



# CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

## AGENDA

CITY COUNCIL – WORK SESSION

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 November 27, 2001 – 7:00 P.M.

1. **ROLL CALL**
2. **UPDATE:** An Update Concerning the Following Public Works Issues:
  1. Utility Fees.
  2. Phase II Storm Water Permit.
  3. Underground Injection Control Program.
  4. Siting of New Well.
  5. Sidewalk Repairs.
  6. Utility Undergrounding.
  7. Government Accounting Standards Board Standard 34.
  8. Sanitary Sewer Capacity, Management, Operation and Maintenance.
3. **DISCUSSION:** Council Relations
4. **DISCUSSION:** Review policies related to Committees and Commissions (identified as 2001-2002 goal).
5. **ADJOURNMENT:**



Paul Thalhofer, Mayor

Dated: 11-20-01

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**MINUTES**  
**Troutdale City Council – Work Session**  
**Troutdale City Hall**  
**104 SE Kibling Avenue**  
**Troutdale, OR 97060-2099**

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**November 27, 2001**

Mayor Thalhoffer called meeting to order at 7:00pm.

**1. ROLL CALL**

**PRESENT:** Smith, Ripma, Thompson, Thalhoffer, Kight, Daoust and Rabe (7:45).

**ABSENT:** None

**STAFF:** Galloway, Williams and Kvarsten.

**GUESTS:** None.

**2. UPDATE: An Update Concerning the Following Public Works Issues:**

- 1. Utility Fees.**
- 2. Phase II Storm Water Permit.**
- 3. Underground Injection Control Program.**
- 4. Siting of New Well.**
- 5. Sidewalk Repairs.**
- 6. Utility Undergrounding.**
- 7. Government Accounting Standards Board Standard 34.**
- 8. Sanitary Sewer Capacity, Management, Operation and Maintenance.**

Jim Galloway, Public Works Director, reviewed the staff report, which is contained in the packet regarding utility fees.

Councilor Kight asked what process do we have for capital replacement of water and sewer pipes? We have older sections of the city where the pipes may be 25, 30, 40 or 50 years old. You have contacted different pipe manufactures and they are reluctant to give an answer as to when the pipes should be replaced because there are too many variables, soil, water type and others. My thought was maybe we should do spot checks. Periodically go through the older sections of the city and cut out a section of both the sewer and water pipe and send it out to someone to be analyzed. What we might want to do, once we have identified that the

pipe should be replaced in the next 5, 10 or 15 years, is have a certain amount of money set aside for a replacement program where we would go in and replace entire sections of sewer and water lines as opposed to waiting for it to fail.

Galloway replied I think we do a little bit of that now but certainly not to the extent you are talking about. We probably do a little bit more on the sanitary sewer side then we do on the water side. We do send a television camera through and make a tape of the interior of some of the sewer lines periodically when we think we have some difficulty. That may be a program that we may need to expand upon or do a little more systematically then we do now. On the water side, because a lot of our water pipe is metal, there are methods that send electronic signals over the pipe and if there are weaknesses due to corrosion, you can tell something about the state of the pipe via the resistance of those electric currents. Obviously it is probably not as good as going in and digging up a section of pipe, but it is less disruptive to folks. Perhaps a good way to approach this, if this is something the Council is interested in, would be for me to work with my folks and come back with some concepts or proposals for you to consider either at the budget process or some time prior to that.

Councilor Ripma asked do other cities do set-asides for replacement of pipes?

Erik Kvarsten, City Administrator, replied it has been my experience that you typically have replacement fees for equipment where you fairly easily identify that a truck or a pump is going to last 20 years. The difficulty with the infrastructure, pipes primarily, is it is hard to get a handle on when it will in fact need replacement. So you end up setting aside a reserve, you don't know the amount that you are going to need and you don't know when you are going to need to spend it. Certainly, there is a public policy discussion that needs to happen and there are elements in most communities that think that is not appropriate.

