



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – REGULAR MEETING

TROUTDALE CITY HALL

104 SE KIBLING AVENUE

TROUTDALE, OR 97060-2099

Mayor

Paul Thalhofer

City Council

Pat Smith

David Ripma

Bruce Thompson

Jim Kight

Paul Rabe

Doug Daoust

Tuesday May 22, 2001 – 7:00 P.M.

- (A) 1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**
- (A) 2. **CONSENT AGENDA:**
- 2.1 **Accept Minutes:** December 12, 2000 Work Session, April 10, 2001 Regular Meeting.
- 2.2 **Resolution:** A Resolution authorizing the Mayor to enter into an agreement with Portland General Electric for electrical power service for the Water Pollution Control Facility.
- 2.3 **Resolution:** A Resolution approving contract amendment No. 3 to Intergovernmental Agreement No. 4600001441 (formerly No. 301755) with Multnomah County pertaining to transportation related development procedures.
- 2.4 **Resolution:** A Resolution accepting a dedication of Public Right-of-Way from Bridge City Commercial, Inc. at 446 SE 2nd Street.
- (I) 3. **PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.
- (A) 4. **PUBLIC HEARING / ORDINANCE (Introduced 5/8/01):** An Ordinance amending Section 12.07.010 and Section 12.07.040 of the Troutdale Municipal Code to amend the wastewater discharge temperature requirement, to amend the process by which local limits are developed, and to amend the monitoring point for wastewater discharged to the publicly owned treatment works. *Kevin Rauch*
- (A) 5. **PUBLIC HEARING / ORDINANCE (Introduction):** An Ordinance adopting amendments to Title 12, Public Works, as it applies to system development charges for transportation systems. *Jim Galloway*

(I) 6. COUNCIL CONCERNS AND INITIATIVES:

(A) 7. ADJOURNMENT


Paul Thathofer, Mayor

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

May 22, 2001

Meeting was called to order at 7:01pm by Mayor Thalhofer

PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called on Councilor Ripma to lead the Pledge of Allegiance.

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

ABSENT: Rabe (excused).

STAFF: Galloway, Rauch, Sercombe, and Stickney.

GUESTS: See Attached List.

Mayor Thalhofer asked are there any agenda updates?

Galloway replied we have no updates Mr. Mayor.

2. CONSENT AGENDA:

- 2.1 **Accept Minutes:** December 12, 2000 Work Session, April 10, 2001 Regular Meeting.
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- 2.3 **Resolution:** A Resolution approving contract amendment No. 3 to Intergovernmental Agreement No. 4600001441 (formerly No. 301755) with Multnomah County pertaining to transportation related development procedures.
- 2.4 **Resolution:** A Resolution accepting a dedication of Public Right-of-Way from Bridge City Commercial, Inc. at 446 SE 2nd Street.

MOTION: Councilor Thompson moved to adopt the Consent Agenda. Seconded by Councilor Kight.

YEAS: 6

NAYS: 0
ABSTAINED: 0

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

Mayor Thalhoffer called this item and asked is there anyone here to speak to us on a non-agenda item?

Walt Morey Middle School Students stated the reason we are here tonight is to ask for your help. This past year our school has worked with a program called Earth Force and worked to restore natural habitat to Sunrise Park. We received grants from our PTSA and the City of Portland. We worked with Valerie Lantz on this project. We raised \$2,000 so that we could restore native plants to Sunrise Park. Our concerns this evening is that we are looking at the enforcement of public policies in the park and we are finding that we have a lot of people that are not following public policies. One thing that we noticed at Sunrise Park was there were not enough signs there. The only sign that we saw was at the southwest entrance. It states in 13.20.050, the rules and provisions for use and administration of parks, notice of those rules shall be kept posted in the main entrance of each park or suitable other locations. We need your help to have some signs posted at the four entrances to Sunrise Park. Since the beginning of the year we have been working on restoring Sunrise Park. Another law that should be enforced is 13.21.370, refuse and trash, which reads no person shall deposit, dump or place rubbish, bottles, cans or garbage of any type in a city park or recreation area. Some ideas to enforce that law would be to have more garbage cans, recycling bins and more volunteer work. According to 13.20.360 and 13.20.370 the city is suppose to take care of the parks and we need your help. Another thing that was observed is that animals are allowed in the park but they are supposed to be kept on leashes and on the path. One of the biggest problems that we saw is that people are not keeping their dogs on leashes and they are letting them run wild into the natural habitat which is destroying the nesting area and the seeds and food for the animals that are there that we are trying to attract back to that area. We are looking at possibly having Animal Control do a better job of enforcing that area and making sure that animals are staying on leashes and owners are picking up after their animals.

