

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

Tuesday, October 26, 2004 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.

Mayor Thalhofer called the meeting to order at 7:01pm.

PRESENT: Mayor Thalhofer, Councilor Gorsek, Councilor Thomas, Councilor Kight, Councilor Kyle, Councilor Daoust (by phone), and Councilor Ripma (7:31pm).

ABSENT: None.

STAFF: John Anderson, City Administrator; Jim Galloway, Public Works Director; Rich Faith, Community Development Director; Dave Nelson, Chief of Police; Marnie Allen, City Attorney; and Sarah Greif, Office Support Specialist.

GUESTS: See Attached List.

Mayor Thalhofer asked are there any agenda updates?

John Anderson, City Administrator replied there are no updates.

2. CONSENT AGENDA:

2.1 ACCEPT MINUTES: October 12, 2004 Regular Meeting.

MOTION: Councilor Thomas moved to adopt the consent agenda. Seconded by Councilor Kight. Motion passed unanimously.

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

None.

4. REPORT: A Report from American Medical Response on the 2004 River Safety Program at Glenn Otto Park.

Randy Lauer, a representative of American Medical Response (AMR), stated this is Rocco and Pontine, also representatives of AMR. I'm here to report that we had another successful season at the river this year, the sixth season in a row without fatalities.

Lauer presented a PowerPoint presentation to the Council.

Lauer stated the presentation also includes information about the High Rocks program. This program continues to be a community service provided by AMR and the Oregon River Safety Program. From Memorial Day to just past Labor Day we staff daylight hours, typically from 10:00am to 8:00pm. Staff includes two open water lifeguard river rescue specialists. In June of 2002, after three young male adults died at High Rocks within about a 10 day period, we basically took what was successful here and replicated it in at High Rocks, which is between Gladstone and Oregon City on the Clackamas River. High Rocks is a little more intensive so it takes three people to cover the area and it takes two people at Glenn Otto Park. Everyone in the program is a certified EMT or First Responder and most of the time there's at least one paramedic. Our philosophy is if we can keep people from getting into trouble then our folks don't have to put themselves at risk and get in the water to rescue somebody. We do a lot of education on the beach and provide personal floatation devices. We counsel people on at risk behaviors, alcohol, and we work closely with the Troutdale Police Department. We also keep very close tabs on what the river is doing and where the dangerous areas are, those areas change on a daily basis. They evaluate the conditions daily by swimming in the currents to find out what's there and what's changed from the day before. They will post any hazards on a board on their hut and they'll remove hazards where they can. Our river rescue people all go through a U.S. certified academy at the start of the season or a refresher if they are returning from the year before. They do daily and monthly drills to keep their skills up to date. There are three terms that we talk about: an assist, is when we've made contact with somebody and gave them some sort of assistance to get back to shore if it looks like their struggling; a rescue, is something where our folks need to intervene or somebody's going to be in danger; and a documented contact, is when we make some sort of contact with somebody on the beach and advise them of some hazards and make suggestions on different ways to conduct themselves. We take a beach census at the beginning of each shift and every two hours thereafter, ending at the end of the shift, adults and teen are counted separately. There were 27,884 people that visited the beach last summer as opposed to 18,000 at High Rocks. Since the program started there have been 18 rescues and 203 assists. This year there was 1 rescue and 79 assists. The fact that there was 1 rescue really draws attention to the fact that prevention activities and educational efforts are really starting to have a good positive effect. We've measured the success of the program by no deaths. I think the next level of success that we want to get to is where we don't have to perform any rescues, the prevention and education efforts are successful such that we can just be down there watching. The rescue that occurred last summer was on July 23rd at 4:30pm, there were 408 people at the beach, it was a warm day, a 21 year old female that wasn't a swimmer got caught in the current and was swept into the chute and caught her leg on a log and couldn't keep her head above water. Our technician got in the water, freed her leg, swam her back to shore, and she was fine. The chute area really isn't changing, that's where most of the assists and rescues occur. To the right of that there is a pretty calm area that people like to wade to and swim where the current picks them up unbeknownst to them and carries them down into the chute. Late afternoon seems to be the most active time of the day for rescues and assists and that follows closely to the census which

