

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

Tuesday, April 9, 2013

1. ROLL CALL, AGENDA UPDATE

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

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

ABSENT: Councilor Ripma (excused).

STAFF: Craig Ward, City Manager; Debbie Stickney, City Recorder; and David Ross, City Attorney.

GUESTS: See Attached.

2. CONSENT AGENDA:

2.1 ACCEPT MINUTES: February 19, 2013 Work Session, February 26, 2013 Regular Meeting and March 12, 2013 Regular Meeting.

2.2 MOTION: A motion to appoint Wood Village Councilor Tim Clark as the representative on the Metro Policy Advisory Committee (MPAC).

2.3 MOTION: A motion to adopt the 2013-14 City Council Goals.

2.4 RESOLUTION: A resolution authorizing the City Manager to sign an Intergovernmental Agreement with Multnomah County for Transfer of Building Permit Services on certain unincorporated properties.

2.5 RESOLUTION: A resolution authorizing the City Manager to sign an agreement with McMenamins Edgefield regarding the 2013 Summer Concert Series.

~~**2.6 RESOLUTION:** A resolution supporting a Metro community development grant application to conduct an urban renewal area expansion feasibility study. Pulled from consent agenda and put on regular agenda (see motion below).~~

MOTION: Councilor Anderson moved to adopt the consent agenda. Seconded by Councilor Wilson.

Councilor Thomas requested that Consent Agenda Item 2.6 be moved to the regular agenda for discussion. No objections were raised.

MOTION WITHDRAWN: Councilor Anderson withdrew his motion.

MOTION: Councilor Anderson moved to adopt the Consent Agenda Items 2.1, 2.2, 2.3, 2.4 and 2.5. Seconded by Councilor Allen. Motion Passed Unanimously.

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

Jay Ellis (Beaverton, Oregon) provided handouts to the Council (copy included in the packet). I have done quite a bit of development in Troutdale over the years. I am here tonight to discuss with you a project that I have been working on for over a year and a half. Every time I take one step forward with this project I take two steps back.

Mr. Ellis voiced his frustrations regarding the process to get his project going, including:

- Not receiving guidance from staff on what changes they want made to his storm water plan in order for it to be approved;
- Not receiving the correct form from staff to be used for the 15' utility easement required in the conditions of approval. Staff is not providing any red-lined corrections on the easement document to let him know why it is not being accepted and what needs to be corrected, instead they just tell him it needs to be redone.
- This project includes a 20'x120' driveway. No other driveway around there has to do anything for storm water other than this one. He is unable to start building the house until the driveway is approved, but they won't approve the driveway until the storm water is approved. He has submitted the plan but staff doesn't like it.
- Delays in responses to emails due to staff not working a full schedule.
- He had an agreement with the City that he could build the house and construct the driveway after all of the big trucks have gone in and out. The Fire Department has a boiler plate condition that you must certify that the road can handle 75,000 pounds. You can't certify a driveway until you build the driveway. Everyone agreed that he didn't have to start the driveway until all of the big trucks were done coming and going so they wouldn't ruin the new asphalt. They won't release the building plans until he gets that certificate.

Mayor Daoust stated if I hear you right your frustration, even though you have had a lot of interaction with staff, it is either untimely or...

Jay Ellis interrupted and stated and lack of guidance. It would be helpful if they provided redlined comments so I know what needs to be fixed.

Mayor Daoust asked what would you like?

Jay Ellis replied I would like a chance to meet with Craig and staff members. I am in the middle of this. You have adopted goals that you want to promote development which I think is great. If I don't come and tell you what is going on you won't know.

Mayor Daoust stated Craig has heard you tonight. Is there anything you can do Craig?

Craig Ward stated I would be happy to set up a meeting with Mr. Ellis, Charlie Warren and myself and go over the specific complaint. We can set the meeting up for tomorrow if you would like.

Jay Ellis stated I appreciate that.

