on, if she got caught in the current she wouldn't drown. Children of that age don't use very good judgement. Life vests save lives. That is why every organization who deals with water safety recommend strongly that you have life vests. That is why the regulation for boaters requires if you are twelve years or younger to have a life vest and actually it is recommended that everyone have a life vest on or at least on board. This life vest ordinance, for the children who are wearing a life vest, if they get caught in the current they are not going to drown. If they are not wearing a life vest and they get caught in the current, they probably will. I keep hearing it is unenforceable. Every law or ordinance has enforcement problems because the police can not be everywhere at once. Just because it is not one-hundred percent enforceable doesn't mean we shouldn't have an ordinance that protects the majority of people and requires them to wear a life vest and save lives. We have laws to save people from harm. It doesn't seem to far fetched to have an ordinance that would save the lives of children twelve and under when they are swimming in the river. Whether or not they should be in the river or not is another matter. You can't be concerned about everybody, but the ones twelve and under in their tender years that don't possess necessarily good judgement, that is the reason this ordinance is proposed and that is the reason I oppose the motion made by Councilor Ripma. It is a matter of life and death whether we address it now or later.

Yeas:5

Nays:2 (Councilor Daoust, Mayor Thalhofer)

Abstained:0

5. LIFE GUARD PROGRAM

Mayor Thalhofer called this item and stated that this program was developed after three years of intensive study by the River Safety Committee which I pulled together three years ago. We talked about different ways to prevent drownings. We found after looking at all the avenues that the life guard program was the most practical. We are still talking about a life and death matter and it is a very serious matter. The idea was to put a life guard program together and it was going to be presented last year to the budget committee and then ballot measure 50 cut our budget drastically and the program was dropped. So what we did then was conduct a mini pilot program last year. These life guards would warn people and tell them what part of the river to stay out of. That is how we got to here and I will now turn it over to Lt. Nelson.

Lt. Nelson reviewed the staff report contained in the packet. I did talk to Hud Lashner this morning and he indicated to me that he has budgeted \$3,500 for this year to have a life guard down at the Glenn Otto Park, whether it is City ran or a private club, Dr. Lashner would provide the pay and all the incentives for that person. The City or the private club, whoever handles the program, would provide the training and equipment and he would provide the personnel for one life guard. That has been taken to the school board and they have approved that. Regarding the question brought up at the last meeting in regards to the City of Gladstone. They have several City parks where the river runs through them, they do not have a life guard program they have a beach patrol program similar to ours.

Councilor Ripma stated Hud Lashner's offer is to pay for a life guard for the summer regardless of whether the City does the program or a volunteer group does the program?

Nelson replied that is correct.

Councilor Ripma asked the program that was discussed previously, how many life guards were required?

Nelson replied four.

Councilor Ripma stated four at a time. As I recall there was something about one in the water and a couple on the shore tethered, that was the reason for so many.

Nelson stated that was one of the reasons. The other was, the way the beach was you would be required to have three stationed along the shore and one relieving the others for breaks.

Councilor Ripma asked is the Sandy River a dangerous place to swim?

Nelson replied yes.

Councilor Ripma asked could it be that the Life Guard Program would actually be a mixed message to the people using the park, that the presence of a life guard would somehow indicate that it is a swimming spot?

Nelson replied it could give people some false sense of security, that argument could be made.

Mayor Thalhoffer asked couldn't a person also conclude from the giant sign that says it is dangerous and swim at your own risk and the presence of life guards, would that really give them a false sense of security. Wouldn't that rather impress on them that this is a dangerous river.

Nelson replied that argument could also be made.

Mayor Thalhoffer asked in Gladstone I understand they have about three drownings a year, is that correct?

Nelson replied that is correct.

Councilor Kight asked what is the expectation of having a life guard down there, what is there charge or mission?

Nelson replied there mission there would be one, to educate the people of the dangers of the river, alternative places to swim, point out safer places to swim in the river and to try to save people from drowning.

Councilor Kight stated the current is very swift near the bridge. You have a large body of water and just south of the bridge it forms a vortex, and is extremely swift. Given that scenario, and in addition in the summertime as the snow melt disappears and we are down to the glacier, and the silt run off, the visibility in the river is six to eight inches at the most, are you telling me that the life guard will put his life on the line and go into that river and pull someone out?

Nelson replied that is what I have been lead to believe.

Councilor Rabe asked does the Life Guard Program, to your knowledge, include some kind of education component?

Nelson replied yes.

Councilor Rabe asked have you seen anything of any kind as to what this education might be or how it will be managed.

Nelson replied I haven't seen any material or what they would be saying to the public.

