

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

Tuesday, December 9, 2014

1. ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Daoust, Councilor Ripma, Councilor Anderson, Councilor Thomas, Councilor Wilson, Councilor Allen, and Councilor White (7:10pm).

ABSENT: None.

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

GUESTS: See Attached.

2. CONSENT AGENDA:

2.1 RESOLUTION: A resolution accepting the November 4, 2014 General Election results from the Director of Elections, Multnomah County, Oregon.

MOTION: Councilor Anderson moved to approve the Consent Agenda. Seconded by Councilor Thomas. Motion Passed Unanimously (6-0).

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

Bev Frank, business owner and resident, stated I read the Gresham Outlook this morning and I was disturbed. I am an opponent to the proposed medical, and eventually recreational, marijuana businesses here in Troutdale. The article indicated that the two gentleman would be here tonight, but I don't see them.

Jon Brown stated the Toy Drive is going really good. I want to thank you for your help. The Toy Drive is at Walmart in Wood Village from 10am to 5pm; this Saturday and Sunday is our last weekend.

4. REQUEST: A request for a letter of support to designate the Historic Columbia River Highway, from Troutdale to Cascade Locks, as an Oregon Scenic Bikeway.

Dave Skilton, resident of Portland, stated I am here tonight representing the Friends of the Historic Columbia River Highway, which is a non-profit organization. Our organization is seeking to have the designation of an Oregon Scenic Bikeway for the section of the

Columbia River Highway from Troutdale to Cascade Locks. The Bikeway Program is designed to honor the best bicycle rides in the State of Oregon and also promote those rides. I am a long-time cyclist who has cycled all over Oregon, and I am a former member of the committee that was assembled by a parks and recreation department to get this program off the ground in 2009. I think we have a really superior ride from here to Cascade Locks. When the program was established we intentionally made the application process from the bottom up so that it wasn't the State going out and saying this is a really good ride we are going to designate it. As part of that bottom up process there needs to be a local proponent of the proposed route, and that is us. The proponent needs to bring evidence that all jurisdictions and land managing agencies that are touched by the proposed route agree to at least this first step of having the Scenic Bikeway Committee members ride the route and assess it against approval criteria. There was an earlier application in 2011 when I was still on the Committee and we rejected the route at that time because you had to ride on the freeway for a portion of the route. Since then ODOT has completed a separate path on the south side of the freeway that removes that gap that was on the freeway. We also pulled the route back so that it ends in Cascade Locks which is a more logical place to end. The 2011 proposal ended in Wyeth which is sort of a ghost town. In your packet there was a sample letter from ODOT. Tonight I provided you with a second sample letter from the City of North Plains that was for a now approved scenic bikeway that starts in Hillsboro and goes to Vernonia. We are asking the City to write a letter supporting this proposed scenic bikeway route.

(Councilor White arrived at 7:10pm)

Councilor Wilson stated some of the roads we have leading out there have a lot of switchbacks and are narrow. I don't know if that would be safe for a lot of bicyclists. How does your criteria apply when you have those kinds of switchbacks and narrow roads?

Dave Skilton replied cyclists tend to breakdown into three to four groups. There are the timid cyclists who don't want to be on a road if there is a car on it; they want to be on a separate path. There are cyclists who are more comfortable if there is enough shoulder. And there are cyclists who are bold people who do what is called "taking the lane". That is what happens mostly between Larch Mountain Road and Bridal Veil Road. I can tell you from my own experience from riding this route that it typically is not problematic because you are traveling almost as fast as the cars can. The State Parks categorizes rides as family friendly, which are the routes that are completely separated from the road. There is a moderate category, a challenging category and an extreme category.

Councilor Wilson asked when they are looking at the criteria for this road what category is it?

Dave Skilton replied it would probably be considered moderate because there is a pretty good shoulder except for that one stretch. The second half of the route is completely separated from the road.

Mayor Daoust stated I can see why this would be an Oregon Scenic Bikeway. It does fit the City's vision. Bicycle clubs that come through Troutdale stop at the General Store on

their way to the bikeway; it is a very popular route for the bicyclists that come through Troutdale.

Dave Skilton stated I don't think the designation will increase the number of cyclists by a very large percentage, but I think it will change the quality because being a scenic bikeway gets you access to special treatment by Travel Oregon who promotes the ride.

Councilor Thomas asked when they designate these bikeways do they put signage up to warn drivers that there can be bicyclists on the routes.