follows closely to the temperature. The continuing success of this program is due in large to the Troutdale Police Department, the Troutdale Parks Department, Multnomah County Sheriff's Office Marine Patrol, and Mayor Thalhofer and the Troutdale City Council. This would not have been successful without your support. The program was started in conjunction with the Oregon River Safety Program, also known as the Troutdale Boosters. They're the ones that got our attention and got us engaged in trying to partner up with different agencies and individuals to try and solve a problem. The River Safety Program has prevented a drowning this summer and 5 summers before. If you could take a snap shot of 1999 and 2004, you'd see a dramatic difference in the number of people wearing life jackets. It's increased awareness beyond this area too because the media has focused on the efforts that are in place out here.

Councilor Daoust stated I know that we have a great partnership with AMR, Oregon River Safety Program, the Police Department, and the Parks Department. The City of Troutdale needs to keep in mind how good we have it, this service is basically provided at no cost to the City except staff time. I hope it continues but currently we're recipients of the good will of AMR and the Troutdale Booster Club. If it ever goes away, we're going to have to figure out something to replace it.

Councilor Gorsek and Councilor Thomas agreed with Councilor Daoust and expressed their appreciation to AMR and the Troutdale Boosters.

Mayor Thalhofer stated I formed a River Safety Committee here in the City with Red Cross, the Troutdale Police, Gresham Fire, Multnomah County Marine Patrol, and Troutdale citizens. We met off and on for about 5 years trying to figure out a way to stop drownings at the river. We tried different things but nothing worked. The only thing that we could think of that would work was lifeguards on the beach. Finally AMR came in and joined with the Troutdale Boosters to give support to the City. The City then passed an Ordinance allowing AMR to be at the beach to help save lives. We thank you for your support and hope you will continue the program.

Councilor Kight asked when drownings occur on the Sandy River to the north of Glenn Otto Park, do your folks get involved in trying to help and assist or is it too late at that point?

Lauer replied we do work with both Multnomah and Clackamas Sheriff's Offices. They do ask for help and we will respond but we do adhere to some rules. The Police Department has to close the beach before we'll send the people away from there. If somebody's not there right away to intervene, your odds of survival are very slim.

Councilor Kight stated I would guess that some people avoid Glenn Otto Park because of the life guards.

Lauer replied early on we asked ourselves if we're just going to chase people away to a different area. The census is showing that more and more people are coming to the beach than there used to be. We did see some of that in the High Rocks area where people moved to Carver and there were a couple of drownings there. I still believe that even though some people are moving, we're making a big impact with education.

Councilor Kyle asked do you show a trend of more usage?

Lauer replied the trend has typically been higher and when you look at the weather trend, it's been getting hotter. I believe there is correlation between the two. I think word of mouth has also gotten out that it's a great place to go with your family.