Bruce Maas, Vancouver, WA, stated I want to update you on the USS Ranger Foundation. The Ranger Foundation has been denied receiving the USS Ranger as a museum piece along Chinook Landing in Fairview. At this point the Ranger Foundation is having to regroup and figure out what their next plan is. I want to remind everybody that just because they have hit a bump in the road with not being able to get the Ranger provided to them as a future museum piece, they are still going to work on figuring out what they are going to do with that site. I would like to encourage the Council and the citizens of East County to continue to support this ongoing project.

The Navy has come and visited the Rose City for many years and this afternoon we received word that the Rose Festival Fleet along with the Blue Angels will not be performing this year due to the cutbacks.

I would like to encourage the citizens of East County to get out and get involved in some of the Memorial Day events in the area, and thank our Veterans for all of the wonderful work that they do. One of the things that I notice when I come through Troutdale is that there really isn't any type of memorial or something that recognizes our Veterans.

4. UPDATE: County CROPS Garden

Diane McKeel, Multnomah County Commissioner, stated the County is very proud of the CROPS program. I want to thank the City for your partnership and donation of water to the site. I want to acknowledge that this project contributes towards a deeper and more meaningful relationship between the County, the City of Troutdale and SnowCap. CROPS also provides important opportunities for volunteer groups who are looking for a meaningful day of service. It also give people who have been sanctioned with community service a meaningful, peaceful way for them to provide restitution to the community. We are looked at as a model of collaboration and I am very proud that it is happening in our district here in East County. I truly appreciate how the City of Troutdale has embraced this program. In the coming year we will document the impact that CROPS has and continue to work with SnowCap to collect data on who is served. We look forward to collecting the data so that we can better tell our story of CROPS and track the impact on the community. Before I turn this over to Dan, I want to tell you that he is a very special person. It is through his tireless efforts that we have been able to expand the acreage and provide more produce for SnowCap. We have increased production every year. Dan has cultivated the relationships that are needed in this partnership to use the land as a community asset. Without Dan CROPS wouldn't exist.

Dan Bravin, Food Program Coordinator for Multnomah County's Office of Sustainability, stated CROPS is a 2-acre diversified vegetable farm located on the old County Poor Farm site (aka Edgefield North). This fertile piece of land has a history of providing for the County's neediest residents. Not many years after the Poor Farm closed we are once again utilizing a long valued community resource to help our neighbors who suffer from poverty and hunger. CROPS is about to begin its 5th season of providing fresh organically grown vegetables to hungry families in East Multnomah County. CROPS has been using surplus County land, volunteer labor and mostly donated materials to grow produce that we deliver directly to the largest emergency food pantry in the Oregon Food Bank network - SnowCap Community Charities. In these difficult economic times CROPS offers the highest quality vegetables to those most in need and to those who can least afford the high price of fresh local produce. So far we have delivered over 45,000 pounds of produce over the last four seasons. We estimate the retail value of all those vegetables that have gone directly to SnowCap and nowhere else to be well over \$100,000. I want to thank you for your support of CROPS over the last four seasons. The overwhelming support from the City Council with offers of tractors last year, donation of the water and just general support for the program is what keeps it alive and makes it thrive. We couldn't do it without your support and without the support of our many community partners. I look forward to continuing to work with the City of Troutdale, SnowCap, McMenamins, Oregon Food Bank and many other community partners to help provide fresh organic produce to hungry and needy families in East Multnomah County.

Councilor White asked is there anything else you need from the City?

Dan Bravin replied as long as you keep donating water that is probably one of the most critical pieces, and it keeps our cost low. Nearly 100% of the fields are watered using a drip irrigation which is a very low flow irrigation, so we are making the most of the resource that you are providing to us. One of the other programs that occurs at this site is the Beginning Urban Farmer Apprenticeship (BUFA) program which is basically a small scale beginning farmer program. They also help manage that space, so there is some skilled labor out there.

Mayor Daoust asked if there is a group or individuals that want to volunteer how would we put them in contact with you?

Dan Bravin replied by email or phone. I will leave one of my cards for you. I also advertise on the Hands On Greater Portland website.

