

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale City Hall – Council Chambers**  
**219 E. Historic Columbia River Hwy.**  
**Troutdale, OR 97060-2078**

**Tuesday, November 25, 2014**

**1. ROLL CALL, AGENDA UPDATE**

Mayor Daoust called the meeting to order at 7:00pm.

**PRESENT:** Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Thomas, Councilor White, Councilor Allen, and Councilor Wilson.

**ABSENT:** None.

**STAFF:** Craig Ward, City Manager; Debbie Stickney, City Recorder; Ed Trompke, City Attorney; and Erich Mueller, Finance Director.

**GUESTS:** See Attached.

Craig Ward, City Manager recommended that Item #5 be postponed to a date and time of the Council's choice.

Mayor Daoust stated we have been discussing this 10-year extension since June in a series of public meetings. Recently there was a set of questions from the public, and there seems to be some misinformation. I would like to postpone this until the February 10<sup>th</sup> council meeting. That will give us time to do some outreach and education to the citizens on the urban renewal area and tax increment financing so that folks can better understand what the Council is dealing with when we are proposing changes.

Craig Ward stated we can put an article in the next edition of the Champion Newsletter explaining the pros and cons of extending the urban renewal duration.

Mayor Daoust apologized to those in attendance who came explicitly to testify to Agenda Item #5.

Councilor Thomas asked are you at liberty to talk about some of the issues?

Mayor Daoust replied it was a very recent decision in talking with Craig about the most recent questions that have come up from the public.

Councilor Ripma asked is Eastwinds okay with this?

Mayor Daoust stated I called them today and they are okay with postponing this. We cannot wait forever. There is a timeline that we have to deal with the financing for the urban renewal area so we do need to address this early next year, which is why I proposed February 10<sup>th</sup>.

**2. CONSENT AGENDA:**

**2.1 ACCEPT MINUTES:** October 14, 2014 Regular Meeting and October 28, 2014 Regular Meeting.

**MOTION: Councilor Thomas moved to adopt the consent agenda. Seconded by Councilor Wilson. Motion Passed Unanimously.**

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

Paul Wilcox, resident, stated I have some post-election comments (handout provided, copy included in the packet). One figure that stands out from the results of the council election was the under vote number. Under votes are folks who submit ballots but leave certain positions blank. For the council positions that figure averaged about 20% for the three positions, which means that one out of five actual voters didn't vote for any councilors. I am curious if any of you long-time councilors have an idea what accounts for that. What came to mind was either they don't care who is on the council, or they didn't like any of the candidates who were running, or the other possibility is that they didn't feel like they knew the candidates well enough to make a decision. I went through the whole ballot to see how Troutdale voted for the measures and all candidates. I compared that 20% under vote for the councilors, which is pretty shocking and shows a real lack of interest in the city council, to the under vote for the marijuana initiative which was at less than 1%. To me that shows that the issues that people feel strongly about they don't under vote. I was surprised that Troutdale voted for marijuana and against Kitzhaber.

Casey Brown, resident, stated with the marijuana law passing recently, I have heard your personal remarks that you don't want it in the City. What do you plan to do on that? It is not going away, but you are going to take away tax dollars that could be put into the City because it is your City and you don't want it here. What are we going to do about that?

Councilor Thomas asked are you referring to opening a business in Troutdale?

Casey Brown replied I am referring to opening a business, having possession of it, what is going to happen? We live in a police state in 2014. The Troutdale police is militarized; they have assault weapons, but we can't carry what the people have spoken on and we can't start a small business. It is not going away because you say it is; it will go to the black market just like it always has. We have a lot of folks come here in the summer, we have amazing parks and by keeping that out we are going to keep money out of this city and they will go to Gresham. You are not going to keep anyone from using it but why are

you going to take away money; because you don't care for it and you think it is a gateway drug. What is your opinion on this?

Mayor Daoust stated we still need to address the medical marijuana facilities. We approved a moratorium on it until next May so we will have to take some action on medical marijuana facilities before next May.

Casey Brown asked what about recreational marijuana facilities.

Mayor Daoust replied the people voted on that in Oregon.

Casey Brown stated yes, and it is legal now. How does that affect the City because I have heard your comments before that you don't like it or you have a personal opinion on it, or the Council does, that somehow because the people have spoken we don't get to because you don't like it in our City.

