



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. - February 13, 2001

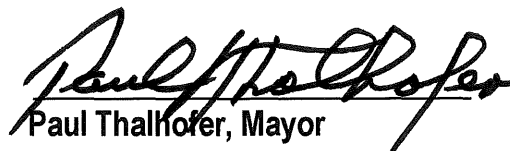
Mayor

Paul Thalhofer

City Council

Pat Smith
David Ripma
Bruce Thompson
Jim Kight
Paul Rabe
Doug Daoust

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
2.1 **Accept Minutes:** January 9, 2001 Regular Meeting and January 23, 2001 Regular Meeting.
2.2 **Motion:** A motion to direct the C.A.C. to study the impacts of commercial development located adjacent to residential neighborhoods.
2.3 **Motion:** A motion casting votes for JPACT and MPAC representatives.
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 4. PROCLAMATIONS:
4.1 - Scout Month - February 2001
4.2 - Literacy Week - February 26th - March 2nd
- (I) 5. PRESENTATION: Multnomah County's Annual Report.
Multnomah County Chair, Beverly Stein
- (I) 6. COUNCIL CONCERNS AND INITIATIVES
- (A) 7. ADJOURNMENT


Paul Thalhofer, Mayor

Dated: 2-7-01

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

February 13, 2001 - 7:00pm

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

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called on Boy Scout Troop #174 to lead us in the Pledge of Allegiance.

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

ABSENT: Rabe (excused)

STAFF: Faith, Galloway, Williams, Kvarsten, Allen and Stickney

GUESTS: See Attached List.

Mayor Thalhofer asked are there any agenda updates?

Kvarsten replied we have no updates this evening.

Mayor Thalhofer stated if there is no objections, I would like to skip to Agenda Item # 4.1 at this time.

No objections.

4.1 - PROCLAMATION: Scout Month - February 2001

Mayor Thalhofer read the Proclamation and had the Scouts come up and introduce themselves.

2. CONSENT AGENDA:

2.1 Accept Minutes: January 9, 2001 Regular Meeting and January 23, 2001 Regular Meeting.

2.2 Motion: A motion to direct the C.A.C. to study the impact of commercial development located adjacent to residential neighborhoods.

2.3 Motion: A motion casting votes for JPACT and MPAC representatives.

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.

Mayor Thalhofer called this item.

Al Hayward stated I would like you to request from ODOT that the speed trap that is in place from Portland to Troutdale on I-84 be eliminated. They still have the construction signs up for the 55mph speed limit that were put up when they started the construction. Now that the construction is done, I would like to see them removed.

Ron Johnston, Developer of Sandy Heights Subdivision and I am also an owner of a nursery. (Mr. Johnston provided Council with a handout which can be found in the packet) I would like to be able to plant street trees in my project using my own trees. Item #6 of the Community Development permit states that a street tree plan is required and a fee in the amount of \$150.00 per tree must be approved and paid prior to recording the final plat. Valerie Lantz has determined that there are 42 trees required. The city will purchase and plant the trees for a price of \$6,300.00. I provide street trees for numerous subdivisions in the Portland Metropolitan area and in other states. It doesn't make a lot of sense to me to pay the city to do what I provide for other cities. I also plant trees in local subdivisions and I have done that for a number of year. I find it unfair that the city makes it mandatory to plant street trees, which I support planting street trees, but on the other hand to require a fee for those trees and not allow a private contractors to provide those trees and to set a figure of \$150.00 per tree is a monopoly. In my handout you will find prices highlighted in yellow for the price of trees, they are anywhere from \$17.00 to \$34.00. This means that the city is making a pretty good profit on these trees at \$150.00 a tree. It only takes five to ten minutes to plant a tree if you have the proper equipment. I am in an unusual position because I do raise the trees and this is my subdivision and I would like permission to plant my own trees in my own project. I would also like the city to review this requirement that you have. I noticed that Albertsons, Home Depot and Thriftway and other commercial projects planted their own trees.

Mayor Thalhofer asked Mr. Faith to comment on this.

Faith asked Mr. Johnston, wasn't this a condition that went with your final plat?

Johnston replied it was a condition of approval.

Faith stated this is a condition of approval that the Planning Commission imposed with the tentative plat which is consistent with our ordinance. I think what Mr. Johnston is asking you to do, is he is asking for an appeal of the decision that has been rendered and the appeal period has well passed. I really don't think that he has recourse to come before you to ask you to waive a condition that went with his approved tentative plat.

Mayor Thalhofer asked the City Attorney to comment on this.

Marnie Allen replied I would agree with that. Mr. Faith, I was wondering if you have a process to request modifications of conditions and wondered if that isn't a way to address this.