Mayor Daoust asked is there someone at the site every day of the week?

Dan Bravin replied not every day. In the middle of the season probably 5 days a week, this time of the year maybe 2-3 days a week.

Councilor Thomas asked do you have any plans to expand?

Dan Bravin replied we started with 1 acre and we are now up to about 2½ acres of which probably 1½ acres are in production at any one time. We don't have any specific plans to expand.

Councilor Allen stated I still have a John Deer tractor, and I have a ripper that is very good for turning out virgin soil and a disc that is good for turning the soil up and over. I really appreciate what you are doing with organic farming. It seems like I run into so many behavioral issues that turn out to be food related and having more organic food available, especially to the low income families, is an excellent idea.

Councilor White asked can anyone donate surplus vegetables to SnowCap?

Dan Bravin replied yes.

Commissioner McKeel stated I will put Dan's contact information on my web page. The BUFA program is another great program that Dan started at the County. How many students do you have this year?

Dan Bravin replied we have 20 students this year; we had 65 applicants.

Commissioner McKeel stated it is so important that we support our farmers and that we help a new generation learn how to farm.

5. REQUEST: A request for funding for the Troutdale Cruise-In.

Councilor Wilson stated I may have a potential conflict of interest since I am a member of the Kiwanis Club.

Councilor Allen stated same for me.

David Ross stated the Kiwanis Club is a non-profit organization and it would not be a potential conflict.

John Leamy, Kiwanis Board Member, stated in 2012 the Kiwanis Club of Troutdale took over the Troutdale Cruise-In which has been scheduled on and off over the years. This event had been ran by Terry Smoke in prior years. In 2012 this event drew about 150 cars to downtown Troutdale and a couple thousand attendees making the businesses in downtown Troutdale very happy. This year we are partnering with the Portland Chapter of the Buick Club of America to hold a 2-day event here in Troutdale. This will create a win-win situation in that we will share some of the expenses and manpower with them and we will be promoting this as a weekend event to come, stay, shop, dine and play in the Troutdale area. We are asking lodging, restaurants, and shops to offer weekend specials to keep people in town. In 2012, due the cities and other sponsors we were able to raise \$1,826 of which we donated \$1,000 to the Mt. Hood Kiwanis Camp and we were able to use the other \$826 for projects such as the Bike Rodeo, Christmas Party and the Easter Egg Hunt at Troutdale Terrace, Terrific Kids Awards, Troutdale Grade School and the Key Club at Reynolds High School. The event had a positive impact on

Troutdale's businesses, restaurants and lodging. I would like to ask that the City partner with the Kiwanis Club in a Presenting Sponsor role of \$1,000 this year.

Mayor Daoust asked what are the dates of the event?

John Leamy replied August 17th and 18th.

Mayor Daoust stated in the past this has only been a 1-day event.

John Leamy replied correct. We were approached by the Buick Club earlier this year. They have typically held a cruise-in at Westin in Gresham and they wanted to see about doing something in downtown Troutdale. We have worked with them to come up with a 2-day event. The finances are set up so that any money that they raise for their day they keep and any money we raise for ours we keep. We will split the cost of the expenses and they will make a \$500 donation to Mt. Hood Kiwanis Camp.

MOTION: Councilor Thomas moved that the City be a Publicity Sponsor in the amount of \$1,000. Seconded by Councilor Anderson.

Councilor Wilson stated I think what John wanted to do was split the Presenting Sponsor with the City and one other group.

Councilor Thomas stated I could modify the motion and take the word publicity out and just make it a sponsor for \$1,000.

Mayor Daoust asked a presenting sponsor?

Councilor Thomas replied just a sponsor.

Councilor Anderson asked Mr. Leamy, what would you like?

John Leamy replied we asked for Presenting Sponsor.

MOTION WITHDRAWN: Councilor Thomas withdrew his motion.

MOTION: Councilor Thomas moved that the City become a Presenting Sponsor for the 10th Annual Troutdale Cruise-In in the amount of \$1,000. Seconded by Councilor Anderson.