5. REPORT: A Report on Potential Park and Greenway Sites on the County Farm Property.

Rich Faith, Community Development Director, stated this report is being made in response to a presentation at your last meeting by Mr. Bob Bents. He inquired about what steps were being taken to acquire portions of the County Farm Property that they are going to put up for sale. He pointed out that there are a couple of references in our Parks Plan for a greenway or trail. The Council asked me to come back with a report on this matter. I want to point out that there are two adopted policy documents that guide us in our selection of park sites. First would be our 1995 Parks, Recreation and Greenways Plan and the second is the 1998 Town Center Plan. The Parks Plan identifies a greenway with a possible future trail on the steep hillside area across the County Farm property. The narrative that accompanied that on the plan map recommended a 150' wide corridor across as a greenway that could also prove to be the site for a trail system or a trail that would extend across the western City limits and it estimated approximately 15 acres would be encompassed in that 150' wide greenway. In the 1998 Town Center Plan there were two sites identified on the Farm property for future parks. The first encompassed a grove of trees, approximately 7 acres, to the south of Halsey, just below the Sedona Park Subdivision, and immediately to the west of the newly constructed Troutdale Terrace Apartments. The second park site is in the southeast corner of what we now call the Pig Farm Property which is on the north side of Halsey. There was no narrative that spoke about how much acreage would be ideal but it did identify it as a site for future park land. It's important to point out that we have been taking steps to secure these sites and other high priority park sites. I sent a memo to the Council on behalf of the Parks Advisory Committee (PAC) in February of this year. I brought up the issue of needing to look at these high priority sites and to commence dialogue and contact with property owners to make them aware of our interest in these sites. Council agreed, however you felt that I shouldn't do that with the private property owner; that should be something that comes from the PAC. I contacted Lynn Dingler at the County and began discussions about our interest in these properties. Mr. Dingler came to the May 25th meeting and briefed you on what was going to be taking place and the disposition of the County Farm properties. You held a work session in June and an executive session in July, the focus of which was the Pig Farm site. Based on discussion and direction from the Council I was asked to prepare a letter for the Mayor's signature that would go to the County Commissioners to express your wishes that they would deal with McMenamin's to sell that property (a copy of the letter is included in the packet). Shortly thereafter there was an article in The Oregonian that talked about the County preparing to sell these properties. Once I saw that, I wanted to make it known in writing to the County about our interest, which at that point had primarily been verbal or specific to the Pig Farm property. At that point I sent a letter to Mr. Dingler to remind him of our interest in these particular sites and invited him to meet with me to talk about specifics of those sites. We had a meeting on October 13th, which is the day after your last Council meeting when Mr. Bents was here. At that time we talked about the property and went over the same kind of information that I have included in the packet. As a follow up to that meeting he advised that I put all of it in writing and send it to him and he'd include it in the

packet that will go to the County Commissioners when they take this matter up for declaring property surplus (a copy of the letter is included in the packet). Unless you wish to direct us otherwise it would be staffs intent to continue in these dialogues with the County and to bring to you, at the appropriate time, any information relevant to acquiring these properties. In the mean time we'll continue to monitor what's going on and make it known to them our interest in these properties and hopefully negotiate something.

Councilor Daoust asked how are the County Commissioners going to reconcile the two letters that we mailed to them? The first letter being Exhibit D in the packet, dated July 28th and basically saying the Council encourages selling the entire Pig Farm site to the McMenamings; and the second letter being Exhibit F in the packet, dated October 14th which basically says that the City wants the southeast corner of the Pig Farm.

Faith replied I don't know that the first letter necessarily precludes them from excluding that southeast corner or if that would be considered in the negotiations with the McMenamings or something that the City would want to enter into discussions with the McMenamings in terms of our interest in that. I don't think that anything is mutually exclusive and everything is still up for discussion and negotiation.

Councilor Gorsek asked can you tell me what our current parks SDC balance is?

Faith replied as of September 30th we have a balance of \$279,305.

Councilor Gorsek asked do we have any idea how much the County would want for this?

Faith replied there has been no price discussed and I think it's up for negotiation.

Councilor Ripma asked is it possible that they'd give it to us?

Faith replied I think that's a possibility.

Councilor Ripma stated I realize your last letter is very recent, have we heard anything?

Faith replied no.

Councilor Thomas asked of the \$279,305 how much is encumbered?

Faith replied we have a payment on the loan to purchase the Burlingame East property, due next year, of \$125,000 plus an interest payment of \$5,000. We have an encumbrance of \$130,000.

Mayor Thalsofer asked on July 1st of next year, will the SDC fee go up to \$3,600?

Faith replied yes.

Mayor Thalsofer asked has anyone contacted the McMenamings to see if they have any interest in the Pig Farm?

Faith replied not since the City Administrator and I met with Mike McMenamain several months ago. I think it's entirely an issue between him and the County.

Mayor Thalhoffer stated I think we need to go back to the Council's 1999 request for proposal for the development of the Pig Farm property. At that time we had four developers who showed an interest in developing that site. The Council, after lengthy deliberations, decided that McMenamain's proposal was the best for that area. It's in the Town Center Plan which means that we are looking for residential and commercial uses.