Councilor Ripma stated I want to commend you for all your efforts of obtaining native plants and planting them. It sounds like a great project. I think you are right, we need to enforce the laws we have on the books, that is a very good point. Thank you for coming and informing us.

Councilor Thompson stated I also commend your efforts. We need more citizen involvement in the parks.

Mayor Thalhoffer stated I have talked to Val Lantz about what a great job you did with the native plants at the park. When you have a nice park like that it is to bad that people don't take care of it, they liter and let their dogs run wild, that ruins it for everybody. I am sure we will take some action on these items.

Councilor Kight stated it sounds like you have done your homework. The city is short of money and I am going to throw out a concept of maybe having your class adopt that park. As you pointed out, Animal Control does need to do a better job. I also think that the more people that get involved the more people will have a vested interest in the parks and I think we will have better parks. It is up to everybody in the community, not just the city employees. We really appreciate your level of involvement.

Councilor Daoust stated I have a daughter in the 6th grade at Walt Morey Middle School and I applaud any teacher that gets the students involved in the community. Like Councilor Kight stated, you have really done your homework by looking into our ordinances. I want to thank you for coming here and for showing an interest in the community.

Christine Burr, I am a Co-Chair of the Multnomah County Civil Rights Task Force. We have been tasked by Multnomah County Commissioners to look into changing and enlarging the Multnomah County Civil Rights Ordinance that is in affect right now and we are here today to inform the City of Troutdale of what the task force has been doing and give you a sense of what we believe the recommendation of the Task Force will be to the County Commissioners for adoption. We want to give you some background on why we are making that recommendation and give you some input on why the task force believes that this is an important ordinance for the county and for the cities to consider adopting. The Task Force will essentially recommend adopting the wording of the City of Portland Ordinance. The City of Portland recently expanded its civil rights ordinance to include gender identity protections. Multnomah County's Task Force has been asked to look into providing protections and the wording that would allow those protections to be enforced in essentially three different areas; sexual orientation, gender identity and source of income. This is to provide citizens of the entire county the broad range of protections that the people in the City of Portland have been enjoying. This would allow for consistent enforcement of civil rights ordinances throughout the county and adopting of the wording, which is essentially similar to the City of Portland, which will eliminate any disagreement or potential litigation between varying ordinance language that exists between the city and the county. If there is significant variance between the city and the county language, I expect that there would be some litigation over which language was controlling. It also gives other cities who are considering adopting ordinances of this nature the benefit of the substantial amount of work that the people in the City of Portland put into adopting the ordinance and making the language changes. The wording has been tested in various court cases so it is known that it will hold up to the legal challenge. We think that cities and the county will be able to have a reasonable expectation of what the fiscal impact would be and the potential social impact of adopting these kinds of ordinances. From the City of Portland's point of view it really hasn't been much. I want to let you know that we will be holding public hearings on this matter. One will be on Tuesday, May 29th at Mt. Hood Community College and a second hearing will be held on Wednesday, May 30th at Gresham City Hall from 6 to 8pm.

Michael Anderson, Acting Director of Fair Housing Counsel in Oregon, stated we focus on discrimination in housing. We serve the entire State of Oregon and we have a toll free hotline that people can call if they believe that they have been discriminated against and we help them analyze if they have coverage under the law. If they do have coverage we help them

pursue the appropriate means to get resolution to their claim. Unfortunately, most areas of the state, with the exception of the City of Portland, City of Ashland, City of Eugene, City of Corvallis, and Benton County have no protection based on sexual orientation or gender identity. What that means to people is they could experience direct discrimination where someone says I don't want you here because of who you are. They could call our hotline feeling justifiably that they had been discriminated against and all we can say to them is I am sorry that you had this experience, there is no coverage. It was with that experience in mind that I was very excited when I was invited to participate on this commission. Another issue that is up for consideration is source of income. Although this is not likely to be part of the ordinance that will go forward, it brings the attention to another issue that I would like to explain to you. Currently under source of income laws which govern the State of Oregon and Multnomah County, there is an exemption for tenants who have a Section 8 rent subsidy. This is the largest federal housing program in our country right now. Currently a housing provider can say, yes or no to renting to someone who is a Section 8 renter. The reason for that exemption was because when it was originally reviewed whether they should allow landlords this exemption, the Section 8 program was extremely burdensome with paperwork, federal inspections and limits for the ability of a landlord to terminate the rental agreement with tenants. Over the past ten years, the federal government has made significant moves to reduce the paper work, reduce the burden of the inspections and to remove the prohibition that would not allow landlords to follow local law for the eviction process. Because these changes have been made and because the main objection for having the exemption was these burdens, I think that it is time to reconsider whether or not we should look at removing the Section 8 exemption.