Dave Skilton replied that signage already exists on the entire route. There is standard signage for bikeways and there is a different set of standard signage for the scenic area. I assume there would be some compromise on what the new signage would be. It would be very minimal because the route is so well marked already.

Councilor Allen stated I was reading some points that Paul Wilcox sent to the Council. Would it be problematic if in our letter of support we encourage further improvement to the route?

Dave Skilton replied we would love that. This is very important historic property; it is a national historic landmark which is the highest honor that a property can have from the US Government.

Councilor Allen stated it is a beautiful ride. The improved areas are great. There are some other sections that if you improve those as well you could turn a very good ride into a great ride.

Councilor Ripma stated there are twelve Oregon Scenic Bikeways. Do they all have stretches without shoulders?

Dave Skilton replied we devised a method for analyzing them that is based on speed, condition of the road and the amount of traffic on the road. Sometimes there is no shoulder but there is no traffic on some of these routes. It really doesn't matter that much that there isn't a shoulder.

Councilor Ripma stated certainly on the Historic Columbia River Highway there is quite a bit of traffic but it is moving slowly. I agree that bicyclists from all over go on this route all the time.

Dave Skilton stated they are going to use this route whether it is designated or not.

Councilor Ripma stated the letter you provided to us from North Plains is actually a little different than what you are asking us for. It seems to be supportive of Washington County's application for the portion within the city limits of North Plains. I don't mind Troutdale endorsing the whole thing, but you do recognize we don't have jurisdiction over most of this route.

Dave Skilton replied that letter was done in the earlier days of the program.

Councilor Anderson asked have you interfaced with our local Chamber of Commerce?

Dave Skilton replied I personally haven't but our Board has been working with your Chamber and with the Historical Society on an exhibit. I am attending a work shop tomorrow on bicycle hubs; I think Troutdale is going to have a bicycle hub.

Mayor Daoust stated I have talked with Claude Cruz, Executive Director, and he supports this.

Councilor Anderson stated I am very afraid of the number of bicyclists, not so much at the top of the hill but at the bottom of the hill. I am surprised that more people haven't been injured, or worse, in that stretch between the bridge and up through Springdale. Putting more people on a road that can barely handle two cars side-by-side seems to be a little cavalier and a lot dangerous. Councilor Allen has addressed this in his question of can we advocate for improvements. The only way I could ever get behind this is if we strongly advocated for more improvements safety wise so that bikes and cars can coexist on that road.

Dave Skilton stated I actually own the property just above the 8th hole at the disc golf course at Dabney right in the triangle formed by Neilson Road. One of the things that we are looking at is to deviate from the historic route at that point and use Neilson Road and Woodard Road instead. That little curve there by the training center is the scary area.

Councilor Anderson stated if you do that and we advocate for a safer route for bicyclists, then I am okay with it.

Mayor Daoust stated I am willing to write a letter of support with some of the wording that has been suggested if the Council is willing to go along with that.

Council agreed.

5. REQUEST: A letter from Erin Janssens, Chair of the Historic Landmark Commission, requesting Council designate the old City Hall as a Historic Landmark on the City's Historic Resources Inventory.

John Morgan, Planning Director, stated this is a request to you as the property owners of the old city hall asking for your permission to apply for an historic landmark designation. On page two of the staff report the second paragraph reads, "It was recognized that the Council, as the owner of city property, must authorize an application before the Historic Landmarks Commission (HLC) can go through the designation process. Therefore, the HLC authorized the Chair to send a letter making that request."

If the Council authorizes the application the HLC will hold a hearing on the matter and make a decision on the designation. That process would happen in early 2015. The HLC's decision is appealable to the City Council by any party with standing established in the public hearing process.

I have provided you with a copy of Chapter 4.20 of the Troutdale Development Code (TDC) (copy included in the packet). On page 4 there is some text highlighted in blue that talks about how the historic designation comes to be. Section 4.240A reads, "Any person may request designation of a historic resource as a historic landmark. An application for historic landmark designation shall not be accepted without the informed written consent of the owners."

The HLC believes that there might be value to having the old city hall put on the City's historic landmark list, but it needs to go through the process to designate that. They are asking for your approval to go through that process.

