



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL - REGULAR MEETING

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

7:00 P.M. -- October 12, 1999

EXECUTIVE DEPARTMENT

Fax (503) 665-7265

Administration

City Administrator
City Recorder

Human Resources

Community Services

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Approve Business License: Month of September, 1999
 - 2.2 Adopt Findings: Adopt findings of Fact and Final Order affirming the City Council's denial of a conditional use land use application in the matter of Case File No. 98-013, Expansion of the Columbia Gorge RV Park.
 - 2.3 Resolution: A Resolution of the City Council of the City of Troutdale increasing building permit fees of Oregon State adopted codes and amending Section 4 of Resolution 1443 establishing specific fees and charges.
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 4. RECONSIDERATION: A reconsideration of a previous Council decision regarding the location of Tri-Met bus 24's layover location in downtown Troutdale. Galloway
- (A) 5. PUBLIC HEARING / ORDINANCE (Introduced 9/29/99): An Ordinance amending Section 2.24.030 of the Troutdale Municipal Code to amend when competitive bids are required. Wiesinger
- (A) 6. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance amending Chapter 2.08, Rules of the City Council, Section 2.08.060, Presiding Officer. Mayor Thalhofer
- (I) 7. COUNCIL CONCERNS AND INITIATIVES
- (A) 8. ADJOURNMENT


Paul Thalhofer, Mayor

Dated: 10-6-99

C:\AGENDA\101299CC.AGE

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

October 12, 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 Kight to lead us in the Pledge of Allegiance.

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

STAFF: Galloway, Wiesinger, Kvarsten, Allen, Stickney

GUESTS: Al Hayward, Young Park, Norman Thomas, Shannon Turk, Rex Thornton and Lou Nederhiser

Mayor Thalhofer asked are there any agenda updates?

Kvarsten replied we have no changes this evening.

2. CONSENT AGENDA:

2.1 Approve Business License: Month of September, 1999

2.2 Adopt Findings: Adopt findings of Fact and Final Order affirming the City Council's denial of a conditional use land use application in the matter of Case File No. 98-013, Expansion of the Columbia Gorge RV Park.

2.3 Resolution: A Resolution of the City Council of the City of Troutdale increasing building permit fees of Oregon State adopted codes and amending Section 4 of Resolution 1443 establishing specific fees and charges.

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: 6
NAYS: 0
ABSTAINED: 0

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

No public comment received.

4. RECONSIDERATION: A reconsideration of a previous Council decision regarding the location of Tri-Met bus 24's layover location in downtown Troutdale.

Mayor Thalhoffer called this item.

Galloway stated as you may recall, at your June 8th meeting you decided to make a recommendation as to a preferred layover location for Tri-Mets bus line 24 which provides service on Halsey and into down town Troutdale. At that meeting, after hearing testimony and discussing among yourselves, you made two determinations. Number one, was your first preference would be to have the bus layover location where it historically has been and that is in the area just north of City Hall on a property that is owned by the City and by a private property owner. You also determined, should that not be possible and Tri-Met is not able to work out arrangements with that property owner then your next preferred location was for the bus to resume its layover location on 2nd between Kendall and Buxton, where it had been for some time until it had to relocate due to construction work on SW Kendall. We were informed after that, that Tri-Met had not been successful in working out arrangements with the property owner, so once our construction project was complete that they would resume the layover location on 2nd between Kendall and Buxton. Following that you received a letter, which is included in your packet, signed by three property owners in that location indicating that they did not like the bus layover location on 2nd between Kendall and Buxton and asked for your reconsideration. Staff has notified the three individuals that signed the letter, letting them know that this matter is being discussed tonight, we also notified Tri-Met so they could have a representative here tonight. We also notified Terry Smoke, the Chamber of Commerce down town business representative. He contacted me this afternoon and indicated that he had a prior commitment this evening and would not be able to join us but indicated his preference was to leave the layover location where it is now on 2nd between Kendall and Buxton until such time as a more permanent arrangement can be made, hopefully at the Glenn Otto Park.

Councilor Daoust asked back in June when we discussed this, did we provide an opportunity for public comment at that time?

Galloway replied yes.

Councilor Daoust asked were any of the same citizens that wrote the letter here?

Galloway replied to my knowledge, they were not.

Councilor Daoust asked has Tri-Met tried parking just east of there, and did we get any complaints when they were just east of there on 2nd Street?