Councilor Kight asked has Mr. Dingler indicated whether or not there are other parties interested in that piece of property? My sources tell me there's at least 5 other developers interested in the Pig Farm property, none of them happen to be the McMenamain's.

Faith replied Mr. Dingler did mention to me that there are other parties interested. I don't believe he divulged who they were. I think McMenamain's, based on the discussion that we had, are interested in the property. To what extent he has gone to meet with them to discuss it, I don't know.

Councilor Kight asked do we have a relationship with Mr. Dingler and his staff that should the property be purchased by one or two people vying for that property, would we get a heads up to the developer and their intentions for this property before the deal closes?

Faith replied I've never posed that question to him or made that request to him. I feel I have a good relationship with him but you have to understand that he works for a higher power.

Councilor Kight stated I mean as a courtesy between the two governments since it's within our City limits.

Faith replied I would think that a request of that nature might be appropriate from elected official to elected official. Asking Lonnie Roberts to extend that courtesy to us might go farther than just talking to a staff person.

Councilor Kight stated the other pieces of property that you're talking about for trail systems, if that property was developed couldn't we make it a condition of development to set aside for green space?

Faith replied if we can make the findings and the nexus between dedicating that and the development, then we could require that.

Marnie Allen, City Attorney, asked does our code require a dedication for parks space?

Faith replied it doesn't require it, we do have it shown on a plan but even then it would be challengeable.

Allen stated and the cooperation of the developer. After that, we don't have criteria in our development code that would require it so it would be very challenging to do that.

Councilor Kight asked how difficult would it be to add that criteria to our development code?

Faith replied we do not have a requirement in our development code for setting aside park lands or open spaces.

Councilor Kight asked do other cities have that?

Faith replied yes some do.

John Anderson, City Administrator, stated other communities that have explored what you're talking about usually have an ordinance that gives the developer and the city a choice between SDC fees and the alternative, dedicating park land. The city doesn't usually get both. Cities have tended to move towards the SDC's because often times they got remnant parcels for park land.

Councilor Kight asked couldn't the Council look at that so we could have that option?

Faith replied it would have to be written into the code.

Councilor Kight stated normally that takes 60 to 90 days, right?

Faith replied in order to properly research that, draft it, take it through Citizens Advisory Committee (CAC), Planning Commission (PC), and Council we're looking more like 6 months.

Councilor Kight stated you've mentioned that we have an encumbrance against the \$279,305 in SDC's in the amount of \$130,000, leaving a net of \$145,000 for SDC's.

Faith replied at the present time, with the understanding that there'll be more Parks SDC's collected in the coming fiscal year.

Councilor Kight asked with Morgan Meadows it looks like they're a third of the way completed, do you have any projection of what you're going to look at as far as SDC's?

Faith replied we had projected for this fiscal year \$607,000 in Park SDC's.

Councilor Kight asked that's in addition to what we have?

Faith replied yes that's new revenue.

Councilor Kight stated so we're at \$752,000, give or take. That is substantially more than \$145,000. Which gives us more options as far as acquiring more properties, is that correct?

Faith replied the more money there is in the fund, the more options we have on how to spend it.

Anderson stated you might look long range at your Parks, Recreation and Greenway Plan so that if in those plans you had several additional goals outlined for green space you might not decide to spend all of it in one place on one project.

Councilor Kyle asked in your memorandum dated February 23, 2004, you refer to an Exhibit 2 that shows the results of that exercise, I would imagine that those are properties that the PAC has set aside as priority projects?

Faith replied yes.

Councilor Kyle asked were any of the County properties that we're talking about tonight mentioned in it?

Faith replied the exhibit that was included was taken from the methodology report that was done when we adopted the new Parks SDC. In that methodology there was a Parks Capital Improvement Plan (CIP) for how and what was a priority in the expenditure of those funds as we collect them. The CIP did not list specific properties, it listed categories of park types such as a community park, community park improvements, neighborhood parks, neighborhood park improvements, trails, open spaces, and things of that nature. It didn't get down to the level of identifying 5 acres of County Farm Property or 6 acres in the south end of the City.