Faith replied it goes beyond just the fact that it was a condition imposed with the plat, it is a procedure that is outlined in the Tree Ordinance that the City Council has adopted. There are reasons why we have adopted that procedure. We have learned from experience that it works best when we the City collect the fee and plant the trees within residential subdivisions. Because of past experiences where the contractor had to plant the trees, often times they would put those in well before the homes were ever built, then the home construction begins and the trees are damaged or destroyed and what you are left with is no trees. So, we have a very definite procedure that has been outlined in our code based upon past experience and it has proven to be the most effective way to do this.

Johnston stated the city has a two-year maintenance agreement that at the end of the project anything that defaults in the project during that period of time, the city requires the developer to come back and replace or repair it, which could include trees.

Faith stated but it doesn't.

Councilor Ripma stated I think what our City Attorney is asking was is there a procedure at this stage in a development process, is there some recourse to appeal a condition that was imposed long ago. Isn't that what you were talking about?

Allen replied yes. Maybe what we could do is come back in two weeks and report to you on what that process is, if there is one in the Development Code.

Mayor Thalhoffer replied I would agree with that,

Councilor Kight asked Mr. Faith, was Mr. Johnston made aware of the cost of having the city plant those trees as a condition of his project?

Faith replied I don't recall if at the time he raised the very same question with the Planning Commission if the \$150.00 per tree figure was known or not. But certainly his question was addressed when he posed it to the Planning Commission and the response was that the code is very clear about how this is done and if you want to do it differently you are going to have to get the code amended or some other means.

Johnston stated I guess that is what I am asking, to amend the code. It really isn't right that the city created a monopoly by requiring trees and then saying that we are also going to plant them and this is what you have to pay. That is not right.

Councilor Kight asked how long was this before the Planning Commission?

Faith replied last summer.

Councilor Kight asked how long does he have for the appeal process on the conditions that are set by the Planning Commission?

Faith replied 10 days after the decision is rendered.

Johnston stated I was trying to work through the staff to get this resolved, I didn't really want to have to come to the Council. I was not aware of the 10 day period.

Councilor Daoust stated it has not been that long ago since we developed this tree code, it has been less than a year ago. I sympathize with the argument that Mr. Johnston is making, he has the expertise to do it. Why don't we wait and get the feedback from our attorney.

Mayor Thalhoffer asked Ms. Allen could you research this and see if there is any way for Mr. Johnston to bring this issue before the City Council at this point in his development.

Johnston stated could you also research performance bonds for the trees?

Mayor Thalhoffer replied yes, Ms. Allen could you also research that?

Allen replied yes, I think it is really one issue and that is does the code have a process under which someone can come back and request a modification of a condition. I will talk with Mr. Faith and review the code and see if there is a process.

4. PROCLAMATIONS

4.2 Literacy Week - February 26th - March 2nd

Mayor Thalhoffer called this item and read the proclamation.

Cathy Minden spoke in support of the Literacy Week Program and outlined the events planned for the week.

5. PRESENTATION: Multnomah County's Annual Report.

Mayor Thalhoffer called this item and introduced Multnomah County Chair Beverly Stein.

Beverly Stein stated I brought with me this evening Commissioner Lonnie Roberts. Lonnie represents Multnomah County in the East Multnomah County Transportation Committee and on JPACT and Elders in Action. Some things I have been working on this last year, one of the big ones was the overhaul of the mental health system. We have created a new department, we changed the name of our Department of Environmental Services to the Department of Sustainable Community Development and Maria Rojo de Steffey is the head of that department. With the passage of Measure 7 we have adopted the proper legislation to be able to implement it, it is still on hold for now in the courts so we aren't doing anything with it but we are prepared. I am very concerned with the potential impact of this very poorly crafted measure on cities and counties. I am facilitating a task force of people from the counties through the Association of Oregon Counties. One of the things I am very pleased with this year is we were able to leverage more federal funds for our health clinics. Through the hard work of some people, we were able to draw down an additional \$10 million dollars from the federal government, \$3 million dollars went to Multnomah County, the rest went to health clinics throughout the State. Something that is coming up soon, on February 23rd at noon at Pioneer Court House Square, we are going to be doing a kick-off to alert people of the availability of the earned income tax credit. The earned income tax credit, according to our research, is probably one of the best things that we can make available to people to help them out of poverty. The last thing on program news is the SUN (Schools Uniting Neighborhoods) Schools, I think I have talked to you in the past about my passion for opening up middle schools in the afternoon and evenings

for community gatherings and extended stay for children. We have eight in Multnomah County, we have five that are federally funded. In East Multnomah County there is one at Kelly Creek and Harold Oliver. We are expecting more through the Safe Schools Grant. That is the good news, the bad news is the budget. Unfortunately, because of the flattening of the business income tax and some other issues, including our hopes to sell you some property that didn't come through and some state cuts, we have a budget hole of about \$15 to 20 million dollars to continue current service levels. I have asked the departments to start spending less money and to try to come in 96% of their allocation for this year so we would have some money to rollover into the reserve fund for next year and I have asked the departments to submit their budgets to me at 7% below their current spending. There are some things that would not be impacted. Roads are not impacted because the money for roads comes from the gas tax. Libraries are protected because the money comes from a special library levy. Some social services that are not being cut by the state, or things we get from the state, we will continue to do those. So what we get down to is the general fund programs, much of that is public safety. It is not pleasant, we are trying to look for every kind of administrative cuts we can make, efficiencies we can create. We are going to do the best we can to not cut services but I can't tell you that there won't be cuts in services because I expect that there will be some.