Mayor Thalhoffer asked do you have a copy of the proposed ordinance?

Burr replied I do not have one with me.

Mayor Thalhoffer asked could you make sure that we all get a copy of that ordinance.

Burr replied yes.

4. PUBLIC HEARING / ORDINANCE (Introduced 5/8/01): An Ordinance amending Section 12.07.010 and Section 12.07.040 of the Troutdale Municipal Code to amend the wastewater discharge temperature requirement, to amend the process by which local limits are developed, and to amend the monitoring point for wastewater discharged to the publicly owned treatment works.

Mayor Thalhoffer opened the Public Hearing at 7:40pm and read the Ordinance Title.

Kevin Rauch, Environmental Specialist, stated this is the second reading of this ordinance that would make three amendments to the industrial pretreatment program. The three items that will be amended are; a conversion correction from degrees Fahrenheit to degrees Centigrade; remove the language that reads "these standards or local limits shall be developed in accordance with the CFR 40 Section 403.5 and shall implement the objectives of this chapter"; and to change the monitoring location in the ordinance from the end of pipe to the end of process. The staff recommendation is that you adopt this ordinance.

Mayor Thalhoffer asked is there anyone here who would like to speak to us on this issue?

No public testimony received.

Mayor Thalhoffer closed the Public Hearing at 7:43pm.

MOTION: Councilor Ripma moved to adopt the Ordinance. Seconded by Councilor Kight.

Councilor Ripma stated I have no comments, this is a sensible and self-explanatory change.

Councilor Kight stated this is a housekeeping issue.

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

5. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance adopting amendments to Title 12, Public Works, as it applies to system development charges for transportation systems.

Mayor Thalhoffer opened the Public Hearing at 7:45pm and read the Ordinance Title.

Jim Galloway, Public Works Director, stated this is the first reading of a proposed ordinance that would make amendments to Title 12 of the Troutdale Municipal Code applying to system development charges for transportation. This is a response to some recommendations and questions that various Councilors have made over the last couple of months as we talked about some transportation related improvements and specifically whether or not system development charges could be used for such things as bus shelters, parking lots and park-and-ride facilities. Upon review of this and after discussions with the City Attorney's office we think there is some doubt as to the current wording within the Municipal Code as to whether that would be appropriate or not. However, we think that with the changes that are proposed in this ordinance we would be able to do that. Specifically, right now the system development charge in this area makes reference to street system and the definition for street system is fairly narrow and probably would not include some of the things that the Council has expressed interest in. To correct that we propose adding a new term, transportation system, and give it a broad definition that would include street system but would also include some of the other items such as public parking facilities and public transit related facilities. We would change two places within the existing code to substitute the phrase transportation system for street system to allow this to occur. We also propose an amendment in section 12.02.030 to clarify when any system development charge would be appropriate. The current language talks about when a connection is made, we would also insert the words "or otherwise places demand on" to make it clear that there doesn't have to be a physical connection, but simply a demand placed on the system before someone would be eligible for paying system

development charges. I think that these proposed changes apply to what staff understood to be the desire of the Council and we would recommend favorable consideration.

Councilor Smith asked if we change this and the money is spread out thinner, will this put a crimp in our road development as far as money is concerned?

Galloway replied at the current time it would not. At the next Council meeting we will be coming to you with our annual update for system development charge fees and I will show you at that time, if we incorporate these particular changes, at the dollar value that I have estimated it would have a slight increase, between 2 and 3%, in the current transportation system development fee that we charge now and would not drop any other projects off of the list. If the scope of what you would care to do gets much bigger, then it could require us to either increase fees or drop some projects off the list.

Councilor Daoust asked since we don't have the list of projects, how will you develop that list?

Galloway replied the proposal that I will bring to you at the next meeting simply has a placeholder for a public parking facility and an estimated dollar value for that. What that becomes will be determined by Council. This language doesn't really address a specific project, it simply puts the language in the code.

Mayor Thalhoffer asked is there anyone here to speak to us on this item?

No public testimony received.

Mayor Thalhoffer closed the Public Hearing at 7:51pm and stated that the second hearing will be held on June 12, 2001.

6. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalhoffer called this item.

Mayor Thalhoffer stated at the Four Cities meeting last week two regional proposals were introduced. Most of us are familiar with the Regional Transportation Authority that I guess is still moving in the legislature, at one point we were told that it was dead but now I guess it is not. I am not sure that is something we want, but we will have to wait and see what happens. The second is a regional water authority and that is something that we may or may not be supportive of as well. Hopeful the City of Gresham will bring a proposal to us and we can consider it.