Ed Trompke, City Attorney, stated Measure 91 requires that the Oregon Liquor Control Commission (OLCC) come up with rules to regulate marijuana and they were given until the end of 2015 to do that. So the City really can't do much until the statute takes effect and legalizes possession as of July 1, and the rules aren't expected out until a year from now. OLCC is saying they probably aren't going to get rules out before that. Until that happens the City is somewhat constrained legally in what it can do. The City will talk about it in the next year but nobody knows at this point because nobody knows what the rules are going to be yet. The City can't do very much until the rules are out.

Casey Brown stated as our elected officials making statements like I don't want that in my City. First of all it is not your city. We are your constituents; we voted you in. You represent us. The fact is that 56% of the people in Troutdale voted yes for this. There are 210 cardholders in Troutdale and now you are going to take away tax money.

Mayor Daoust stated what I meant when I said that, was that medical marijuana facilities possibly locating in our downtown shops, storefronts; that is what I was talking about. I can't do anything about people using marijuana recreationally.

Casey Brown stated how come you have a bar that serves alcohol in our downtown shops but you don't want that in there because you are afraid it will be a gateway to something else.

Mayor Daoust stated I will gladly have a discussion with you, but not right now.

#### **4. REPORT: An update by Metro Councilor Shirley Craddick.**

Shirley Craddick, Metro Councilor, reviewed a PowerPoint Presentation (attached as Exhibit A).

Shirley Craddick stated when Metro was first established in the 1970's, Metro was given the responsibility to monitor the urban growth boundary (UGB). Initially the only way that

the Metro Council could determine where they would expand the UGB was based on the agriculture value of the land. So if the land was compromised we called it exception land. So if the land already had houses on it, if it wasn't being productive land, and if it wasn't farm land, then that was land where we could expand the UGB. The agriculture value of the land really influenced where we could go. The Metro Council during those years was very reluctant to move into any farmland, particularly land on the west side of the region. Damascus was brought into the UGB because it was exception land; land that was no longer being used as agriculture land. The land already had houses on it and they were mostly 1 acre lots. However, we have learned a lot since Damascus was brought in because it was the Metro Council making the decision to bring Damascus into the UGB and not the City of Damascus. Things have changed. What happened since then is that the region got together and identified urban reserves and rural reserves around the Metro region. The urban reserves is the land that we will expand to in the next 50 years. The rural reserve is the land that we aren't able to expand into for another 50 years. This creates certainty for the region particularly for the farming industry. The grey area on the map (shown on Slide 14) shows the urban reserve in the east part of the area. The green area is the rural reserves in the east part of the region. The white area is called undesignated. The undesignated area is land that we would move into after most of the urban reserve is used over the next 50 years. A decision will be made in late 2015 on what to do with the UGB. Metro's decision then goes to the Oregon Land Conservation and Development Commission and they make the decision.

When a city wants to expand their UGB they first have to say that they are interested in expanding the UGB. Then they have to develop a concept plan that describes what they want to use that land for. Metro has funding available for the cities to use for that planning effort. Then they apply for that request, raising their hand saying that they want to expand the UGB and that they will take responsibility for that land; they would annex it and take responsibility for the transportation infrastructure that is needed to develop the land.

Councilor Anderson asked the acreage south of Troutdale is what?

Shirley Craddick replied it is undesignated. It is actually east of Troutdale.

Councilor Anderson asked what does that mean to us?

Shirley Craddick replied the law is that the urban reserves have to be pretty much used before we can look at the undesignated land.

Councilor Thomas stated based on the map it doesn't look like a very large piece of land. The other part that Troutdale, I think, is interested in for the future would be the land that is south of that going to Division. That land is ideal to bring into Troutdale primarily for residential.

Shirley Craddick stated that is a decision that you would have to work out with the City of Gresham. The other thing that occurred was that each of the cities that wanted to have a reserve approached the region and said that this is the urban reserve that we would like

to have. That urban reserve east of Gresham is there because the City of Gresham requested that.

Councilor Thomas stated that area is further south.

Craig Ward stated when Ms. Craddick stated all we need to do is raise our hand, I suspect that if we had a show of hands by the Council right now you would all raise your hands because we have had several conversations about this. I just want to clarify that it is my understanding that raising your hand means that we present a study to Metro that proves that our existing development capacity is inadequate and therefore must be supplemented by an area that we would annex.

Shirley Craddick replied that is correct. Obviously I understated the process. There are grants available to the cities for that study.

Mayor Daoust stated in my discussions with Metro staff on Troutdale raising their hand, one of the assumptions that we would be paddling upstream against is the population and housing assumptions that Metro makes for the future. Those formulas, combined with which cities want to take more housing, and which cities want less housing, are used to come up with the 20-year projection for housing needs. Housing is what we were thinking we needed more of. Metro is coming to the conclusion that in the next 20 years we don't need to expand the UGB for housing.