Councilor Kyle asked we would still default to these two plans?

Faith replied in terms of looking at specific properties that are candidates for acquisition, that's what we'd do. We would use the CIP to tell us should we be looking at a community park which is larger in size and has more active recreation or a neighborhood park which would be smaller in size.

Councilor Kyle asked in regards to the property below Mr. Bents', how much of that is totally unusable or would be very expensive to develop?

Faith replied the only thing that would prove to be a restriction to development of that would be the steepness of the slope. We have a vegetation corridor and slope district, so any properties in excess of a 25% slope cannot be built upon or would be limited in how they can be built on. We know there are bands across this entire sloped area, 257th to the western City limits, that meet this restriction.

Councilor Daoust stated I spoke to some homeowners on the ridge that overlooks McMenemy's awhile ago about a ridgeline trail as part of the transportation systems plan we were looking at and they expressed some concerns of having a trail in their backyard. I just wanted to mention to Mr. Faith that I think the homeowners would approve of a greenway but they may not be so approving of a trail through their backyard.

Councilor Thomas asked when we looked at the Parks Plan wasn't there a fairly long list of things that the PAC would like to do with the SDC's to enhance the existing parks that well exceeds the total amount of money that would be coming in?

Faith replied yes.

Councilor Thomas stated I'm assuming now that there is some money available the PAC would like to do some of these projects.

Faith replied I think at this time the only park improvement project that is high on their list is upgrades at Glenn Otto Park. We had identified possibly 2 acres of Glenn Otto Park as being eligible for upgrading and modification that would be an eligible expenditure of Park SDC's. The rest of the park is already developed and we couldn't use SDC money for that.

Councilor Thomas asked have they identified any other parks that could be improved in the area?

Faith replied I don't believe that anything else came out as a higher priority than acquiring new lands that might become available to meet our future needs.

Mayor Thalhoffer stated we informally requested that we get started on a measure that would make park land a condition of development. Maybe it's time to put it on the agenda formally.

Faith asked you would like me to begin working on it?

Mayor Thalhoffer stated I think we should have it on the agenda for discussion, maybe at a work session. Does Morgan Meadows develop a third of their project each year?

Faith replied right now they are only building houses in Phase I and they are nearing completion of the public infrastructure in Phase II. We're getting close to a final walk through of Phase II and as soon as that's done, approved by Public Works, and a certificate of completion is given on Phase II, they can commence building homes in Phase II. Phase I is only 86 lots which is not even one third of the 257. I'd say 30% of the lots are either built or under construction. I think Phase II will have 104 lots.

Councilor Kight asked can you identify what some of the mechanics would be if the developer had the option of setting aside land in lieu of SDC money? Let's say there's a green space that amounts to roughly \$50,000, but they would have paid \$60,000 in SDC fees, so there's a \$10,000 negative. Do they make up the difference in cash?

Anderson replied I'm not that familiar with the specific mechanics of how it's played out. I have not been the Administrator in a city that did that. I was an Administrator in a city that had land set aside and felt that they got burned because they got parcels that weren't adequate for park usage and then went to SDC's.

Councilor Kight asked are you saying that the developer would set aside for a green space that nobody wants necessarily?

Anderson replied that's the experience that I had with a city in Minnesota.

Councilor Kight asked in the planning department there is no control over the piece of property that is set aside?

Anderson replied it depends on how your Ordinance is drafted and how much flexibility you have in those situations.

Councilor Kight asked can we go to other communities that do this so we don't have to reinvent this?

Anderson replied that's typical staff work.

Bob Bents, a Troutdale Citizen, stated Mr. Faith has talked about ongoing negotiations, which implies quid pro quo. I don't know what we have to offer, but as Councilor Thomas pointed out to me privately some time back, we're all tax paying citizens of Multnomah County and in essence partial owners of this property anyway. I really like the idea that an elected official approach another elected official, perhaps somebody approaching Commissioner Lonnie Roberts.