Galloway replied they did during the period of time that we were doing construction work on Kendall, they used a location on 2nd Street between Harlow and Dora. I am not aware of any specific complaints from adjacent residents but that was a matter of concern for some of the down town businesses and I believe when Mr. Smoke addressed the Council at the June meeting he expressed opposition to that location on behalf of some of the down town businesses. I think his concern was with losing several prime parking spaces at that location.

Councilor Ripma asked is the port-of-potty still there?

Galloway replied that has been removed.

Councilor Ripma asked so what is the driver using now?

Galloway replied I don't know, Tri-Met will have to answer that.

Mayor Thalhoffer asked is it true that the bus drivers are using the City's Conference Building during the time that it is open?

Galloway replied I do not know that. I know that there was some discussion between Tri-Met and someone on the City staff on the possible use of that.

Young Park, Manager of Capital Projects for Tri-Met. I was here in June to speak to you to present some findings on the various options that we have discussed. We have looked at some various options of some preferred scenarios of continuing our bus service down to Glenn Otto Park as well as providing some follow-up and discussions with the private property owner to the north of here. That has not materialized, and what we now have is a bus layover on 2nd between Kendall and Buxton. That has been in place since early August, and one of the questions that you had is where is the port-o-potty? It has been removed and we have been able to provide restroom negotiations with Plaid Pantry. Since we have made this a permanent location, some signage has been changed. We now have a permanent bus stop sign, as well as some signage designating half of the street as a bus zone. During our layover, anytime it is greater than two minutes our busses shut off the engine. We have received some minimal complaints, stating that the walk to that bus stop is two or three blocks greater than it used to be. Our position is that we wish to honor our commitment and agreement, that was stated back in June, and we wish to maintain our existing layover location on 2nd Street. We have looked at other possible options that the letter states. One is to extend the bus service on to Glenn Otto Park. We understand that is the City's preferred option. Currently we do not have any resources to do that, but we will consider that and if future opportunities arise we can look at that more carefully. Another option was to use the lower parking lot immediately north of us and to provide that as the layover point for our busses. Back in early May and June we did look at that and it was agreed upon at that point that it would cause a loss of parking spaces and because of the weight of our vehicles and the turning radius that would be needed, it was determined that the location would not be adequate. Another option that was raised was why not continue our service to the Factory Mall. What that would do is basically lose the coverage in downtown Troutdale. Also in doing that, because of the one-way configuration on Frontage Street, it would take too long and would require more resources to accommodate that. So that is where we are to date.

Councilor Kight asked I know you have looked at several different locations, have you in your prospective, exhausted all available alternatives for having it on downtown main street?

Park replied we believe so.

Councilor Kight asked since the driver has to leave the bus on 2nd and go to the Plaid Pantry

Park stated let me correct that, our busses stop on Columbia River Hwy., there is currently a bus stop immediately east of Plaid Pantry and our drivers are authorized to leave the bus for a short duration to use the restroom and then come back.

Councilor Kight asked what security do you have for the bus when the driver leaves the bus?

Park replied I believe the policy is to leave the bus door open.

Councilor Rabe stated you mentioned that you have exhausted the possibilities on main street. In front of Mayors Square there is a two hour parking limit area, there are no fire hydrants and no parking zones. I was out last night walking with my wife and I mentioned this issue and she stopped there and she said why doesn't it stop right here for a layover. I would think that arrangements could be made to use the facility in the Police Station.

Park replied we have asked the Police Station for use of that restroom and because of security reasons they have declined.

Councilor Rabe stated if that were remedied would this be a viable site?

Park replied that is something we could look into. It is required that we have a minimum of 100 feet to accommodate two busses.

Councilor Rabe asked how frequently would there be two busses there?

Park replied about two or three times a day. There would also be some loss of parking spaces.

Councilor Daoust asked is there a problem with Tri-Met drivers using a tavern for a restroom?

Park replied we have had some mixed messages with that.

Councilor Daoust asked what would be the cost to Tri-Met to re-locate again?

Park replied it would require three to four hours of resources to make that happen, I can not put a dollar amount to that.

Councilor Daoust asked did you check out before when you did the test drives, going down to Glenn Otto Park. I have timed it and it takes one minute to get from City Hall down to the Park and there seems to be plenty of room down there even for a couple of busses, they have restroom facilities and I was curious what your thoughts were on that option.

Park replied in the summer time, during the peak season, some of the concerns are that there is not enough parking spaces. In order for a bus to make a turn and get back onto Columbia River Hwy. it would require what we consider to be excess loss of parking spaces on the park parking lot. Secondly the park is also closed after certain hours, the restrooms we understand are also closed. There is also a bigger question of security for our operators being out there at a remote location. Anything we do to extend the route will require additional resources.