Shirley Craddick replied you are right. It depends on the number of people that we think are going to move into the area. We have an adequate supply of housing in the region for the next 20 years based on what we are seeing right now. We redo this every 5 to 6 years, so it may show something totally different in the next 5 or 6 year period. That will give your city the opportunity to really begin to think about how serious you are about doing an expansion of the UGB.

Councilor Wilson stated the report also shows that our employment here was going to increase tremendously, but our population increase wasn't in balance with that. If Metro's idea is to get everybody working in the same area that they are living in we should be able to have an inventory to balance that out. How you determine the employment growth verses the residents, I am not really clear on.

Shirley Craddick replied the Metro jurisdiction is the entire 25 cities, so we really look at it as a region and we don't look at it from city to city. When I use the phrase that we really need more jobs in the east part of the region I am talking about the combined group of cities. Troutdale has a huge opportunity to have a lot more employment in your city than other cities in East Multnomah County because of the Troutdale Reynolds Industrial Property (TRIP). You may have more jobs, but maybe some of the people are living in Wood Village, Fairview or Gresham. The goal is to have fewer people traveling 10 to 15 miles to get to work.

Councilor Anderson stated in the Urban Growth Report it assumes development in Damascus.

Shirley Craddick replied that is a decision that will highly influence the direction we go. We have not made that decision yet.

Councilor White stated twice the Mayor and Council have unanimously agreed to bring in that 800 acres...

Shirley Craddick interrupted and asked the undesignated area?

Councilor White replied yes. We have a failed business right there, the old Thriftway complex, and we feel that would be key to any future development of that business. It is also a hardship to the people who own that land. The next generation isn't wanting to farm it. Some may continue to farm it but not everybody. It is good to give them the option. If Metro could somehow realize that it completes Troutdale. There is no other place for us to grow. We would just like to get it brought in and start planning for the future.

Shirley Craddick asked what is the plan for the property across from the Thriftway property?

Councilor Anderson replied the Strebin property. It is zoned for multi-family and single-family and some parks zoning. I have lived next to it for 19 years. I think it is locked down in a trust so hard that I am not sure anything will ever happen. Have we zoned for it? Yes. Is it likely? 19 years of history says no.

Shirley Craddick stated going back in history and looking at where your best opportunity is for new development, it is really within the current UGB. The challenge you have when you expand is with all of the infrastructure that is needed and the cost of doing that. Finding the funding to make that land productive and make it available for housing is really challenging. I would suggest that you look within your current borders for areas where redevelopment might be able to occur that would give you some opportunities. You have two projects that really give you a lot of opportunity. One of those is looking at the Halsey corridor and the other is your urban renewal area.

Shirley Craddick continued with her PowerPoint Presentation (starting on Slide #17).

Shirley Craddick stated last time I was here we discussed the community enhance fee. Metro licenses all of the transfer stations in the Metro region. Your city has a transfer station. Garbage is brought to this transfer station from all over the east part of Multnomah County and some of Clackamas County and then put in trucks and taken to the landfill. For the last ten or fifteen years many of the other cities that host these transfer stations have been receiving a community enhancement fee. For every ton of garbage that comes into these transfer stations there is a small fee attached to that and that money goes back to the host city. Your city has not had the benefit of that until just recently. The Metro Council voted unanimously to support this fee so this fee is available to the City of

Troutdale. The program begins in July. Between now and July, if you choose to, we can work together to develop some criteria about how you want those funds to be distributed. There would be about \$60,000 to \$70,000 available each year for your city to distribute based on the criteria that are established. You can choose to participate or not. If you choose not to participate Metro will manage the committee that distributes the funds. If you want to participate you will take that responsibility. Councilor Wilson, your question to me was if you choose not to take responsibility for this money...

Councilor Wilson interrupted and stated that wasn't my question.

Shirley Craddick replied it wasn't. Okay, so what is the negatives? There are no negatives for you if you choose not to participate.