Councilor Kight asked do you live in Cherry Ridge?

Bents replied I live in Sedona Park.

Councilor Kight asked are you saying you'd like to see a trail at the bottom of your property or a green space?

Bents replied the original plan was for 150' corridor extending from 257th all the way to the western boundary, on that slope. I've heard a number of people discuss this slope and the gradient seems to be all of 25%.

Councilor Kight asked do your neighbors share the same ideals that you do for this property?

Bents replied yes.

Anderson stated to clarify staff's direction, we will be working on a work session reviewing the Ordinance and then perhaps one Council Member or you as Mayor will make the contact with Mr. Roberts.

Mayor Thalhofer replied correct.

6. RESOLUTION: A Resolution supporting the allocation of funding received from the sale of surplus property by Multnomah County to the construction of an East County Justice Center.

Mayor Thalhofer stated this Resolution comes out of deliberations that we've had in the East Metro Economic Alliance (EMEA). They passed a motion to use the money from the sale of the

Pig Farm and the jail site to build a justice center in the Gresham area. We drafted a Resolution similar to what the City of Fairview drafted. Are you all familiar with this?

Councilor Thomas stated are you talking about the Multnomah County Correctional Facility (MCCF) and the Hansen Building?

Mayor Thalsofer replied yes, not the Pig Farm, the jail site and the Hansen Building. This is a motion made by one of the EMEA members to urge Multnomah County to use the proceeds for a justice center in the Rockwood area or the Gresham area.

Councilor Daoust stated on our Resolution under point #4 they urge the allocation of any net proceeds from the sale of the Hansen Building, MCCF, and other East County surplus property. I assume that we're just talking about the Edgefield property.

John Anderson, City Administrator, replied I was the one that used that particular phrasing when I was working off the draft City of Fairview Resolution. If you're more comfortable with being more specific, that's fine.

Councilor Daoust stated my reason for saying that is the County is very specific on what properties they're talking about. I don't know if there are any other County properties in East County.

Councilor Kight stated there are other properties. There's the right of way next to 238th and 242nd, there's the Animal Control, there's several pieces of property that aren't identified.

Mayor Thalsofer stated it's been pretty specific to the proceeds of the Hansen Building at 122nd and Glisan and MCCF.

Councilor Thomas stated that's what I understood when I talked with the County. I think we should stick with the two pieces.

Mayor Thalsofer stated I think we should stick with the two pieces of property.

Councilor Gorsek stated I was under the impression that MCCF is being disposed of to help fund the new jail facility, is that not true?

Robert Paine, East County Manager for Commissioner Lonnie Roberts, stated the operational funds from the facility itself could be used to help fund the Wapato Facility. These are things that they're looking at right now but there's nothing that they've set in concrete. That's what everybody's looking at, sell the property along with the Hansen Building and dedicate those funds to build the justice center which would incorporate the Sheriff's Office, Gresham Police Department, and the City of Gresham along with the court.

Councilor Gorsek asked just transfer it over?

Paine replied that's basically what they would do.

Councilor Gorsek asked MCCF could be in use but the sale of the facility could be used for the justice center?

Paine replied yes, the property and the facility.

Councilor Gorsek asked are they asking for our blessing in this process?

Paine replied we're asking for support from all of the Councils to put pressure on the other County Commissioners so they would go along with taking the proceeds from the sale of those two pieces of property to fund building the justice center.

Councilor Gorsek asked what do you think the possibility is that the County would deed use the pieces of greenway we discussed during Agenda Item #5?

Paine replied right now the County wants to get as much money out of those pieces of property as possible. Once the property is listed as surplus and it's turned over to facilities management, they may do some negotiations.

Councilor Gorsek asked how will the County respond to the argument that it's already been paid for by the tax payers so why shouldn't it just be shifted over?

Paine replied Commissioner Roberts could talk to facilities to tell them this is something that we need to look at. Once the property is sold, it's up to your codes and regulations on what development goes in there. I think there is a lot of control that this City has over that piece of property once it's sold.