I have also highlighted in blue what the criteria are that the HLC will use in evaluating that request if it goes forward. I have highlighted in yellow the text that tells you what that means. Essentially, being on the historic landmarks list means that a property, before it is changed, needs to go back in front of the HLC and be evaluated. There are three types of processes they can look at that are shown on page 5 (of TDC Ch. 4.200). There is a process for removing a property from the list. The two that are most apropos are 4.260B(6) and (7) which are alterations to a historic landmark and demolition of a historic landmark. There is a procedure and criteria laid out in the code that would be used by the HLC in evaluating such a request. I provide this information to you as you are the property owner of this particular property.

The request is for a motion to authorize filing an application with the HLC for consideration of old city hall to be on the City's historic landmarks list.

Councilor Wilson stated we are currently in the process of re-evaluating the old city hall to determine if it can be used as our city hall again. There may be interior changes that need to be made and there may be ADA requirements that have to be met. If it gets put on this register are we locked in to the point where we can't make the required ADA changes, or restructure the building to be more conforming to what we need today?

John Morgan replied no, there is nothing that would prohibit that kind of remodel. The criteria (TDC 4.260B) basically says that the historic character needs to be retained and preserved; a property shall be recognized as a physical record of its time, place and use; changes to a property that have acquired historic significance in their own right shall be retained and preserved; distinctive materials, features, finish and construction techniques or examples of craftsmanship that characterize a property shall be preserved. Which means nothing for an interior remodel; it can be gutted as long as the exterior of the building remains essentially in its historic character. This could easily allow you to add ADA ramping, an outside elevator lift or whatever might be necessary. Those things can certainly be accommodated in this process.

Councilor Wilson stated the entrance may need to be changed from where it is at now to a lower level because of the steepness.

John Morgan replied it is true. This is the question to you as a property owner, do you concur in at least having this process considered? If it does go on the list then there will be this kind of an evaluation if any changes are proposed. The HLC believes that there are historic qualities that ought to be recognized, which is why they are bringing this to you.

Councilor Wilson stated if we want to wait until we decide what we are going to do for a city hall, then we can come back to this later. We don't need to approve this tonight. It isn't like they can't ever ask for this again.

John Morgan replied that is true.

Councilor Wilson stated so we could go through the process of what the needs are for a city hall to see how much change would need to be made and whether or not it is going to fit this criteria.

John Morgan stated there is a certain measure of sensitivity in that essentially being the property owner you need to look to yourselves as you would look to any property owner in this circumstance of is it appropriate to consider it or not. Certainly that is a choice that the Council can make if you chose not to go forward with this process. You can do it later. You have all of these choices that are available to you.

Councilor Wilson stated so this isn't something that has to be done tonight.

John Morgan replied no. I wish Chief Janssens was here to share with you what the HLC's concerns are in terms of preserving that property.

Mayor Daoust stated I understand the desire to designate it historic. The way the TDC is written, and the way you described it to us, it makes it sound like any revisions to the building is up to the HLC and not the City Council.

John Morgan replied that is right. The way the process is set up is that the HLC has the authority to review and approve alterations or demolition. It is a Type III process just like the Planning Commission considering an application, and that in-of-itself has the right of an appeal to the Council, but it is not a Council decision at the first level.

Craig Ward stated TDC 4.285 presumes that any decision of the HLC may be appealed to the City Council. Ultimately it comes back to you but it will come back to you with the findings from the HLC and their decision. You can read it both ways; on one hand the Council has the ability to sort of overcome whatever constraints may be imposed on the renovation of the building, but on the other hand you will be facing the recommendation and decision of the HLC in making any changes.

Mayor Daoust stated I understand the request, but I guess I have the same concerns as Councilor Wilson. We don't even know what we are going to do with that building yet. We are in the middle of that process. The way this is worded it adds a level of oversight by the HLC.

John Morgan stated the HLC fully understands exactly every point you just made and their action was deliberate because of what you just said.

Councilor Ripma stated I think the idea is that whoever owns that building, it is an historic building and it adds value to Troutdale. That is the HLC's position and it is certainly my position that it adds value to Troutdale as a historic building and we would like, with the consent of the owner, to have it be appropriately redeveloped. The HLC is unlikely to be unreasonable in anything that preserves the building because it can be appealed to us. The question is, is the building worthy of being treated this way. The initial question to us, as the owner, is do we authorize the HLC to consider it for a local historic designation. I think it is a plus for Troutdale. It doesn't affect whether city hall ends up there. If it can't be used for a city hall, then whatever ends up getting done with it; if it can't be saved there are provisions for removing it. Obviously I am enthusiastically in favor of this. I think we ought to allow the HLC to go forward.