Kyra Williams, Finance Director, stated there are local budget laws that apply to how long you can hold reserves.

Councilor Ripma asked so cities don't tend to do that?

Kvarsten replied they will set aside reserves for equipment and within the parameters of the local budget law you can establish reserve funds/replacement funds but you typically need a pretty finite sense of cost and timeliness.

Councilor Ripma asked so when the day comes that it looks like the pipe is going to fail in the next five years...

Williams stated we would probably be safe in establishing a reserve.

Councilor Kight stated I noticed that there is no minimum charge on sewer and water. To me it makes sense, even though someone is not home, say they are on vacation and they are not using the service, irrespective to that fact that there is a certain fixed cost to bring that service to the home. I am opposed to the method that Portland was using by charging an availability fee for sewer and water even though it was just a vacant lot with no building. I

would think that even if someone isn't home there are still certain fixed costs that go on even though they are not using the system it is there and available if they want to use it. What do other cities have as far as a minimum charge?

Kvarsten stated it has been my experience that cities do one of two things. One there is typically a base charge. The rationale is that there is some benefit to property owners by simply having water whether they use it or not. My sense in Oregon is that runs from \$4 to \$20. I think you would want to have a work session and talk about the basic philosophy behind billing and practices. Both capacity commodity versus base charge, both are very legitimate legal ways to bill for water service. I think when you change you want to have pretty good rationale and some pretty thorough discussion about it.

Councilor Kight asked I noticed that you haven't increased the storm water fee and you are looking at some increased cost for the infrastructure. What I would like to see instead of waiting seven years and all of a sudden we have to bump it because of these new capital expenditures, I would prefer to see an incremental increase on an annual basis.

Councilor Ripma asked would that require a complete analysis each time or can we do one for the next five years?

Councilor Daoust stated and hold it in reserve for twenty years?

Councilor Kight replied no, I am saying he has identified a capital project that is going to cost \$100,000 and we don't have enough money to cover that in the storm water fund so in order to meet the \$100,000 expenditure we are going to have to raise the fee by \$.50 over the next three years.

Councilor Daoust stated so you are assuming you know what the project is and when it is going to happen.

Councilor Kight replied yes.

Kvarsten stated out of all of the utilities, storm water is the most out of our control because there is so much impact from the NPDES.

Councilor Kight stated if that is the case and we can't identify that a capital projects is going to cost a certain amount of dollars, would it be wise of us to have a reserve fund?

Galloway replied I think we do a fairly good job of keeping an unappropriated balance in the accounts and a contingency in the accounts to meet most reasonable expectations. I do recognize your comment about trying to have rate increases small and more often rather than hit folks with a huge increase all at once.

Galloway reviewed the staff report on Phase II Storm Water Permit contained in the packet.

Council had no questions.

Galloway reviewed the staff report on underground injection control program contained in the packet.

Councilor Kight asked it is clear that they are probably going to disallow drywells all together. Would the city have to be responsible for making all of the corrections and the property owner wouldn't have that responsibility?

Galloway replied I don't know the answer to that question and frankly I doubt that the folks at DEQ know that either.

Councilor Kight asked what kind of timeframe are we looking at?

Galloway replied the requirement to get the report in that identifies the drywells that are not in compliance is within a few months. Once you identify them, currently they are allowing a 10-year period to get rid of the ones that are not in compliance.

Galloway stated the next item is the siting of new well. As you know we put money in the current year's budget to start exploring a new water well for the city. Many of the things I mention in my staff report are still pertinent except for where we thought the best location was to site the new well. The area that we have identified, which is just north of SW 22<sup>nd</sup> near Indian Mary Court, unfortunately is within a 500' radius of about eight or nine drywells. Our preliminary cost to decommission those drywells is somewhere around \$50,000 to \$100,000. We think probably, for cost reasons, we should look at our number two alternative for the siting of the well, which is an acre of property that the city has reserved in the Cherry Ridge residential area. I will get back to you before any final decision is made on that.