Councilor Daoust asked when you say more resources, do you mean an additional bus?

Park replied in some cases another bus and another operator.

Councilor Daoust stated that is the part I don't understand, if it is an extra two minutes why it would take another bus.

Park stated Tri-Met has some requirements on the duration of the layover that is required after a

certain hour of service, that is in our labor rules and regulations, and if we exceed that then we need to provide a certain level of break and coverage and also maintain our schedule. Service varies anywhere from 15 minutes to 30 minutes. Layovers are anywhere from zero minutes to 25 minutes.

Councilor Ripma asked if the bus could stop at Mayors Square on main street, could the driver continue to use the Plaid Pantry?

Park replied that is something that we need to find out, I think that option is available.

Councilor Ripma stated as I understand it you had complaints from businesses, for awhile you were turning the bus around at the terminus by the Depot, and pulling it onto the main street for the layover, right?

Park replied yes. That was a loss of parking spaces and being in front of the businesses.

Councilor Ripma stated Mayors Square is the only place in the heart of main street that doesn't have a business right there. The idea of having a layover in any residential or close to a residential area is probably not going to work. If you can't turn it around in down town and you can't go to Glenn Otto Park and you can't run it around the Frontage Road loop, what would you do?

Park replied one option is to terminus at 257th and Columbia River Hwy.

Councilor Ripma asked where would you turn it around?

Park replied that is another concern.

Councilor Ripma asked have you considered the idea of having the bus go into the Factory Outlet parking lot and turn around in there?

Park replied we have looked at that. Once again the bus operates on weekends, weekends have a lot of activity and safety is a factor to consider. The roadways are also not configured for the loads of a heavy bus so there are additional maintenance responsibilities and other considerations.

Mayor Thalsofer stated I am struck with Councilor Rabe's idea, it sounds like a winner to me. Is there still hope for the Glenn Otto Park or the area across the street from the park in the future.

Park replied those are long term ideas that we can definitely look at.

Mayor Thalsofer stated getting back to the area in front of Mayors Square, that seems to be a central location in the heart of down town. Doesn't that seem like it would be an appropriate place?

Park replied from a visibility prospective, yes. It could also provide for another bus stop further into Troutdale.

Councilor Kight asked could that in fact, instead of having it exclusively a bus layover area, could it have a dual purpose such as a bus layover and a loading zone, at the times when the bus isn't there, is that a possibility?

Park replied as long as we could honk and the truck that is unloading would move out of the way. Otherwise there may be some conflicts.

Councilor Rabe stated the most we are talking about is two busses, my concern is do we have the space? What would that length be?

Park replied 100 feet.

Councilor Rabe stated you had mentioned something about traffic that I hadn't thought about, if the lead bus would be close to the Dora intersection, that could be a visual impairment for a vehicle pulling out onto Columbia.

Park stated traffic engineers take a look at those and in many cases we have to move a bus or relocate.

Councilor Daoust asked Mr. Galloway, since Terry Smoke represents the businesses down town and he talked to you this afternoon, what did he say there preference was?

Galloway replied he indicated that the preference would be first to establish a location near the Sandy River, in other words Glenn Otto Park. Until that can happen he would prefer to keep it where it is, on 2nd between Kendall and Buxton.

Councilor Daoust asked have the business owners ever addressed this option of parking in front of Mayors Square?

Galloway replied I am not aware whether they have or not. I guess the only comment I would make on that is I know when Mr. Smoke was here at the June meeting he express concerned and not opposition to using the location on 2nd between Dora and Harlow because he felt those were prime parking spaces to support the down town businesses. I would assume that he would feel even stronger about the loss of parking spaces on Columbia River Hwy.

Councilor Daoust stated it sounds like an excellent spot. Maybe when we do some engineering checks we could also check with Terry Smoke to see how the businesses would react to that location.

Lou Nederhiser stated I have the business property at 105 SW Buxton. I know you have read my letter and all the negativeness and I want to say I am not against Tri-Met or having it in the area, it is just the location of where they are currently sitting. Listening to you tonight, I think you are on the way to finding another spot. I am excited about Mayors Square and I am also excited about Glenn Otto Park. I think that is a terrific place.