Councilor Daoust asked in my discussions with life guards, they say that education is most of there job. We have heard that education is the key. The staff time, you said it would take forty hours of staff time to hire the life guards, is that correct?

Nelson replied yes.

Councilor Daoust asked so how long would it take between the time that we receive the money to the time that we could actually have the life guards on the beach?

Nelson replied if we started a hiring process tomorrow, we probably would not have a life guard on the beach until the first part of June.

Councilor Ripma asked was alcohol involved in some of the drownings?

Nelson replied I looked at the last six and only one had mention of alcohol.

Councilor Ripma asked are the victims mostly young men?

Nelson replied yes.

Councilor Ripma asked would it be your opinion that an enhanced beach patrol might save lives?

Nelson replied that is possible, there is no additional money budgeted for beach patrol right now.

Ray Regelein stated I have always supported the life guard program. There is no substitute. There have been some questions here, are they taking a risk? Well firemen take a risks. There job is to save lives, whether it is telling people to get off the bridge or as a team going in and saving a life. Personal responsibility when somebody hikes or rock climbs, they say they are responsible, I am smart, I know what I am doing. But when they fall or get lost or injured, we help. We spend hundreds of thousands of dollars a year pulling people who thought they were responsible off of Mt. Hood. I suppose we could say tough luck buddy. As far as funding, the city has the option, if for some strange reason the funding runs out, the City could cut or end the program. There is no liability if you cut a program because the city runs out of money. I heard strange things about the group itself, that there is some sort of plot by the Booster Club, if that is the case we need more of them. We have a group here who is raising money to help the City and if there is something wrong with that then we need to have more of it. The Council can sit here and do nothing and hope that nothing happens, or you can simply do the right thing and make this program happen.

Rob Klever stated I would like to address the concerns that were raised at the last meeting and other conversations in our ability to finance this program. We understand the City's concern that we have the money up front so that the City is not held holding the bag. Currently our cash balance is approximately \$5,000. We have received our 501C3 this week. Our first event happens on May 20th, and that is the event at the Timberline Dodge, the bird house auction. We as a group have built about fifty bird houses. I projected as a maximum amount from that event at \$11,000, and I think that is conservative. The Kick-off barbeque at the Glenn Otto Park, which begins our contributor drive, is on Sunday May 23rd. I am projecting at a minimum that we break even, and at a maximum I think we can achieve is \$1,000. May 23rd also opens the board of directors campaign which is on-going. The minimum amount I am projecting \$500 per director and we currently have thirteen directors. The maximum I am projecting is \$1,000. The Yoshida Group is sponsoring a black tie event at there home on June 6th, they have already pledged a minimum of \$5,000 for that event which could easily go up to \$8,000. The total amount that we can pledge to the City, possibly as early as the end of May, is \$24,000 up to \$38,000.

Councilor Ripma asked would you be willing to start a program for \$5,000?

Klever replied we are ready to start funding that process.

Councilor Ripma asked are you committed to fund this in future years?

Klever replied lets see how it goes this year. I can't speak for future years. If it proves to be not a worthy effort, obviously our intention should shift elsewhere. I don't know how I could project the future.

Councilor Ripma stated so you would be willing to start hiring life guards with only \$5,000 in the bank.

Klever replied well we believe that this is a program for the City of Troutdale to run. We are here to raise funds for that program. We are not in a position to hire life guards and administer that program.

Councilor Ripma stated I am mostly concerned about the limited amount of money you have at this time. It seems like to little money to begin a program.

Councilor Kight stated I want to go back to Reynolds School Districts offer. They are planning on giving us cash of \$3,500 and providing a life guard.

Nelson stated the Reynolds School District has budgeted \$3,500 to fund one position. They will give us a body.

Klever stated that Dr. Lashner has offered his services in part of the hiring process for the life guards.

Councilor Rabe asked why did the Boosters pick the life guard program. How did we get to this point. I have went around my neighborhood and they don't know anything about it. To my knowledge, has anybody from the CAC contacted the Boosters directly and asked for support in this program.

Klever replied it was initiated by Mayor Thalhofer and the Police Department asking if we could form a group to raise funds to put life guards on the beach.

Councilor Rabe stated then this would not be what I would call a grass roots initiative.

Klever replied in that since no.

Councilor Daoust stated just to clarify, the citizens of Troutdale are not being asked to fund this program.

Councilor Ripma stated one of the two options before us is to have you run the program.

Klever stated I have no idea about that.

Councilor Ripma asked if we offered you the opportunity to try it out this summer, would that be possible?

Klever replied I don't know, I would have to go back to the board with that. We are not set-up to hire contractors specifically with the liability that goes with that. We have just organized since the first of January to raise funds to support the program as asked by Mayor Thalhofer and the Police Department.