Council had no questions.

Galloway reviewed the staff report on Government Accounting Standards Board, Standard 34, which is contained in the packet.

Council had no questions.

Galloway reviewed the staff report on sanitary sewer capacity, management, operation and maintenance, which is contained in the packet.

Council had no questions

Galloway reviewed the staff report on sidewalk repairs, which is contained in the packet.

Councilor Rabe stated I lived in Sandee Palisades for many years and one of the problems with the sidewalks is that they planted shallow root trees in the median and it was the trees that caused the damage. Have we considered if we are going to impose that there be a certain type of vegetation in that area that we would want to require the deep-rooted trees so we don't end up with that problem?

Galloway replied that is certainly valid and that is probably the source of the problem in the majority of the cases. I think we have probably stopped that from occurring in the future. There is now a list of approved plantings and I am assuming that the trees on that list don't have this particular problem with the roots.

Councilor Kight stated several questions come to mind. Is there a liability on the part of the homeowner if they have a property where the sidewalk is raised as a result of the roots raising the sidewalk?

Galloway replied I think that is correct. I don't know if that has been tested in court.

Councilor Kight asked are you saying that it is the responsibility of the private property owner to replace the sidewalk?

Galloway replied that is the position that we are taking and that is what the Troutdale Municipal Code says.

Councilor Kight asked should we be more proactive and have a partnership with the property owner.

Galloway replied that is certainly a policy issue for you. My concern would be that there is a money issue and the street fund would be the only significant source for that. One thought that we had that might make it a little bit easier for those citizens that wanted to comply might be to assist in the administrative piece of things. In other words perhaps try to line up the contractor but the cost would be paid for by the private property owner.

Councilor Daoust stated my feeling on being more aggressive is not to do it right now. Since we are in a recession right now and a lot of people are out of work, the last thing people need is a bill for \$500 to \$1,000 to repair a sidewalk.

Councilor Ripma stated lets just leave it complaint driven.

Galloway stated I think I am hearing the majority saying to continue with complaint driven only.

Councilor Kight stated I would agree with this caveat and that is if there is a section of sidewalk missing because the property owner has removed it and it is a major hazard, I think they ought to be required to replace that section. Do you act on that right now?

Galloway replied only if there is a complaint.

Galloway reviewed the staff report on utility undergrounding, which is contained in the packet.

Councilor Kight asked who is holding the privilege tax money when it is collected?

Kvarsten replied it is kept in a specific fund.

Councilor Kight stated that I heard you say that PGE seemed to be holding that money.

Galloway replied no. The ordinance that we have that imposed the 1 1/2 % privilege tax on electric bills requires them to pay us that money on or before April 1<sup>st</sup> of each year for the prior calendar year.

Councilor Kight asked is the County still acting as the bank on our undergrounding as they have in the past?

Galloway replied no, they have not done that on the last few projects.

Councilor Rabe asked do we pay, on the streetlights, some amount of money to PGE or to the lighting district for those lights?

Galloway replied property owners, as part of their tax bill, pay a fee to the lighting district who has a contract with PGE to maintain the streetlights. The city, as a property owner, we pay for our own lights.

### **3. DISCUSSION: Council Relations**

Mayor Thalhofer stated I would like to go over some of the Council rules.

Council Rule 8.27.100 – Citizen Comment. The Council discussed this and agreed that citizen comments on non-agenda items will be kept to approximately 5 minutes. The Mayor will make an announcement at the beginning of the meeting that public comment will be limited to 5 minutes and the Mayor will thank the citizen for coming when they are done speaking. The Council agreed that questions will not be asked of the citizen speaking to the Council on a non-agenda item.

Council Rule 2.08.120 – Public Hearings. The Council discussed whether to limit testimony from the public at hearings. The Council agreed to not set a time limit for testimony received but if someone gets carried away the Mayor can ask them to wrap it up in the next few minutes.