Councilor Gorsek asked will this new facility have the potential to book prisoners or will they go downtown?

Paine replied it will be a short term booking facility so that your officers won't have to go downtown, but they will be moved to downtown.

Councilor Ripma asked is the draft Resolution, Exhibit A in our packets, before the Commissioners?

Paine replied no. About an hour before I came here tonight a final draft was put out. The intent is exactly the same they've just added some things like the Oregon Revised Statute (ORS) 1.185, requires Counties in which a circuit court is located to provide suitable and sufficient court rooms. The other is ORS 3.014, further requires Multnomah County to provide facilities in the City of Gresham for a court judge to hold court.

Councilor Ripma stated in Exhibit A part G, it says any net proceeds from the sale of the Hansen Building, MCCF, and other Edgefield property should be used to fund the new center. That seems consistent with the draft that we have for our Resolution and I'm wondering if that's still in the County Resolution?

Paine replied yes.

Councilor Ripma asked don't you think we should leave the language, and other East County surplus property, the way it was in our draft Resolution?

Councilor Daoust replied hearing that clarifies it and I'm okay with that.

Mayor Thalhoffer stated it would be a great help to our police department.

Paine replied the benefits go beyond the police department, it would benefit attorneys in East County, and citizens of East County. This facility is going to use jurors so if you sit on a jury you don't have to go all the way downtown.

Councilor Kyle asked could you also shift the operating funds from the Hansen Building to be used at the Wapato Facility?

Paine replied no, the Hansen Building operating funds will be shifted to the Justice Center because the law enforcement at the Hansen Building now would be moving to the Justice Center.

Councilor Kyle asked is the Wapato Facility currently being used?

Paine replied to my understanding, no it's not.

Councilor Kyle asked would the operating funds from MCCF do anything down there?

Paine replied it should open it, maybe not fully. We're hoping that we would at least be able to get somebody into it so they could start operating it.

Councilor Gorsek asked Chief Nelson, how do you feel about the facility?

David Nelson, Chief of Police, replied I don't know a great deal about the plans but I have a few issues. If there are 4 - 6 court rooms, that would be a benefit to us because we're primarily going downtown. If there is an opportunity that we could also have grand juries in East County that would free up a lot of our time. A booking facility would be a huge benefit for us. Right now there are 4 days a week that we have temporary booking facilities in Gresham.

Councilor Thomas asked are the properties that we're talking about, the Edgefield property, the Pig Farm and the County Jail site, covered by the Town Center overlay?

Rich Faith, Community Development Director, replied only a portion of the greenway is outside the Town Center boundaries.

MOTION: Councilor Ripma moved to adopt the Resolution supporting the allocation of funding received from the sale of surplus property by Multnomah County to the construction of an East County Justice Center. Seconded by Councilor Kight.

Councilor Ripma stated I think Lonnie Roberts, our Commissioner, has our best interests at heart in this motion. I support Lonnie Roberts' proposal and hopefully we'll put pressure on the other Commissioners to use the proceeds to build this Justice Center.

Councilor Kight stated I spoke to Lonnie Roberts this afternoon and he would love to see the support of this unanimously with the Four Cities here in East Multnomah County. This is smart government because often times we're chastised for not utilizing our resources. Here we are building a new facility by liquidating property that could be put to better use and without having to go to the taxpayers. Lonnie indicated to me this afternoon that at this juncture it'll open up about \$500,000 of operating money that's currently being spent at the Troutdale Farm and it could be split evenly between 100 empty beds at the Downtown Justice Center and Inverness. They haven't worked out the details as to whether or not they would do that or transfer the money to Wapato.

Councilor Gorsek stated I hope that the facility has the necessary things for us and doesn't turn out to be just simply courtrooms. We need to have the booking facility.

Mayor Thalhoffer stated the permanent booking facility is very important because it's going to make all of the law enforcement agencies in East Multnomah County more efficient.