Councilor Ripma stated that was my understanding from the very beginning when it was announced. That the program would not cost the City and that is the way it is structured and it is right here in our staff report. If it was a city operated program there would be city staff time required to hire people and train, that is not covered by the budget that is presented. Whereas the option of it being a private program, like a service project that would be a volunteer ran program.

Klever replied that proposal has never been made to us. We have not seen the budget, we are just in the talking stages of can we raise the money and we charged off to do that.

Mayor Thalhofers stated there are substantial people involved in the Boosters group, some of them who could probably fund the program themselves and who are helping the Boosters to provide life guards on the Sandy River. Do you have any doubts that these people and civic minded people will be able to raise the money you have projected to see this program through?

Klever replied I don't have any doubt.

Jack Glass stated I strongly recommend that the Council do all they can to work with the City to try and support this operation. I am in favor of a life guard program. As I mentioned earlier, education is the key factor and as Councilor Daoust mentioned that is part of the life guards position. Our bridge site is the highest drowning spot in the State of Oregon and we all know this. I estimated in a three months time frame from I-84 to the top end of Glenn Otto Park, we had 30,000 people visit the waterway; that is a lot of people to look after. Due to the beach patrol we do not have the alcohol problem that we once had, it is really cleaned up. It is a friendly environment, by having someone out there spreading the information and just being there observing. How it is all handled amongst the City, as long as there is no liability to the City and it is funded by the private sector any support at all would be a real asset. If it cost a little bit for the department to organize and put something together for hiring people, I am in favor of that. I think most of Troutdale would be as long as it is not a huge expense and no liabilities to guarantee the program to continue on. To save one person it would be worth the effort.

Councilor Ripma asked a program like this could be run by volunteers, with experienced trained life guards?

Glass replied the potential hiring of a contractor is a consideration. I would think that scheduling might be kind of difficult due to the weather changes. There are going to be days that there isn't a need for a life guard who is scheduled to be there at that time.

Councilor Ripma stated that would be true whether it was City ran or privately ran. With all of the signs saying that the river is dangerous and the presence of life guards, could that send mixed messages that this is a safe place to swim? Do you have any concerns with that?

Glass replied I don't think it will send that kind of message.

Mayor Thalhofers asked do you see any reason that the City of Troutdale shouldn't operate a program of this nature if it doesn't cost the City any money? It will cost a little bit but not much.

Glass replied if it is minimal cost it is a credit to the City.

Mayor Thalhofers asked don't you think that the Police Department, which is involved in public safety, would be the appropriate one to protect the public in the beach area?

Glass replied if they are able to allocate the money and room to do that, yes. It is real important that the City is not liable for any liability. There could be a drowning happening and what if there is nobody on duty, maybe the person is on a break or at the other end of the beach, there could be some legal aspects.

Mayor Thalhofers asked don't you think there is some liability now?

Glass replied I don't know. Without life guards there, is there really any liability.

Dan McMorris stated I would like to speak to you as an experienced life guard. From my prospective as a

community member who has seen people die in my community and wanting to be a part of something pro-active. I am thinking back to where safety programs came from. At some point in history, you look back to fire departments and police departments, there was a certain point when nothing was there. These programs came out of need. Ninety-eight percent of the work that a life guard does is in education.

Councilor Ripma asked would you prefer to see the park closed?

McMorris replied if that would save lives, yes. That fact is that it is open and people have access to that beach and we are seeing people die every year, that is the only guarantee that I see. Whether we take this money and spend it on a life guard program, in my opinion it could work with a life vest program, I think that was a missed opportunity tonight. Or if the money is spent to put up a fence, what ever it is going to take to save lives. The fact is, a lack of absence here is going to result in someone else dying and it is going to be in Troutdale because that risk is real and it is in our community. The fact that we are sitting here talking about what to do and arguing over how to implement it and why we can't and what to do with the money and is the money going to be there. The fact is, that we are ignoring the main issue which is there is danger and we are ignoring it. Either we need to do something to remove or prevent that danger, close the beach, or we need to do something to make that beach safe. I agree with the Mayor, I can not stomach seeing another person die. So we can argue and disagree on how to implement this, but I agree with Councilor Daoust that we need to be pro-active somehow. They say that life vests make you float and that life guards keep people away from danger. So whatever method this council decides to use to reach the end goal, I am behind and that is why I am a member of the Troutdale Booster Club. It is not a matter of whether this life guard program succeeds or fails, it is a matter of saving lives.

Councilor Ripma asked if the Booster Club had the opportunity to run the program, would you be capable of doing that?

McMorris replied I am not in a position to comment on that.

Councilor Ripma asked you do agree that it is a dangerous place to swim?