The Council agreed to only ask questions of the staff and the applicant, if there is one, but agreed not to ask questions of citizens testifying at hearings.

The Mayor encouraged the Council to call staff during the day, when possible, if they have a number of questions regarding an agenda item.

Council Rule 2.08.140 – Public Members Addressing the Council. Council had no changes to this rule.

Council Rule 2.08.180 – Council Discussion. Debating, discussing and soliciting votes for an item after a motion has been made was discussed by the Council. No changes were suggested for this process.

Council Rule 2.08.190(J) – Motions. In the past we have discussed issues before and after a motion has been made so we have not been following these rules. Council agreed that they would like to be able to discuss an issue prior to the motion being made and after the motion is made.

Council Rule 2.08.210 – Executive Sessions. Mayor reminded the Council of this rule.

Council Rule 2.08.220 – Relationship with staff. Mayor stated this is just a review of this rule.

Council Rule 2.08.230 – Public communications by Council members. Mayor read this rule and said we need to keep this in mind at all times.

Mayor Thalhoffer stated I would like to encourage all of you to attend the 4 Cities meetings. We have had good attendance records in the past but at the last meeting, where we were the host, there were only two of us in attendance.

Councilor Ripma asked is it possible to reduce the number of 4 Cities meetings. We currently have 4 a year. I think that two a year would be plenty.

Mayor Thalhoffer stated maybe we could reduce it to 3 times a year.

Council discussed attendance at the League of Oregon Cities Conference.

#### **4. DISCUSSION: Review policies related to Committees and Commissions (identified as 2001-2002 goal).**

Councilor Ripma stated I have wanted for several years to have the entire Council interview the candidates and be more involved. Currently the ordinance calls for subcommittees of the council and the chair of the committee to interview the candidates. Because I have not been on a selection committee for years now, I don't know many of the individuals on the committees. I have a copy of the process that Forest Grove uses and they have the entire council participate in the interview. I would like to propose that we change our ordinance to allow the entire Council to participate in the selection process. I don't mean that we have to all sit down and go through a series of questions and take 15 minutes with each candidate. Other cities, as I understand it, have a work session where the candidates are invited to make a 5-minute presentation to us on why they want to serve on the committee. They would also be welcome to submit written statements in addition to that. Then we would sit down and make a decision.

Mayor Thalhoffer stated I feel that it is important that the chair of the committee attend so they can let us know who has been attending meetings and to give us some input.



Councilor Ripma stated in Forest Grove they have the city manager or department head participate in the discussions and make recommendations but they do not participate in the selection. I would favor having the chair of the committee play that role in place of staff.

Council directed staff to come back with a proposed ordinance that would allow the entire council and the chair of the committee to participate in the interview and selection process.

Kvarsten stated that there is some desire on the part of the Planning Commission to have a joint work session with the Council. They are looking at either December 18<sup>th</sup> or 19<sup>th</sup> and they are wondering if there is any preference by the Council?

Council agreed that they would prefer to hold this meeting after the first of the year.

Council asked that staff prepare a calendar for each month that shows the city meeting schedule.

Mayor Thalhoffer stated from time to time I receive requests from organization asked for us to make an appointment to and external committee. Currently we do not have a process for handling that and I think we need to have a process.

Council agreed that when the Mayor receives requests for appointments to external committees that he will fax the request to each councilor and each councilor will contact the Mayor with any comments or recommendations. If there is no disagreement from the councilors the Mayor will make the appointment. If there is a need to discuss the appointment it will be put on a Council meeting agenda. There may be times when it is necessary to put an article in the Troutdale Champion to solicit interested persons to serve on these external committees.

## 5. ADJOURNMENT:

Meeting adjourned at 9:15pm.

  
Paul Thalhoffer, Mayor

Dated: 1/10/02

## ATTEST:

  
Debbie Stickney, City Recorder