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

Motion Passed 6 – 0.

6. PUBLIC HEARING / ORDINANCE (Introduced 3/12/2013): An ordinance adopting Troutdale Municipal Code Chapter 8.30, the "Unsafe Building Abatement Ordinance" and amending Troutdale Municipal Code Sections 8.28.070, 15.04.040, 15.04.050 and 1.04.095.

Mayor Daoust read the ordinance title.

David Ross, City Attorney, stated this is the second reading for the unsafe building abatement ordinance. On February 5th Council conducted a relatively comprehensive work session on this ordinance and requested that staff bring the ordinance forward. It was brought forward in final form on March 12th. At the public hearing on March 12th neither the Council nor the public had any comments or additions. We are here now for the second reading and adoption. This ordinance satisfies the council goal to improve and support livability in Troutdale. One of the performance measures under that objective was to revisit what was then called the derelict property code. As we explain in the staff report it has been recast as an unsafe building ordinance. The ordinance also amends several sections of the Municipal Code in order to bring them into compliance with the new section (8.30) and cleans up Chapter 15.

Councilor Allen stated regarding the plumb line mentioned on page 2 of the proposed ordinance under Item 5 of Section 8.30.020, I consider that a good goal for the construction of a building, but considering the soil type that we build homes on some settling does occur and that would include quite a portion of existing homes. I personally will be voting no on an ordinance that is that expansive. Also on page 3, under Section 8.30.050 - Unsafe Buildings Prohibited, Subsection A, am I correct in my understanding that structure does include structures that are not homes? If so, being unfit for human habitation would be a problem. Partially constructed would be a problem for those accessory structures that do not require permits. Does structure in its definition also include non-residential structures?

David Ross stated in this definition a structure that is unsafe for human habitation as determined by the Building Official.

Councilor Allen stated I am looking at the use of the word "or" throughout this particular language and that is what has me concerned as to how it would be interpreted. Do other Councilors have concerns?

Mayor Daoust asked Councilor Allen, how do you interpret it that it concerns you?

Councilor Allen stated it reads, "No structure shall be left unoccupied and unsecured, partially constructed, abandoned, maintained in a condition that is unfit for human habitation, or maintained in a condition that is an imminent danger", I agree with the danger part of it. It goes on and states, "or which constitutes a fire hazard" I agree with that, and the part about the hazard to safety, health or public welfare. My concern was whether structure was residential or not. Because if it does pick up the accessory structures and if it picks up structures that are not meant for human habitation than it needs to be rewritten to be accurate.

Councilor Thomas stated I don't see it.

Councilor Allen asked would we condemn an accessory structure because it is not fit for human habitation?

David Ross stated well I don't think we would if no one was living in it. But if people were attempting to use it as a residence than that is essentially part of the thrust of this chapter.

Councilor Allen asked would that be the legal interpretation of this section?

David Ross replied that would be my interpretation. Ultimately if it were challenged it would be up to the court.

Councilor Allen asked what about partially constructed, would that also affect accessory structures that do not require a permit? They are protected if they have a permit but not protected if they don't.

David Ross stated if it is partially constructed and someone is living in it and the Building Official determines that it is unsafe, that is what this is meant to get at.

Councilor Allen stated so really no structure meant for human habitation shall be left unoccupied, unsecured, partially constructed...

David Ross interrupted and stated it doesn't have to be meant for human habitation, it is if it is being used for human habitation.

Councilor Allen stated so no structure being used for human habitation shall be left unoccupied and unsecured and so forth. Would that work? Or would it implicitly be determined and believed that that is the case.

David Ross stated no structure shall be left unoccupied and unsecured, partially constructed, abandoned, maintained in a condition that is unfit for human habitation.

Mayor Daoust stated I read that paragraph as the basis for this whole thing. I don't have a concern about the way it is written.

Councilor Allen stated as long as we are not pulling up non-residential and accessory structures I am fine with it as well.