McMorris replied everything that I hear from the Mayor and Lt. Nelson says that it is a dangerous place.

Mayor Thalhofer asked if we fail to take action, what do you think that says about the City of Troutdale as far as it being a caring community?

McMorris replied that apparent show of apathy towards a situation infuriates me. If there are two things I have learned in watching this unfold over the last two weeks, its number one, if I were on a committee such as yours, how I would not run it. And number two, what type of people I would not want on a committee such as this if I were an elected official. I apologize if that offended anyone

Councilor Kight asked what would you say to the comment, if we make it to punitive and restrictive for adults to use the park that they will go either north or south of the park and use the river in another area so the potential for drowning is there as well?

McMorris replied if you arguing that by doing some sort of pro-active action and your fear is that people are then going to leave because of that action, then I would say that you are missing the boat.

Councilor Kight asked so what you are saying is the focus for the life guards should be in the Glenn Otto Park, but beyond those borders, which is still in Troutdale, we should not provide life guards in any other areas?

McMorris replied I appreciate the question and I think I will let someone else speak to the issue of how to

implement it. I am merely here to say to you as a life guard, I have heard all sorts of arguments as to why not to have a life guard, the majority of the time spent as a life guard is in managing the danger spots and educating the people.

MOTION: Councilor Daoust moved that the City of Troutdale implement a public safety Life Guard Program as a pilot project from July 3, 1999 through September 6, 1999, on and adjacent to the beach area at the Glenn Otto Community Park to be funded by the Troutdale Booster Club. The details of such program to be resolved by and between the Troutdale Police and the Troutdale Booster Club. Seconded by Mayor Thalhofer.

Councilor Daoust stated when I was at the last council meeting and we discussed this, I specifically wrote down a comment that I heard Councilor Thompson, Mayor Thalhofer, Councilor Kight, Councilor Rabe and myself say so I tried to fashion this motion to appease what they said and that is, I will support the life guard program if the funding is there. Having heard that from five out of the seven of us, it seemed at that time that the main issue was money. It appears that the Troutdale Boosters are guaranteeing that the money will be there in a timely fashion for us to start around July 3rd, that is why I used that date. It is later than we wish but it is a feasible program to at least have the City do something this summer. I called it a pilot project to see how it works the first year. This in no way commits us to do it again the following year if it doesn't work out well or it serves no purpose. The Troutdale Boosters know how to raise money and they know how to give money. I have never seen a more generous group of people in the City of Troutdale. They have supported other organizations in Troutdale and I truly believe that they have the full capacity to raise the money that they say they can. On top of that the Reynolds School District Board agreed unanimously to fund one to two life guards for \$3,500. The members of the board that I talked to called it a no-brainer. If the Reynolds School District Board can sit and make a decision that they are not going to control and get credit for, I wonder why we are struggling so much over the same issue. The reason we have to deal with this has been brought up by a couple of people. I am going to back to some statistics that Jack Glass brought up. Twenty-five years ago in the State of Oregon we had twenty drownings a year, now we have eight to nine a year in the state and two to three of those are happening in Troutdale. Troutdale is on the map as having twenty-five percent of the drownings in the State of Oregon. I don't see how we can ignore the fact that people have their eyes on us. What are we going to do, having twenty-five percent of the drownings of the entire State of Oregon right here in our back yard. What is this Council going to do? I think due to the evidence at Seaside and Cannon Beach they have truly proven that life guards are effective with all the lives they have saved in those two cities alone. Parents need assistance on the beach, they need somebody else to help keep an eye on the kids that go down to the beach. That is part of the role of a life guard. Education is the key, there have been numerous people that have brought that up and a life guard has brought it to our attention that education is most of there job. A life guard program can provide that, how else are we going to provide education to people down at the beach. I don't want to be a Councilor that voted against life guards when the first drowning occurs in July of 1999. I hope that we don't have very many of them on this council because eventually it is going to happen and the news media is going to come to Troutdale when the drowning occurs and they are going to ask Councilors which way did you vote on the Life Guard Program. I want to be able to say that the majority of the Troutdale City Council supported a program that would deal with the issue. I don't want to have to say to the news media that the majority of the City Council voted against a Life Guard Program. I hope I don't have to say that. Lastly, I am grateful that the Boosters are willing to take this on and provide the money to do it.