Rex Thornton stated I am a resident at 133 SW 2nd. What I have heard tonight is really positive about the Mayors Square location. It is very annoying to have the bus come up and down that hill, especially on Buxton when it is busy. When they come up there at 6:00am and they don't quit until 11pm from Monday through Saturday it really gets bad. I appreciate you thinking about other options.

Mayor Thalsofer stated it appears there is a lot of support for checking out the area in front of

Mayors Square. Mr. Galloway can you, in conjunction with Tri-Met, check that out and see if that is feasible and report back to us.

Galloway stated in talking with Mr. Park he thinks we can bring that back in a couple of weeks.

Councilor Daoust stated since we came into this with Tri-Met and the down town businesses wanting to leave it where it is, I am real sensitive that the business people be made aware of this option.

Galloway stated I will be contacting them.

Allen stated Councilor Smith stated she would like to see staff do a report and analysis on what it would cost to buy the Yoshida property where the bus turn-around use to be. She thinks the City should acquire the property, she believes that is the best and only option for the turn-around and layover. She was concerned about Mayors Square because of winter conditions, traffic and feels like going to Glenn Otto Park is an unacceptable alternative because it is dark and to far away. She sees the Yoshida property as the only alternative.

5. PUBLIC HEARING / ORDINANCE (Introduced 9/29/99): An Ordinance amending Section 2.24.030 of the Troutdale Municipal Code to amend when competitive bids are required.

Mayor Thalhofer called this item, closed the City Council meeting and opened the Public Hearing at 7:55 pm.

Wiesinger reviewed the staff report contained in the packet.

No questions or comments were made.

Mayor Thalhofer closed the Public Hearing at 7:58pm

MOTION: Councilor Ripma moved adoption of an Ordinance amending section 2.34.030 of the Troutdale Municipal Code to amend when competitive bids are required. Seconded by Councilor Kight.

Allen stated I have reached Councilor Smith on the telephone and explained to her the presentation and that a motion had been made by Councilor Ripma and seconded by Councilor Kight to adopt the Ordinance as presented. Councilor Smith said she wanted to vote in favor of the motion and had no comments on the Ordinance.

YEAS: 7 (Councilor Smith voted by phone)
NAYS: 0
ABSTAINED: 0

6. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance amending Chapter 2.08, Rules of the City Council, Section 2.08.060, Presiding Officer.

Mayor Thalhoffer called this item and closed the City Council meeting and opened the Public Hearing at 8:15pm.

Allen stated the Ordinance before you was drafted in follow-up to a request that came out of a work session and it is trying to bring the Council Rules up to date and make them consistent to the amendments that were made to the Charter. As you may recall, when the Charter was amended, Council Rules were in place then the Charter was amended to allow the Mayor to vote and play a more active role in making decisions and participating in advocacy on the council. Since the Charter was amended, Council Rules have not been updated. We have prepared an Ordinance for you that indicates that the Mayor may now participate in advocacy and may make and second motions on matters that come before Council.

Councilor Kight asked in constructing this new Ordinance to replace and be in conformity with our current Charter, did you receive information from more than one source and if so, what were those sources?

Allen replied I received a request from Erik Kvarsten. After the Ordinance was drafted I talked with the Mayor.

Councilor Kight asked were any changes made after talking with the Mayor?

Allen replied I took out the language that was currently in the Council Rules that prohibits the presiding officer from participating in advocacy and I added the language that indicates that the presiding officer may vote on an issue and may make motions and participate in debate. Originally that sentence did not include "may make motions".

Councilor Kight asked is that the normal course of events when you have a presiding officer over a meeting to make motions?

Allen replied there is precedent for other jurisdictions where presiding officers do make and second motions, it is really a matter of you as a Council deciding what you want your Council Rules to say in terms of the role of the presiding officer.

Councilor Kight asked couldn't the presiding officer preempt any of the other Councilors by making a motion first since he or she is in control of the meeting?

Allen replied the other sentence that was added to the Council Rules indicates that the presiding officer shall remain neutral and avoid favoritism in making rulings and performing functions as the presiding officer. I think in that language it is intended to preserve the neutral role that the presiding officer serves when presiding over a meeting. If the Mayor were to make a motion and the Council wanted to debate that motion or make a different motion then I think those issues can be raised with the presiding officer.