Commissioner Lonnie Roberts stated I would like to comment on a few things that Chair Stein mentioned. The one thing I am interested in is mental health, they are beginning what is called mental illness courts. What we have in our society is a number of people in jails and prisons that have a mental illness, we have no other place to put them. I am extremely supportive of early childhood intervention, especially in the health and education fields. The one thing that touched me deeply, I want to find out what we can do about child abuse. I am very involved in the transportation issues, the sheriff patrols, the school resource officers, these are important to me. The business tax has fallen short, we have to take a look at how Multnomah County treats businesses. The one thing the Chair didn't talk about and I want to touch on is in the Governor's budget there were some cuts in senior programs, I think we have to be very alert in Multnomah County to address the senior issues.

Mayor Thalhoffer stated one issue I didn't hear you address is the animal shelter and whether or not that is going to be funded to a point where it is an effective organization. I know that department is going to have to take a cut like all of the other departments, but I hope it isn't too deep.

Stein replied unfortunately I wish we had enough money that we could add money and then we could improve that service. Unfortunately, no general funded agency is going to come through without any cuts, I think we have to do the best we can.

Councilor Kight asked some time ago the voters passed a bond measure to build a new jail, could you give us an update on that.

Stein replied we get quarterly briefings and the next one is in March, so I don't know exactly where we are, I presume we are on schedule.

Councilor Kight asked have we had the groundbreaking yet?

Stein replied I don't think we have had an official groundbreaking.

Councilor Daoust stated we have some school resource officers that we fund in the middle school. You also have or had school resource officers in E. Multnomah County, where are they and what do you think their status is going to be?

Stein replied we have one in Corbett and maybe in the Gresham/Barlow District. If the school is in a city we have tried to have the city pay for it because it is like a police function. Those positions are in the Sheriff's budget. He will need to present a budget to me with a 7% cut, so it is up to him to propose what he believes is the proper cuts.

Councilor Daoust asked is it a long-term plan to have the schools pick up the funding?

Stein replied the long term plan is that this is a city police function and the cities should pick it up. We were going to pay for Corbett because it is not an incorporated city.

Councilor Smith stated I am glad to hear that you are interested in young children, if you read to kids they will not watch television.

Councilor Ripma stated I would like to emphasize that county government is very important to us out here. The Sheriff's department is also very important to us. It does services beyond just the jail services, it provides patrol services. There are School Resource Officers at Barlow and Reynolds, Troutdale does provide through federal funding, resource Officers at the middle schools. When you are looking at the Sheriff's budget, keep in mind these school resource officers. The other thing that is very important out here is the Gresham Booking Office. I think it is perhaps slated to be cut, keep in mind that the booking office downtown is very draining on our police resources.

6. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhofer called this item.

Councilor Kight stated I wanted to update the Council on the property acquisition from Mt. Hood Community College. I talked to Barbara at Metro, she is in charge of greenspace acquisitions. They have had to do several surveys on the property, she expects to see that completed by fall of this year.

Councilor Daoust stated last Friday night the Lions Club in Troutdale gave out the 2nd Annual Sam Cox Humanitarian Award. It was awarded to Junki Yoshida.

Councilor Ripma stated at the January East Multnomah County Transportation Committee meeting, Tri-Met came forward with a service plan update proposal that involved changing some of the routes out our way. One thing they are planning to do is greatly increase the service on the 24 Halsey bus. Instead of having it run to Gateway, it will run to 82nd and catch the Max line there. They will increase the number of buses by 50% and go on a 15 minute schedule. This could be a good thing for Troutdale. I brought up at the meeting the idea, as long as they are re-mapping the whole line, would they please consider extending it down to Glenn Otto Park. We have heard for years that they could not do that

because of tight schedule restrictions and limited number of buses, that they could not consider the extra couple of minutes that it would take to go down to the park. Right now we don't have a place for them to turn around but now is the time for us to be urging Tri-Met to begin to factor that in.


Mayor Thalhofer stated immediately following this meeting tonight we are going to hold a work session on urban renewal.

7. ADJOURNMENT

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

YEAS: 6
NAYS: 0
ABSTAINED: 0

Meeting was adjourned at 8:22pm.


Paul Thalhofer, Mayor

Dated: 4-4-01

ATTEST:


Debbie Stickney, City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

February 13, 2001
CITY COUNCIL REGULAR MEETING

PLEASE COMPLETE THE FOLLOWING

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