Mayor Thalhoffer read an 1993 article from the Gresham Outlook regarding a drowning that occurred in the Sandy River. Rather than have the Portland Dive Team come, I would rather see us take a pro-active approach to this and provide life guards as a pilot project to see how it works and if it is effective. And if the Boosters decide they do not want to fund this next year, there are other places to go for funding. I have been Mayor since April of 1993. I was appointed by the City Council because at that time I was President of the City Council. I have been elected twice since then, and during the time I have been Mayor, 1993 to present, things in Troutdale have gone pretty well. I don't take all the credit for that, but I am the elected leader of Troutdale and I take that job very seriously. We have an excellent police force. They are sworn to protect the public, to protect the people in Troutdale, visitors and anyone who comes into our City. As Mayor of Troutdale I think it is very important that we provide public safety to everyone in every way that we possibly can. We have a police force that keeps our roads and homes as safe as they possibly can. But public safety also includes protecting people who come to our beach at the Glenn Otto Park. We have big signs that say please don't come, please don't swim there and yet we let people swim there. You talk about risk, I can't think of a higher risk, if you are willing to let people swim after you put up all these signs about how dangerous it is. I have tried to do the things that I think benefit the City of Troutdale. I have started to take the leadership role in many of these issues. This is one I have taken the leadership role in because too many people have drowned in the Sandy River and most of them are young men that are just getting started in life. They drown for various reasons, maybe they had too much to drink, or maybe they just don't have good judgement, sometimes teenagers don't, maybe they can't swim very well and they try it anyway and they don't understand how treacherous the Sandy River is and how cold it is, how swift the current is, the undertow, the rocks and everything else that is wrong with the Sandy River. A lot of them don't understand that and are from out of our area. A lot of them are of Hispanic origin and they can't read the signs. So as Mayor I have taken it very seriously that if we have people dying in the City of Troutdale, whether it is on the street corner or in the river, and if it was happening that we had people dying on the same street corner I am sure we would take steps to remedy that situation. I am saying we have people dying in the Sandy River, most of whom are dying right off the Glenn Otto Park beach and we need to do something about it. We can have life guards and try that program or we can close the beach and say that there is no more swimming at this beach. But we, as a responsible community, need to do something to take some pro-active steps. A question was asked of whose idea was this. Well that is kind of a strange question. It was the River Safety Committees idea of which I was a member. I feel it is this communities responsibility to provide public safety to, not just the residents, but people who are using the Sandy River right off of our beach in the City of Troutdale. The River Safety Committee studied this for three years and I guess I resent some of these things being said like whose idea was it. Well it was the river Safety Committee's idea because we studied this for three years and we put a lot of thought into this. This was citizen involvement at its best with experts who were sitting around a table trying to figure out how to handle this situation. When this first came across two weeks ago, I had never expected this much opposition to a program to save lives. It blows my mind. I have heard so many reasons why this Life Guard Program won't work like, if we have life guards it is going to entice people to go swim in the river. If they see that big sign that says "don't swim in this river it is dangerous," and it lists the names of the people who have drowned and they see life guards blowing their whistles, are they going to think that it is a safe river? You've got to be kidding me, what kind of logic is that. There isn't any on that, none at all. Taking the leadership of this program as the Mayor of Troutdale, it was a move that I made because I believe in this, I believe in saving people and not having people drown in our river if we can prevent it and it is not costing us any money. And still we have all these reasons why we shouldn't be

doing this, it will hassle them, it's punitive. The Life Guard Program is not punitive, it is just the opposite it is trying to save lives. Well they will move to some other part of the river, well okay, but they won't be drowning where they all drown anymore, will they. And if they move to some other part of the river, maybe we can address that at some other time but right now the problem is at the beach right off the Glenn Otto Park. I welcome a public private partnership as I see unfolding here between the City of Troutdale and the Troutdale Booster Club. They don't have anything to gain, except they are doing something to protect the public. Every young man who has drowned has a mother and a father and when they find out that their son has drowned, that is a tragedy that will impact them the rest of their lives. Anybody who doesn't take this seriously or thinks this is a joke has got a real problem. I say that we need to approve this pilot project and see how it works this year and if we need to make changes or find another source of funding, fine, we can do that. Lets not stick our head in the sand and say we don't really have a problem and it will expose us to more risks, these are spurious arguments. If you throw enough stuff at the wall, if you know what I mean, they hope some of it will stick. I don't think it will, not with reasonable people who are using logical minds to listen to what should be logical arguments not spurious arguments. Life guards will provide education. The River Safety Committee has been providing education for three years and they have done a good job. Everybody in the Country knows about the danger in the Sandy River in Troutdale, they have it on the television every time there is a drowning. We get a lot of publicity that way. It is the wrong kind of publicity, we want the kind that puts us in the Sunset magazine. As the Mayor of this City I have taken the lead in this program and if it does not pass, it will not kill my soul. But I will say this, if it does not pass then this City has to take a good look at itself. Are we really a caring community, do we really care about the people in our community, not just our residents, but to all the people who come to this community to visit, play, relax and enjoy. As your Mayor I have taken the responsibility and I am doing everything I can to see that we have a safe beach off of Glenn Otto Park. I think we owe our citizens and the people who visit us this much, that we are going to provide as safe of an environment for you to swim in as we can. That is all we can do. A person might drown if there are life guards on duty, but I will guarantee you there is more chance of people drowning if there are no life guards. I submit to you, although I have a passion on this program because I hate to see young men drown in our river, as a caring community and responsible people we need to authorize this program as a pilot project and especially when it doesn't cost us hardly a dime. I don't understand the quibbling over the money when the Boosters are paying for it. I submit to you, that if we do not pass this and get this pilot program going then whatever happens hereafter, it will be sad if we have not taken some action. The time for action is now. We can not put it off and I say lets do it and if we do not do it, each member of this Council has to take a good look at themselves and wonder why we didn't do it.