Councilor Ripma stated I would like to discuss the wording of this before it goes to the second reading. I favor the change in the rule, it is inconsistent with our Charter and since the Mayor can now vote I think the Mayor should be able to participate in the debate. I feel strongly that the presiding officer should not make motions and I would like to clarify the language here that it is not permitted. I think it is a bad idea because there is no way for any presiding officer to not reserve

in his own mind that he is going to make a motion and call on himself first. If you are presiding and you care to have a motion made you simply invite the motion and if you can't get another Councilor to make the motion for you it isn't going to pass anyway. So there is no loss of rights, there is no loss of effectiveness. Having the presiding officer make a motion is a bad idea. That is the only change I propose.

Mayor Thalsofer asked what about seconding a motion?

Councilor Ripma replied I feel the same way about seconding motions. If you can not get a motion and a second out of the Council it is not going to pass.

Mayor Thalsofer asked why don't you bring it back both ways. You can eliminate the motion part because I can understand that he could call on himself first. However, I don't believe the same rationale applies to the second. Could you do that, bring back two versions of this, one eliminating the Mayor making the motion but providing the Mayor could make a second. The second one would eliminate both making a motion and seconding a motion.

Councilor Ripma stated it should state that the presiding officer shall not make motions to be clear.

Mayor Thalsofer replied that is fine.

Al Hayward stated I think there are merits to allowing the Mayor to bring forth a motion. I can see the danger of him bringing forth a motion and then controlling it. I would suggest that you might consider the Mayor being able to bring forth a motion provided that all the other City Council members have an opportunity to talk about it before he talks about it. There are situations where even though none of the other council members might want to support a motion, there may be reasons why you would want to go ahead and make a motion. Sometimes the negative is an advantage or disadvantage or proves a point or lets the Mayor separate himself from decisions that are contrary to his own.

Allen stated that Councilor Smith said she was uncomfortable with the presiding officer making motions.

Mayor Thalsofer closed the Public Hearing at 8:30 pm and stated that this is just the first reading of the Ordinance.

7. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalsofer called this item.

Councilor Kight stated I attended a meeting at Metro, the Regional Emergency Management Group. The topic of the meeting was how the different cities have prepared for Y2K. Most of the utilities are up to speed. We have some of our own concerns here in Troutdale in using well water, so we have to use pumps. We have a seven day supply of water before we would run into difficulty. We all shared one concern and that is what they are calling the Mother's Day syndrome. That is when everybody gets on the phone to see if they are working and they dial 911. They are asking, unless there is an actual emergency, please do not call 911 and not to get on the phone or computer to

just chat because that will overload the system and create a problem. The other meeting I attended was the East Multnomah County Transportation Committee to discuss the \$600 million dollar bond measure that ODOT will have available if the gas tax isn't turned down by the voters in May. On October 7th we had the Four Cities Meeting and two major issues came up. The gas tax that we need to support in order to maintain our \$6 billion dollar infrastructure in the State of Oregon. The other issue was the 2.5% tax on hotels and motels. Our Assistant Finance Director did a financial forecast and came up with a conservative number over the next twenty-five years we would be sending approximately \$26 million dollars to the City of Portland for some of their projects such as the Convention Center the Civic Stadium and the Performing Arts Center.

Councilor Daoust stated I wanted to make a point to the new residents in the City that are listening to us, there is a special meeting planned for Monday October 18th for new residents. It is a new residents orientation program where new residents can receive information about their city and meet the Mayor and other Councilors.

Councilor Ripma stated I want to tell everyone about a calendar that the Troutdale Historical Society has put together. This is a calendar of all Troutdale structures, both historic and businesses down town and elsewhere. They are for sale for \$10.00. I also want to point out to the Council that the caboose which is soon to be installed it is a real Union Pacific caboose. Once it is in place it will become a museum exhibit.

Mayor Thalhofer stated on September 16th I attended an open house at the Edgefield Childrens Campus. I welcomed the All American Road group with there old cars to Mayors Square on September 18th. On September 25th I attended Mayors day at the University of Oregon. On September 27th I welcomed the International City Managers Association to Mayors Square. On October 8th I met with Chair Bev Stein, Commissioner Kelley, Mike McMeniman and the County folks so that is moving along. Yesterday I met with the Trolley Committee and we are looking to make an application for a planning grant to see if we can get a trolley in Troutdale. Last night I attended the presentation of the American Medical Response and the Troutdale Boosters Group report on the River Rescue Program. The program appears to have been very successful.

8. ADJOURNMENT

Mayor Thalhofer called this item.

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

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

Meeting was adjourned at 8:47pm.



Paul Thalhofer, Mayor

Dated: 12-15-99

ATTEST:

Debbie Stickney
Debbie Stickney, City Recorder