Councilor Thomas stated I think for the building itself this particular designation is a little too premature. You talk about appealing it to ourselves, which is only true if the City maintains ownership of the building. It is possible that it may be sold and then you have strapped the new property owner with that same issue, and who are they appealing to? The City Council, which isn't necessarily the same as appealing to yourself. Knowing that we don't know what is going to happen to that building, whether it can be refurbished, whether it is even cost effective to refurbish it or bring it up to standards, is really a challenge. I am not a proponent of tearing down buildings just for the sake of tearing them down. But in the same token I think, as a City, we need to preserve our options and if we decide to sale it we don't want to put restrictions on the property that will stop us from being able to sell the property. If the new property owner wants it to be designated as a historic building then let them do that. If it becomes a city hall again, then this is probably a good idea. But let's give it time to find out where we are at and figure out what the best use is for that property before you put a designation on it that adds several more layers, a lot more costs, and many more months to get the development done.

Councilor Wilson stated I received a call today from Terry Smoke. The downtown stakeholders would like to have a voice in this process if we want to move forward with this designation. They want to be involved because they have a lot invested in downtown.

Councilor Allen stated I remember past discussions where we said do we put the old city hall, and at that point it was the city hall, on the historic landmarks list. At the time it was stated that it didn't have any special features to it that made it a good candidate. However, with that said I do know that there are people with emotional ties to the building. I also know that the building leaks like a sieve as far as energy usage. But I have heard that you can do energy efficient windows that look like the old windows and solve some of that problem. It is a complex issue. I can understand why they want to try and preserve the building. I have heard people say that even if they reconstruct the building they still want to maintain that character. Do we have the ability to get low interest loans to fix it up if it is designated a historic building?

John Morgan replied being on the City's list doesn't have any particular avenue to that kind of financing. It would make it more eligible for grants, I would think. In fact I would expect it would have to be on such a list if there was a group that wanted to pursue any kind of grant assistance for this.

Councilor Ripma stated if people want to wait I am not opposed to that as long as we give it serious consideration under the other process that we are going through, and I think we are going to do that.

Mayor Daoust stated I received about three phone calls today from the downtown businesses wanting to have a voice in this process, so I am inclined to accommodate that.

John Morgan stated if this process goes forward there is a public hearing in front of the HLC so they would have an opportunity to participate.

Councilor Thomas stated I think it would be better to wait until we know what we are going to do with the building.

Councilor White stated I think that Councilor Allen brings up a valid point that if we are going to pursue that as a city hall that we look at that as a strategy in case it does give us opportunities for grants or low interest loans. Clearly if it becomes city hall again I would like to see it designated historic. It might be wise to do that prior to construction, and it might be wise to do it after construction, but we need to figure that out. If we are not going to use it for city hall I want to keep the spirit of the historic preservation committee as a volunteer program and I would like the new owner to make that decision. I think it helps us market the property if we have increased flexibility for its use.

Mayor Daoust stated that is one thing that I continually hope that we think about is that flexibility with whatever decisions we make. I have nothing against keeping city hall the way it is. From what I am hearing it sounds like we may need more time to get more input on this, especially from the business community.

Councilor Anderson stated and we need to get farther along in the city hall process. We don't want to take an option off of the table when we don't need to, and right now we don't need to.

Councilor Allen stated it makes sense if we revisit this before we actively do anything to the building.

Councilor Wilson stated that is what I was saying, come back to it.

Councilor Allen stated I am saying the same thing except I am adding before we actually do anything with the building. I think that is what the concern is here is that we are going to start doing construction on the building before we visit this. It might be an assurance for them if we just agree to take another look at this prior to doing any construction.

Mayor Daoust stated I wouldn't want to see the building converted into a brand new building with a complete different look.

Craig Ward stated what I think the Council is saying is that you would vote it down tonight with the understanding that we will bring it back as part of the city hall process prior to making a decision as to any changes to the building.

Councilor Allen stated I think that will work well if we agree on that.

MOTION: Councilor Thomas moved to deny the request for establishing a historic landmark designation for the city hall until we have further information as part of the new city hall process. Seconded by Councilor Wilson.

FRIENDLY AMENDMENT: Councilor Allen asked for a friendly amendment, that we add to the motion "prior to doing any construction".

Councilor Thomas accepted the friendly amendment.

Mayor Daoust stated we will include that amendment in the motion. Does everyone understand the motion?

There were no questions from the Council on the motion as amended by the friendly amendment.