Councilor Wilson stated I think we discussed that we would participate so that we have our own destiny on this project. My situation was that we are generating a fee or a tax that I felt was unnecessary. To quote Calvin Coolidge, "a government which lays taxes on people not required by an urgent public necessity and a sound public policy is not a protector of liberty, but an instrument of tyranny. It condemns the citizen to servitude." He didn't say a lot, but I think this was a very important thing that he said. I think our discussion was that our governments need to try and live within their own means. If we have a situation with our sewer treatment plant we have to figure out a way to take care of it. But we have now developed a fee, which didn't exist, that maybe doesn't really need to be had. But Metro has decided we are going to have that fee. Our discussion went into what happened with Title 13 where Metro voted to try and withhold taxes from Troutdale. Councilor Anderson asked you if you were going to do the same thing with this enhancement fee. At that time there was some discussion and it came to, lets hope it doesn't come to that. When I was talking to you, you said that you would never do that. My question, and what I requested, was that in the IGA you specifically add language that this fee cannot be withheld if Metro finds us out of compliance in another area, which is what was happening with Title 13. If Metro is comfortable enough with not trying to withhold that fee it would be a very easy thing to add to the IGA and I feel it should be included so that we have a guarantee when you are not there, and so that everyone remembers everything correctly. That is what I have asked of Metro.

Shirley Craddick stated I think we are looking at apples and oranges. Title 13 is about land use and the state has established goals that we all have to follow. The State of Oregon gave Metro the authority to manage that for the Metro Region. So that is in a different respect and a whole different subject than that of solid waste. We have no authority to withhold any money from you in any way regarding this fee. They aren't even related. There is no concern because we have no way by law to ever put you in that position again. You have approved your Title 13 so you are in compliance, so there is nothing, as far as I know, that you will have to be concerned about. They are not related; we do not have the ability to put you in that situation.

Councilor Wilson stated then there shouldn't be any reason why you should be uncomfortable putting that language in the IGA.

Shirley Craddick replied I will see if staff would be willing to put something in the IGA, but I think it is a worry that you don't need to have.

Councilor Wilson stated I won't dwell on it; you know how I feel and it should be an easy fix for you.

Shirley Craddick replied we will be preparing an IGA that we will both have to agree to and that discussion can occur at that time.

Mayor Daoust stated we will need to have more discussion on who and how those funds will be dealt with in the City.

**5. PUBLIC HEARING / ORDINANCE (Introduced 10/28/2014):** An ordinance approving the First Amendment to the Troutdale Riverfront Renewal Plan to extend Plan duration and redevelopment assistance.

This item was postponed until February 10, 2015.

## **6. STAFF COMMUNICATIONS**

Craig Ward informed the Council that there have been some questions about the status of the appraisals with Eastwinds for the former waste water treatment plant site. We have determined that Eastwinds used a different interpretation of the instructions than the City provided to our appraiser. In an effort to reconcile the different assumptions that resulted in different values for the property, we found the key issue was the limited access to the property which may diminish the value. The disconnect between the two appraisals was over the effect of that limited access on the value of the land behind the Outlet Mall. The solution, we hope, is to conduct a traffic study. It is really about how many cars can get to that location. If not many cars can get back to the property than the property is worth less than if a lot of cars can get to it. That disconnect was the rub in the different values of the draft appraisals. In speaking to the appraisers about that and trying to reconcile it, they felt that information in the form of a traffic study could be helpful. Right now we are working on a scope of work. Eastwinds has agreed to cost share that scope of work. We have a rough estimate on a draft scope of \$5,000 (\$2,500 for the City and \$2,500 for Eastwinds).

Craig Ward reminded the Council of the following:

- City offices will be closed Thursday and Friday for the Thanksgiving holiday;
- There is a Budget Committee Work Session on Tuesday, December 2<sup>nd</sup> at 7pm;
- Committee interviews will be held on Thursday, December 4<sup>th</sup> at 6pm;
- There is a work session scheduled for December 16<sup>th</sup> to discuss the public involvement plan for street funding. What time would Council like to have this meeting start? **Council agreed to start at 7:00pm.**



## **7. COUNCIL COMMUNICATIONS**

Councilor White stated it is that time of year for the Troutdale Police and the Multnomah County Sheriff Toy Drive which is being held at the Wood Village Walmart. November 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup> from 9am to 5pm. They will also be there on December 6<sup>th</sup> and 7<sup>th</sup> and 13<sup>th</sup> and 14<sup>th</sup>. They are asking for unwrapped gifts for children of families in financial need.

Councilor Allen stated I notice that there is construction on the access to the urban renewal site which seems like it would further restrict access. Are you are aware of this?

Craig Ward replied I was informed by our Public Works Department that ODOT is proceeding with the extension of the trail that goes across the bridge now. At the moment if you are coming west when you come off of the bridge you hit dirt. From what I understand they are completing that trail so that it will be a developed trail all the way through. It should not restrict the number of vehicles that can get in and out of that area.