Craig Ward stated I too am a bit perplexed. These are a variety of conditions which could be a threat to human welfare. If you have a barn that can be an accessory structure. If the barn is in danger of falling over it should be declared an imminent threat and dealt with. It is not that fact that a barn isn't designed to be fit for human habitation and someone is living in it, that is one of many conditions. If the barn is in the process of

falling over, people are using it, animals are using it and it is a danger and it should be abated. I see that as just one of several problems. If it said "and" and all of those had to apply I would understand your concern more. But in this case any one of those conditions could trigger this ordinance.

Councilor Allen stated if a barn is left unoccupied and unsecured we wouldn't care.

Craig Ward stated I can assure you if it isn't a threat we won't care. We are not looking for excuses to go out and abate unsafe buildings, but if we in fact come across a building that we believe triggers any of these this ordinance gives us the authority to go in and deal with it whether it is occupied by people or not.

Councilor Thomas stated I think that is the real key. If someone can go into a building that is in imminent danger, I think that is a concern. There are a lot of rules in place about trying to secure things to keep people from getting into them and getting hurt. I think the way it is written gives us the flexibility to enforce any kind of structure that does contain a potential hazard.

David Ross stated in Section 8.03.040B, the determination can be made by the Building Official, Fire Marshall, the Health Department, any number of public safety officials.

Mayor Daoust asked is there any further discussion on 8.30.020(C)(5), the plumb line that Councilor Allen is concerned about?

Councilor White stated I think that can be removed.

Councilor Allen stated I would prefer to see it removed just because it is a strict standard for building. If you actually measure walls within a variety of homes in Troutdale you will find that they do not match this description.

Councilor Thomas stated really what you are looking for is structural unsoundness and that is just one of the measurements.

Councilor Allen stated structural unsoundness is covered in other portions.

Councilor Anderson stated I think that we should keep in mind that as it relates to the specific language here, not all buildings are unsafe. For instance if there is a plumb line in my house that may or may not be a little off center my house is not unsafe. Being an engineer Councilor Allen I can understand the passion, concern and knowledge you have, but I just don't see it in totality being an issue.

Mayor Daoust stated this one item is not going to be used by itself; it is just another tool to use if need be. I don't see it ever being used by itself.

Councilor Allen stated I am hoping not but I worry about our ordinances being interpreted word for word as they are written and enforced by city staff in a way that we

never intended. It concerns me when it is not written in such a way that we actually want it to be enforced.

Councilor Wilson stated I don't think our city staff and our code enforcement folks have the time to go to each one of our houses to see if they are plumb.

Councilor Thomas stated it is also complaint driven.

Councilor Anderson stated it is entirely complaint driven if I am not mistaken. David is that true?

David Ross replied yes.

Mayor Daoust opened the public hearing at 8:05pm and asked, is there anyone here that would like to speak to us on this issue?

No testimony received.

Mayor Daoust closed the public hearing at 8:05pm.

MOTION: Councilor Anderson moved to adopt an ordinance adopting Troutdale Municipal Code Chapter 8.30, the Unsafe Building Abatement Ordinance" and amending Troutdale Municipal Code Sections 8.28.070, 15.04.040, 15.04.050 and 1.04.095. Seconded by Councilor Thomas.

VOTE: Councilor Allen – No; Councilor Wilson – Yes; Councilor Anderson – Yes; Councilor Thomas – Yes; Mayor Daoust – Yes; Councilor White – No.

Motion Passed 4 – 2.

2.6 RESOLUTION: A resolution supporting a Metro community development grant application to conduct an urban renewal area expansion feasibility study.

Mayor Daoust stated Councilor Thomas can you please state your reason for pulling this from the consent agenda for discussion.