Councilor Ripma stated the reason I am going to oppose this motion is not because I've got a problem Mr. Mayor, but because we have a better option before us which is option number two. It is presented to us that we either close the beach or we adopt the motion on the floor or we've got a problem, those seem to be the options before us. I don't see it that way. The beach has been what it has been for a long time. To close it would deny people the enjoyment of going down there. That is the safest course, everyone has said that. I don't agree with the argument that Councilor Daoust made, that parents need assistance on the beach. The idea that the citizens of Troutdale should take care of the kids down on the beach offends me. The program was originally pitched to us, by you Mr. Mayor, as being a program that was going to be voluntary and that the fund raising was going to be done by a private group, the Booster Club has come forward and they haven't even been presented with the option that I favor, which is number two, which is that they hire and take it on as a

service project. That has apparently never been presented to them, you have only presented to them the option of the City hiring the life guards. I have never heard so much opposition to a program in all my years on the Council as I have to this. If a pilot program is to be run, I firmly believe it should be ran by a private organization. They can hire a professional to do it the same way that other civic organizations run. The City run program, if we did one, would be limited to the city limits. As we all know the Sandy River, people drown on both sides of the river and outside of the city. A volunteer run program could be more flexible. I am really afraid that the passion involved, particularly from you Mr. Mayor, the implication that those of us who do not support the motion on the floor have got a problem or have blood on our hands, I resent that. I think you are too close to it or are involved in it too much. I have never heard an argument like that from you and I think it is just evidence that you are not objective about it. That river is dangerous, I don't know if you recall but we had a Planning Commissioner named Steve Ambrose, he was a life guard and I will never forget what he told me about the dangers of trying to rescue someone in that fast, cold river water. Often they are pulled right to the bottom, they are incapable of being rescued. His comment was that you are going to lose some life guards. I can't prove that, just like I can't prove that the next one that drowns, and surely whether we have the program or not someone is going to drown, and I can't prove that they would have been saved. But by saying that we have to remove as much risk as possible, which would be closing the beach, I just don't think that it is fair to most of the people. Of the 30,000 people that go down there, most of them don't drown and they enjoy themselves. I feel confidently that I speak for the people of Troutdale, I am elected as you are Mr. Mayor and we have our differences. The idea that if the Boosters don't come through we can always cancel it, that is harder for a City to do than a private group. After all the months that the Boosters have been in existence, and I don't know exactly when they started, they have raised \$5,000. While they are projecting that they will have a lot more in the next few months, it isn't sound enough to base the start of a program on. For various reasons, I am willing to let my opinions about the wisdom or non-wisdom of this go by the wayside and allow the Boosters to do a life guard program or any other water safety program they want, that is option two. If it is the motion before us of the City hiring the life guards, then I have to respectfully decline to support that. I don't think that is what the citizens of Troutdale want and I will not support the motion.

Councilor Thompson stated I have no comments.

Councilor Kight stated I have no comments.

Councilor Rabe stated that I think it would be wise that I defer at this time. Although I will comment that I am somewhat surprised at the extent that some people will go to prove a point. I will also caution those of us, that what you hear from a person should be respected and should be considered in all do fairness. And be careful that what you hear is not edited by your head such that you rephrase it in a way that serves your purpose and not that which it came from.

Councilor Daoust stated I would like to clarify a question of Councilor Ripma. I listened to your arguments but I didn't hear why you preferred option two.

Councilor Ripma read option number two. That is the program I understand, for a couple of years now, to be the proposal that would come before us. I was astonished in March when the proposal that did come before us was not something like that, but was a program where the City hired the life guards and paid them out of City funds. The reimbursement,

while welcome from the Boosters, certainly does not cover all the costs. I happen to know that just the amount of time that the Police Department has had to spend so far on this and the amount that they would have to continue to spend in managing the program and hiring life guards is going to seriously affect the beach patrol which I think is a far more significant contributor to saving lives down there. They enforce the alcohol ban that is a great hazard. The beach patrol is why the beach is now a family friendly place. By having the City Police Department run the program it will divert there resources which are very limited. If the Boosters or some other group want to run a volunteer program, more power to them. But I am not able to support your motion and I hope that explains why.