The Motion, as amended with the friendly amendment, is: A motion to deny the request for establishing a historic landmark designation for the city hall until we have further information as part of the new city hall process, and prior to doing any construction.

VOTE: Councilor White – Yes; Councilor Allen – Yes; Councilor Wilson - Yes; Councilor Ripma - Yes; Councilor Anderson - Yes; Councilor Thomas – Yes; Mayor Daoust – Yes.

Motion Passed 7-0.

6. STAFF COMMUNICATIONS

Craig Ward stated we had previously asked the Council if you wanted to hold a December 23rd regular meeting. At the time the direction was if we need to have a meeting we could meet. My question to the Council is do we need to hold the meeting or should we cancel the meeting. ***Council agreed to cancel the December 23, 2014 regular meeting.***

Craig Ward reminded the Council that the Swearing-In Ceremony is on January 5th in the Sam Cox Building.

7. COUNCIL COMMUNICATIONS

Councilor Allen stated it was good to see the Troutdale Police and the Multnomah County Sheriff and volunteers helping out with the Toy Drive at Walmart. There was good cooperation amongst all of the volunteers.

Councilor Wilson thanked Councilor Thomas for all of his support and guidance over the years.

We had a budget meeting last week and we discussed a zero based budget using no reserves. I think that is a great start. One of the things that the Council had talked about doing back when the Arch was built was that they were going to use the money from the FedEx building to pay off the Arch once we starting receiving taxes from them. I am just hoping that we can accelerate our budget to get the Arch paid for so that we can get out from underneath that and we can make the system development charges for parks whole again. I would just like to see us get that repayment accelerated.

Councilor Ripma asked are we having a meeting on December 16th?

Mayor Daoust replied we were going to have a work session on December 16th on the street funding public involvement plan. I have decided to postpone that until January.

Councilor Ripma stated the Tree Lighting Ceremony that was held on December 5th was festive and fun, and although it was windy and cold it wasn't raining. Mayor you did a great job. It was a great Troutdale event. Merry Christmas to everyone.

Councilor Anderson also wished everyone a Merry Christmas and a Happy New Year. If there are minutes to the discussion about the Arch that you mentioned Councilor Wilson I would love to see them.

When I became a councilor I asked Councilor Thomas to give me one piece of advice and he said if you can go home at night and go to sleep after every vote you cast then you have done a good job. And for three years I think I have done that. Thank you for that advice.

Councilor Thomas wished everyone a Merry Christmas and thanked everyone for the opportunity to serve on the Troutdale City Council for the past 12 years.

Mayor Daoust stated we need to make some decisions on membership on committees. The first one is East Multnomah County Transportation Committee (EMCTC). Currently I am the member and Councilor Allen is the alternate. Councilor Allen, are you willing to continue as the alternate?

Councilor Allen replied yes.

Mayor Daoust stated I am willing to continue as the member. Is the Council is okay with Councilor Allen as the alternate and myself as the member?

No objections voiced.

Mayor Daoust stated we will need a Troutdale member on the Fire Bargaining Team to replace Councilor Thomas. Craig is also a member of this team. This is for the negotiations with Gresham for the fire contract.

Council discussed and agreed that Councilor Thomas would continue to serve on the Negotiating Team until Larry Morgan is sworn into office on January 5th, and agreed that the Council would take this up at the January 13th meeting.

Mayor Daoust stated the Sandy Drainage Improvement District needs a board member starting in January. They meet 4 to 6 times a year during the day.

Councilor White stated Tanney Staffenson may be interested. If he is not interested I would be willing to serve.

Mayor Daoust stated there is no work session on December 16th but we will need to schedule the discussion on the street funding public involvement plan in January.

Craig Ward asked do you want to schedule a work session following the January 13th regular meeting?

Mayor Daoust replied yes. You may have read in the paper today that there are some partners looking at obtaining a business license and leasing the Marco Polo storefront for a medical marijuana store. We will be working on code amendments. The moratorium will be lifted in May. I know some of the business owners are very concerned about this.

Last Saturday I attended the US World Class Taekwondo ceremony where students were graduating to the next belt level. I was taken by the amount of respect and discipline that these kids have. I was given the opportunity to speak at the ceremony. I was very impressed with the ceremony. They informed me that if we ever need the taekwondo class to do any community project they are more than willing to volunteer.

8. ADJOURNMENT:

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

Meeting adjourned at 8:04pm.

Doug Daoust, Mayor

Approved January 13, 2015

ATTEST:

Debbie Stickney, City Recorder