Councilor Thomas stated we addressed this issue a few years ago when a request came forward to possibly expand the urban renewal area by the 1%, which really isn't that much space. At that time the Council said no. I didn't really see a point in moving forward without at least having a discussion before spending \$25,000 to \$30,000 that may not need to be spent. Just because it is available doesn't mean we need to go get it and spend it; it could be used elsewhere. I am assuming that they are wanting to expand it to pick up part of the Marino block; I don't know. When we looked at this we determined that 1% would only be a small portion of the Marino block, and the area to

make it contiguous with the existing urban renewal area. The other side of the coin with urban renewal is it would take that tax revenue away from the City until the urban renewal closes. Where the City is sitting now financially there are better ways to enhance development that doesn't impact our future revenues.

Craig Ward stated I welcome Council's direction. We don't want to chase after this grant any further if the Council is uncomfortable with it. Frankly from the day I began at the City I started getting questions about the potential expansion of the urban renewal property. In my discussions with Eastwind they have expressed some curiosity as well. When I talked to Bremik, who is the potential developer of the Marino block, they too were curious about the potential benefits of urban renewal for that property. This is really just a feasibility study to answer some of those questions. Obviously if we went beyond 1% we would have to go to the voters and we would need to have facts to back up why that was a proposal worthy of their consideration. At this point we don't have any numbers to back up that discussion. We have prepared a preliminary description to Metro and they agreed that it was a legitimate application that meets some of their initial criteria. It is not a guarantee that the grant would be approved. In particular they felt that we needed some skin in the game. We were asking for 100% grant and we came back and looked at our budget and felt that we could afford a \$5,000 match for a \$25,000 return. It will take a lot of staff time if the grant is received. It may stir up issues and questions before the public. When I talked to Eastwind a couple of weeks ago at first they were intrigued by the notion that if we expanded the urban growth area it would potentially bring in a larger revenue base which they could use to support their project. When I had the same conversation with the representatives from Bremik they were sort of intrigued by the same prospect; that it would potentially provide money that Eastwind is now assuming would go to support the urban renewal project on their property, suddenly that money could be spent outside of the boundaries of the urban renewal area. It could stir up quite a few questions and opportunities for us and that could be good or bad, but that is why it is just a feasibility study to try to assess the pros and cons and try to identify more facts on what opportunities and risks there are. This is the perfect time to stop this if you are not inclined to go forward with this grant.

Councilor Anderson asked in your dealings with the people that you just spoke of, do you think that while this feasibility study would be occurring that progress on urban renewal or other development would be stopped or stalled while they are waiting for this study to be done?

Craig Ward replied that is a possibility that people will see it as such a windfall in some way that they will want to wait until the study is done. The study will take several months. I can't deny that it changes or sort of shakes the ground under our financial assumptions and to some extent that may result in a delay.

Councilor Anderson asked how long will the study take, 90 days?

Craig Ward replied no. It will take some time just to see if the application is approved. It wouldn't surprise me if it took us until the end of the year to get through the entire process.

Councilor Anderson stated then we have to have a staff report and review the study to determine whether we want to expand or not.

Mayor Daoust stated the benefit, if we did expand the urban renewal area, would be the tax increment financing that the City could use to build a parking lot or parking structure in either one of the areas.

Craig Ward stated any of the funds generated through the tax increment have to be spent on public facilities. Part of the discussion would be what public facilities would we be interested in targeting. We could do utilities, streets, parks. There are a variety of things in the Urban Renewal Plan that are identified, but we could open that up.

David Ross stated the tax increment funds have to be spent on paying off debt.

Craig Ward replied yes, for investments made in public facilities.

Councilor Allen asked what is the area that we intend to pick-up with this?

Mayor Daoust replied it would be part of the Marino block. I don't know how much of that block.

Craig Ward stated the study will end up looking at what size area would make the most sense.

Councilor Wilson asked the \$7 million that we have to spend on urban renewal, if we expand does that money increase or are we still limited to the \$7 million?

Craig Ward replied the assumption is that if we add land we add tax increment and therefore the number grows.

Councilor Thomas stated the \$7 million was fixed.

Craig Ward stated it is the maximum borrowing limit of the existing Urban Renewal Plan. If we added to the urban renewal area that would generate more potential tax increment.