Councilor Smith stated that the Columbia River is a lot worse then the Sandy River. We can not protect everybody. The Sandy River is a large area, would three or four life guards be able to cover it, I don't know. Multnomah County was a participant on the River Safety Committee, are they recommending that Portland and all the other areas in Multnomah County have life guards for there waterways or is it just Troutdale. I ran for City Council because I didn't like the idea of one person running the City Council. There are seven people up here, this a democracy not a socialist government. I feel to turn around and put us down when we have different people with different ideas and the fact that you feel we are less then nothing because we don't agree with you, I don't feel that is right. That is why there are seven people on this Council, not one.

Councilor Thompson stated I am going to have to side with Councilor Ripma because of the option two. I don't believe that the City should be the one to hire the life guards. It may be somewhat of a technical matter but it is my best judgement that the work can best be done by the Troutdale Booster Club by using the money that they raise to hire the life guards through an independent contractor and leave the City out of it. I appreciate the passion generated by the argument on both sides but sometimes those passions get in the way of logic and good sense. So I am not going to support the motion although it does not make me in anyway opposed to life guards it is just the mechanism in which they can be hired to do the job that I object to.

Mayor Thalhofer stated that the proposal that we had before and that we have always had never did call for volunteers to operate the program. Volunteers are the ones who we are going to rely on funding it because the City does not have the money to fund it. If anybody had the idea that it was going to be an all volunteer program that was never the proposal of the River Safety Committee.

Councilor Ripma stated no, but they would hire the life guards.

Mayor Thalhofer stated that we would hire the life guards and run the program and the Boosters would provide the money, it was clear and simple.

Councilor Ripma stated I recall it the other way Mr. Mayor.

Mayor Thalhofer stated the entire program from the beginning, first we were hoping the City could fund it last budget year but that was before Ballot Measure 50. Then we came to private funding and the Boosters came forward. I guess you could say that I am too close to the problem, yes I am to close to the drownings. I am to sensitive to that to sit here and not do something about it and when you keep saying that the Boosters should operate the program, what you are saying is that you do not want to do it. The Boosters are not equipped to run the program, the City is. The City is a public safety agency. The life guards

could also help be the eyes and ears of the beach patrol and they could work together. We want a family friendly beach and I don't see how we could have a family friendly beach when we have people drowning there. I am sorry if I have insulted anybody, I didn't mean to put you down. I am just saying, as far as I am concerned it is time to act and do something proactive. I mean no insult to any one individual or councilor. I am also offended by the remark that just a couple of people put this together and the people do not want it. That is not true, it was a three year project and the River Safety Committee did the work.

Councilor Kight stated it sounds like this council is polarized. When in fact we are closer to the middle then we realize. What I am hearing from this council is that we are in support of a life guard program. We find it commendable that a group of citizens, in this case the Troutdale Boosters, have taken it upon themselves to resolve a serious problem of drowning on the Sandy River. I would like to see the life guard program, but we are faced with a problem. This City has a \$700,000 to \$1,000,000 shortfall as a result of measure 5. I would like to see this program go forward but I want to look first at the budget before the City commits to providing over 260 hours a year into this program. The staff impact will be 5 hours a week on a average throughout the year on the hiring process. I think we are coming together. I see the Boosters doing the final program, possibly hiring a contractor so we can get this program off and running. Then depending on how we are financially, maybe the City can be more involved. At this point and time I can not commit to the City spending additional staff time and money that we may not have for this program. At the same time I would like the life guard program to go ahead and maybe the Troutdale Boosters can have a meeting and talk about it.

Councilor Rabe stated I can not support this motion for some of the reasons that have already been mentioned. One component that I have yet to see in any capacity with regards to developing this program is any citizen involvement such as Citizen Advisory, Parks Advisory things that are already available. At no point has that been mentioned as being incorporated into this process. If you want this thing to be a success then it is necessary for the citizens to have a buy-in, they are going to want to be a part of it, they are paying for it or potentially paying for it. If the Boosters were capable of providing the funding, with the cooperation of the Police, we have no component for citizens to even find out if citizens are behind it. For those reasons and the others already mentioned I don't believe that I can support it as it stands.

Councilor Daoust stated I would like to address the point that Councilor Rabe just brought up. The issue went before the Parks Advisory Committee and they unanimously voted in favor of having the Booster Club program. The Boosters themselves are a group of citizens, so there has been citizen input and one of our own committees has been involved.