Councilor Kight stated I have two issues. One has to do with the landscaping strip on 257th from Columbia Highway to Cherry Park Road. It is my understanding that on June 30th Multnomah County will take over the maintenance of that strip. I am wondering in the interim if we couldn't make some improvements to that. It is becoming quite an eyesore.

Galloway replied I will look into that.

Councilor Kight stated the second issue is I received a call from a citizen and he indicated that across from the fire station on Cherry Park and Hensley there is a large vacant lot and apparently people are parking their cars there and listing them for sale. It is turning into a used car lot on the weekends.

Galloway replied that is east of the fire station on Hensley just south of Cherry Park Road?

Councilor Kight replied correct.

Galloway replied I will pass that along as well.

Councilor Daoust stated at the last meeting I mentioned the parking of semi-trucks behind Home Depot. I went to a concert last night at Walt Morey Middle School and the overflow parking from the middle school goes half way behind Home Depot because so many parents show up to go to concerts, so I am kind of in a quandary. I would still like staff to check and see what we can do with parking of large trucks over night behind Home Depot and see if there is any way to keep them from running their engines all night.

Galloway replied we did discuss that at our staff meeting this morning and Mr. Faith is going to be contacting folks from Home Depot and see if something can be worked out.

Councilor Kight asked do we have an ordinance that applies to having semi-trucks parking in residential neighborhoods overnight?

Galloway replied we don't have anything as far as the parking issue goes. For one thing that is not a residential street, that is considered a commercial street. I think there may be some issues regarding possible violations of the noise ordinance which may be a potential avenue to address that. I think what has occurred was that those trucks were previously parking in the Home Depot parking lot and my understanding is that they were doing that because they were arriving to make deliveries but they are getting there before the store was ready to accept those so they have a period of time to wait. I think in the initial response to some of the complaints from the neighbors about the noise of the vehicles in the parking lot, Home Depot tried to respond to that by putting up some signs that say you can't do that in our parking lot which drove the trucks out onto the public street. We are trying to see if perhaps we can move that back onto the parking lot but in a portion of the parking lot that is furthest removed from the residential area.

Councilor Daoust stated this is Memorial Day weekend coming up and the Life Guard Program on the Sandy River beach at Glenn Otto Park is going to start up. AMR is staffing it again this year. I think they have a press conference scheduled for Thursday. The Troutdale Booster Club is again writing a huge check to finance most of this program.

Councilor Ripma stated the Ice Cream Social will be held on June 2nd and 3rd down at Glenn Otto Community Park.

7. ADJOURNMENT:

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor Kight.

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

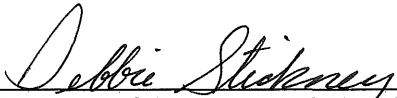
Meeting was adjourned at 8:00pm.



Paul Thalhofer, Mayor

Dated: 6-13-01

ATTEST:



Debbie Stickney, City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

May 22, 2001
CITY COUNCIL REGULAR MEETING

PLEASE COMPLETE THE FOLLOWING

NAME <small>to</small> (please print) <small>to</small>	ADDRESS	PHONE #
Doug Irving	Oregonian	503-294-5937
Bill Herbert	426 SW 30th Troutdale	667-3112
Catherine Carroll	1398 SE Althaus Dr. Trout	666-8011
Brittany Cavazos	3725 SE Pelton Ave	618-0426
Duane Jacobs	3800 SE Pelton Ave	669-6569
Gina Ellis	2168 SW Tower LN	666-8270
Samantha Zook	1270 SW aurum ct	661-5482
Michael Anderson	Fair Housing Council of Oregon 310 SW 4th Ste 430 PDX 97204	503/223-3557
Amanda Major	1721 SW 22nd Troutdale	503-674-9272
Erin Kelly	931 SE Sweetbriar Ln	503-666-5919
Kristina Brown	OREGONIAN	503-465-0548
Mike Br	801 SW 3rd #376 PDX	503-216-2192
Cory Manning	2728 SW Hope Cir.	503-667-4973
Leslie Gutwig	2134 SW Fox Ct.	(503) 667-9212
Shelley Rasmussen	2632 SE Celestia Cir.	(503) 667-1839
Debbie Bauer	~	~
Juanita	1572 SW Northstar Ln	503 669-3096
Kristy Halston	N/A	N/A
Claire Herbert	~	~
Hannah Rosner		

-- PLEASE COMPLETE THE FOLLOWING --

NAME <i>(please print)</i>	ADDRESS	PHONE #
TOMY WALL	805 JACKSON PK. RD	669-0509
MICHAEL WALL	↓	↓
Lisa Daniels	Oregonian	503 294-5943