Councilor Wilson asked wouldn't we have to go back to the voters?

Craig Ward replied if we increase the footprint by more than 1% we would have to go back to the voters.

Councilor Wilson asked so the dollar amount increase if it was within 1% would just increase and that part wouldn't matter, just the amount of area that we are expanding the urban renewal boundary by that is over 1%?

Craig Ward replied the 1% is the limit in which the Council has the unilateral authority to expand the footprint.

Councilor Wilson stated I am interested in how the dollars would increase if it was within the bubble; we weren't going to spend any more than \$7 million.

Councilor Thomas stated the Plan says we couldn't borrow any more than \$7 million. What we can spend is different; we can only borrow \$7 million.

Craig Ward stated that is based on an estimate of the potential tax increment off of the existing footprint. Every question you are asking me about this would be answered by this feasibility study and it would be based on the assumptions that go into that feasibility study. I am presuming that if we were to do this that we would consider more than the 1% because you can already take advantage of the 1% boundary increase. Our current area is 40 acres so 1% is four-tenths of an acre. I doubt that would encompass the entire Marino block.

Councilor Thomas stated when we looked at it before that was about the footprint of the burnt out area.

Mayor Daoust stated that sounds right.

Councilor Allen asked could it include the existing City Hall?

Craig Ward replied I suppose it could. I am not sure about the adjacency; I would have to have more information on the boundaries of the existing area. I apologize; I don't have that much experience with exactly where the boundaries are and how they are adjacent to properties. I do know that the boundary includes a walkway that is next to the General Store, but does it also go down to the Depot?

Mayor Daoust replied no.

Craig Ward stated then I think it would be quite a stretch to get to the former City Hall.

David Ross stated you would have to amend the Plan.

Mayor Daoust stated Councilor Anderson brought up a point about the timing if we expanded the urban renewal area to the totally blighted area that we have downtown. It is now entering into development and we could have development progress even before we expand the urban renewal area. It is a timing question to me whether this is legitimate. We know that it is blighted now.

Councilor White stated my only concern would be the timing. If we could make that a priority and get it done I would support this study. When we had our last urban renewal meeting the architects had a real interesting concept that I really liked which was a sky-bridge idea giving access off of Kibling between old City Hall and the Marino block right into that development. I like that idea because it solves our access issue. The emergency access under the railroad bridge (Drovers Trail) could then just be used for bikes and pedestrians. I like that idea because it ties our existing downtown firmly with that new development.

Councilor Thomas stated we couldn't borrow enough money to build that. The slope coming off of Columbia River Highway exceeded all recommended standards; it was way too steep to even try to build it for traffic. It would take up a good piece of land on the other side.

Mayor Daoust stated expanding the urban renewal area would just enable us to help pay for more of it. There are definitely pros and cons to this; that is why the study was proposed. What is the consensus of the Council? Do you want the City to spend \$5,000 to do this study or not?

Councilor Anderson stated since I am the one who authored that question of how could we expand urban renewal, I would like to know the answer.

Mayor Daoust stated you are not the only one who asked that question.

Councilor White stated I would like to proceed with it if we could expedite it. For \$5,000 I think it is a worthwhile investment. This is our shot.

Councilor Thomas stated I personally don't see a reason to do it.

Councilor Wilson stated it just seems like we got some good momentum and this could stop that momentum for another year or more by the time we get it all done.

Councilor Anderson stated I agree. If we sense progress stopping because of this study, correct me if I am wrong, but can't we pull the plug and say forget about it.

Craig Ward stated you are wrong. Once we accept the grant we have essentially contracted with a commitment to Metro to spend the money to accomplish the purpose of the grant. Contractually we are in a difficult situation. We may be able to stop it, but we may also have to pay Metro back for the portion of the grant that we have spent up until that time. It's not that we couldn't stop it but we would also have a contract with the consultant and they too would want to be paid for at least their expenses up to that point. It will be very difficult to bring this thing to a halt quick enough to save us any money especially if we are expediting it.