Councilor Rabe asked how did you find that out, did we receive information on that?

Councilor Daoust replied my wife is on the Parks Advisory Committee. Because it is a City park it went before the Parks Advisory Committee and they unanimously approved a motion similiar to the one I have made tonight. If we wanted to do something about a Life Guard Program we would take it on and not tell somebody else to do it.

Mayor Thalhoffer stated people are raising now the money that the City can spend on this program. We keep saying that it is going to be funded by the Troutdale Boosters. Why do we keep coming back to the City's budget to see if we have enough money to spend on this program. The Boosters will provide the money for the whole program, so it is just another

way to say you don't want to do it. Secondly, you keep saying let the Boosters run it because you know they don't want to run it. They are not set up to run it.

YEAS: 2
NAYS: 5 (Ripma, Thompson, Kight, Rabe, Smith)
ABSTAINED: 0

MOTION: Councilor Ripma moved that we adopt option two under the recommendations in the staff report. Seconded by Councilor Thompson.

YEAS: 5
NAYS: 2 (Thalhofer, Daoust)
ABSTAINED: 0

6. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhofer called this item.

None.


7. ADJOURNMENT

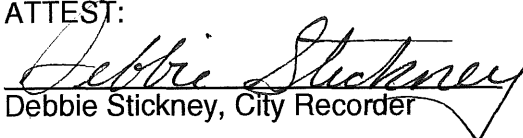
Mayor Thalhofer called this item.

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

YEAS: 7
NAYS: 0
ABSTAINED: 0

Meeting was adjourned at 12:01am.


Paul Thalhofer, Mayor
Dated: 6/25/99

ATTEST:

Debbie Stickney, City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

April 27, 1999
CITY COUNCIL REGULAR MEETING

PLEASE COMPLETE THE FOLLOWING

NAME <small>(please print)</small>	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
David Nelson	City Hall / PD	665-5175
Mark Berrest	Police Dept	"
Ana Hayward	2147 SW Kendall ct.	669-8572
Willie Hayward	"	"
Kurt Jensen	107 EHCEN TROUTDALE	491-2023
Don McGinnis	151 SW 257 th	665-4071
Carl Baughman	Multnomah County DES	248-3580
Richard Weill	102 W. Hist Hwy	492 8911
Terry E. Smoke	345 E. Hist Col. Riv Hwy	661-0123
Kristina Y. McMorris	4184 SE 29 th St.	663-9061
Daniel McMorris	"	"
Heane Nelson Wright	215 SW 23 rd Troutdale	492-0423
Ray Regolin	2670 7 SE Stark #16	674 9565

--PLEASE COMPLETE THE FOLLOWING--

NAME (please print)	ADDRESS	PHONE #
DAVID RUMANN	938 SE Roberts GRESHAM	666-4425
STEVEN LOTSIS	Gresham Fire	618-2359
KEITH NEELY	Gresham Fire	618-2355
ROB KLOBER	1420 SE BUTTS	661-6460
MAX MAYDEW	2204 SW FOX CT	666-6783
CATHERINE ARCHIBALD	1919 SW Laura CT	674-7641
Rosanna Archibald	1919 SW Laura Ct.	674-7641
Chris D Suto	1190 NE Division - The Outlook	492 5119
Jane Frazier	997 NE SUNSET WAY	492 1445
BRUCE TARBET	2940 NE Boeck Dr. Gresham	661-6679
Linda Yoshida	29330 SE Stark Trout.	669-3443
Quaine M. Demine	3480 SE Elizabeth Pl.	667-3238
Tom E Rutledge	Gresham Fire	618-2677
Markus Sperr	City of Gresham / Frontline Village	618-2531
GRISelda JACINTO.	1709 Walnut Dr. Woodville	667-6444
Alexandra Knykendall	El Programa Hispano/Reynolds High School	667-3186 ext. 358
TRENT WESTOVER	1488 SW 17th Ct. GRESHAM, OR	492-1104
Steven Bishop	635 SW Miller Court Gresham, OR	492-3162
Casey Schumacher	485 SW 6th Gresham, OR	665-9772

DATE 4/27/99

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--PLEASE COMPLETE THE FOLLOWING--

NAME <small>(please print)</small>	ADDRESS	PHONE #
Curtis Allen	1447 SW 19th ct Gresham, Or	667-5754
Dan Munger	2430 SW Wooderview Dr Gresham OR	661-6292
PERRY STEVENSON	2894 SE Evelyn Place <small>Gresham</small>	669-7981
David Betina	1124 SE 4th <small>Gresham Or</small>	665-1525
Kenny McAfee	1303 SW 15th ct Gresham OR, 97080	492-2916

DATE 4/27/99

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