Councilor Allen stated we had discussed bringing the trail along the river and wrapping it around and going across the bridge. Is that not viable for some reason?

Craig Ward replied I think we are talking about different trails. There is a bench that has been constructed under the I-84 Bridge for the extension south of the 40-mile Loop Trail and the intention continues to be to bring that through the urban renewal area along the top of the bluff and then under the Union Pacific Railroad to Depot Park. Nothing has changed in that regard. You have a trail going under the bridge and you have another trail that is actually part of the bridge so there needs to be an intersection developed between those two trails which are at different elevations. That is still planned.

Councilor Allen stated my main concern when I saw that was whether it was going to reduce the access and you are telling me, not at this time.

Craig Ward replied I don't think that it will. That trail needs to be built because people will be using it in the future and they need to be able to do that safely, and that requires completing the trail out to 257<sup>th</sup>.

Councilor Wilson asked staff, as you are looking at our fiscal year 2015-16 budget, can you start looking at redeploying the \$1 million plus dollars that we have in the parks system development funds that the new homebuyers have paid for but haven't seen a benefit from. I think if we do this we will create badly needed jobs in East County. I would like to see us, in the next fiscal year, earmark three system development charge (SDC) qualified projects under \$50,000 each. This would help to put East County construction workers back to work, and by doing this these workers will reinvest their earnings back into East County helping our entire region grow. I see no reason for the parks system development fund to remain unspent.

Councilor Ripma stated the Troutdale Historical Society is hosting Harlow House Christmas on Saturday, December 6<sup>th</sup> from 11am to 3pm. Santa will be there and refreshments will be available. I wish everyone a very happy Thanksgiving.

Councilor Anderson also wished everyone a happy Thanksgiving. There are a lot of issues going on and I really value communication from folks that are not necessarily on the council or a member of the city staff. There is a master plan study going on at the Troutdale Airport and we are aware of it but we can't get to every meeting all of the time. But when we hear of things that might be happening that require our attendance we get these nice messages and this one came from our Budget Committee and Planning Commission Chair, Tanney Staffenson. As a result of that our Public Works Director, Steve Gaschler, and I met and went over what this master plan means. Councilors Wilson, Allen, White and Mayor Daoust went to the meeting. It is important to show that kind of presence from elected officials to let the people who are preparing this master plan know that we are watching; the airport is very important to us and we have a vested interest in what happens. Thank you Tanney, and thank you to the four of you who attended the meeting.

Councilor Thomas wished everyone a happy Thanksgiving.

Mayor Daoust stated the Sandy Drainage Improvement District would like us to appoint someone from Troutdale to serve on that board. If anyone is interested please give me a call.

I am pleased to announce that Officers Kyle Harris and Nick Thompson received the Medal of Valor from the Oregon Peace Officers Association for their actions in regards to the Reynolds High School shooting.

The City received notice this last week that the service mark "Gateway to the Gorge", in my words, the City now owns the term Gateway to the Gorge. If service mark means something different than tell me.

Ed Trompke replied that is exactly what it means. It is filed the same as a Trade Mark, but it is associated with a service, which is serving the tourist industry as opposed to Campbell Soup which is a trade mark that goes on a product. It is the same basic rights to the name, but it is associated with a service rather than a product.

Mayor Daoust stated the Chamber is putting in for an RTO grant for the bikehub. They are requesting that I endorse the grant by writing a letter of support. I fully intent to write this letter of support. If there are concerns from any of you about me writing this letter of support please let me know.

Fairview is holding a recognition ceremony for Mayor Mike Weatherby, Council President Lisa Barton-Mullins and Councilor Tammy Arnold on Wednesday, December 3<sup>rd</sup>.

Mayor Daoust stated Councilor Anderson has been representing us well as our Ex-Officio member on the West Columbia Gorge Chamber of Commerce (WCGCC) Board, but since he is now the Executive Director of East Metro Economic Alliance he doesn't have

as much free time to commit to the Chamber. *I have appointed Councilor Wilson to serve as the Ex-Officio Board Member for the WCGCC.*

**8. ADJOURNMENT:**

**MOTION:** Councilor Anderson moved to adjourn. Seconded by Councilor Wilson. Motion passed unanimously.

Meeting adjourned at 8:35pm.

**Doug Daoust, Mayor**

**Approved January 13, 2015**

**ATTEST:**

**Debbie Stickney, City Recorder**

*Exhibits referenced in these minutes can be obtained from the microfilmed meeting packet or the microfilmed copy of the minutes.*