VOTE: Councilor Daoust – Yes; Councilor Gorsek – Yes; Councilor Ripma – Yes; Councilor Thomas – Yes; Mayor Thalhoffer – Yes; Councilor Kight – Yes; Councilor Kyle – Yes.

Motion passed 7-0.

7. EXECUTIVE SESSION: An Executive Session will be held under ORS 192.660(2)(e) Real Property Transactions.

Mayor Thalhoffer stated the City Council will recess into an executive session held being under ORS 192.660(2)(e) – Real Property Transactions. Immediately following the executive session the Council will reconvene the regular meeting. Only representatives of the news media and designated staff are allowed to attend. Representatives of the news media and all other attendees are specifically directed not to disclose information that is the subject of the executive session. No final decision will be made in executive session.

Mayor Thalhoffer recessed the regular meeting at 8:44 pm for a 5 minute break and reconvened into the executive session at 8:49 pm

Mayor Thalhoffer reconvened the regular meeting at 9:52 pm.

MOTION: Councilor Thomas moved to direct staff to respond to an offer to purchase the RMAC property submitted by Skidmore LP to our broker Jeff Brooks, Colliers International. Seconded by Councilor Kight.

Councilor Thomas stated I think the benefits to the City far out weights the other offers.

VOTE: Councilor Daoust – Yes; Councilor Gorsek – Yes; Councilor Ripma – Yes; Councilor Thomas – Yes; Mayor Thalhafer – Yes; Councilor Kight – Yes; Councilor Kyle – Yes.

Motion passed 7-0.

8. STAFF COMMUNICATIONS:

Jim Galloway updated the Council on the progress of the Waste Management Pilot Project regarding roll carts. He said that Waste Management thought they'd have something put together by November 1st but now it looks like it will be the beginning of next year.

John Anderson brought it to the Councils attention that the City Recorder gave them a memorandum asking for available dates to hold committee/commission interviews and would like them back by November 1st. He reminded the Council of the upcoming League of Oregon Cities meetings. John stated that the departments have been preparing their quarterly reports in a new format and that the Council should be receiving them shortly. He asked the Council if they would be available to attend a Council work session regarding Fire Service on Tuesday, November 23rd which is an unscheduled meeting date.

Councilor Kight was unsure of his availability on November 23rd, the rest of the Council would be available to attend on that date.

Anderson stated he would tentatively schedule the meeting on Tuesday, November 23rd.

9. COUNCIL CONCERNS AND INITIATIVES:

Councilor Daoust stated this is the last meeting that I will have to phone in and I will be at the next meeting in person. My calling card is about to run out and if the Council doesn't mind I would like to give some feedback on the work session items at this time. On the first work session item I would concur with the staff recommendation to go with option D. For the second work session item I also concur with the staff recommendation to go with option 1.

Councilor Daoust left the meeting at 10:04 pm.

Councilor Gorsek stated there will be three presentations on domestic violence awareness at Mount Hood Community College. Two of them are Thursday, October 28th. The first one is from 12:00 pm – 1:00 pm in room 2608; the next one is from 1:10 pm – 2:30 in room 1001. The third one is on Tuesday, November 2nd from 7:00 pm – 8:30 pm in room 1710. Child care will be available for the evening class.

Councilor Ripma stated I want to remind people to vote.

Mayor Thalhofer stated the police department sent out a press release regarding the Cherry Park Dotty's Deli being robbed at knife point this morning at 9:45 am. This points out to me that we're going to have to do something to beef up our police department to handle more crime of this nature.

Councilor Kight stated the best deterrent to crime is an empty bed in jail and to have that you need to support Bernie Giusto and Lonnie Roberts in making sure we have facilities available.

Councilor Kyle stated I want to thank the 4th grade class at Sweetbriar School for hosting the mayor candidates.

10. ADJOURNMENT:

MOTION: Councilor Ripma moved to adjourn the meeting. Seconded by Councilor Gorsek. The motion passed unanimously.

Meeting adjourned at 10:10pm.

Paul Thalhofer, Mayor

Approved February 8, 2005

ATTEST:

Sarah Greif, Office Support Specialist