Councilor Allen asked which election would we be targeting if we wanted to go ahead with this?

Councilor White stated it wouldn't have to go.

Councilor Wilson stated if it is more than 1% it does. What I understood that you were saying was that the old General Store (burnt down area of the Marino block) would equal that 1%.

Councilor Anderson stated the only nagging question I have as a taxpayer is what have we done with the current urban renewal area. I am really torn with this. I would like to think about this for a couple of weeks. Do we have to decide tonight?

Craig Ward replied I don't know. I am not sure what the deadline is. It is imminent I know; I don't know if it is within the next two weeks.

Councilor Thomas stated I have ran into a number of people who would like to dissolve the existing one (urban renewal area).

Councilor White stated I think it provides us some flexibility. I think there are enough other things that are already bogging us down. Wouldn't this fit in with other things that we are waiting on before we can get answers on this project?

Craig Ward replied it could. We will just have to see how it goes. The City has been working on urban renewal long before I got here and my guess is that we will be working on it, but hopefully it will be implemented by the time I retire in a few years. That may equally be true at some level with the Discovery Block (Marino block) and what happens there. They have purchased the property and they are proceeding with demolition on it, but how all of the pieces will come together for us to potentially be a tenant with a city hall is very unknown. The financing of that is very unknown. You are going to hear the budget message next week and I think you will discover that we do not have a lot of additional revenue to fund a city hall even if we are leasing it. Having more financial tools, and this is a potential financial tool, even for a city hall if the voters were to support that might be a really good thing for us down the road. I think the downside that Councilor Anderson pointed out is equally possible. It may be so tempting for people that they may see this as a windfall that will enable their project to go forward so they may delay their project.

Mayor Daoust asked are they aware of a potential delay in getting an answer?

Craig Ward replied we didn't have that discussion. It was a very preliminary discussion and all I was doing was informing them that we were considering a grant opportunity to look into these questions.

Councilor Thomas stated when the urban renewal was passed it specifically restricted government buildings, so we couldn't use it for a city hall even if we wanted to. It is a very restricted urban renewal design. Anything that gets added to it would fall into those same restrictions. From the developers point of view it would save them absolutely

nothing as far as what they have to pay in property taxes. The difference is where it goes. If we are talking about the future of the budget, if we bring more property into the urban renewal area then any development that happens on that property the City isn't going to see any direct money going into the general fund until the urban renewal debt is paid off, which is projected to be in the year 2032. This property is slated to be developed well before that date and we would be able to bring in that revenue to help pay for what the city is doing. Otherwise the taxpayers pick up the cost of providing the services to those areas. I think those are all things to consider when we are deciding whether or not we need to do this study. I personally don't see the value of doing this study based on what we already know.

Councilor Anderson stated I would like to hear Craig's response to the non-government buildings on the urban renewal site.

Craig Ward replied I wasn't here to fight the urban renewal battle. I fully respect your experience and knowledge of what was said and committed. I understand that the current urban renewal plan does not allow city facilities to be built. On the other hand one of the questions that I am sure would be looked at in this study is whether or not we could change the mix of potential uses for the tax increment to finance. It is legally allowable, it is just the commitment that you made to the voters. We would have to go back to the voters to change the urban renewal boundaries, we could also change the amount of money that it would generate and you could change the list of allowable uses. I am not saying that it would be easy, it is just legally possible to do that.

Mayor Daoust asked if we expand the urban renewal area to just the burnt out section, which is less than 1%, and a \$10 million building gets built there when would the tax increment financing from that be made available to us?

Craig Ward stated unfortunately you have gone well past my depth of understanding on this.

David Ross stated the tax increment goes to the Urban Renewal Agency which would be used to pay off the debt.

Mayor Daoust asked we would receive the increment soon, right?

David Ross replied we receive the increment now.

Councilor Thomas stated but it doesn't go to the general fund.

Councilor Wilson stated and the general fund won't see it until about 2032.

Councilor Thomas stated not until the debt is completely paid off.

Councilor Allen stated I very much want to see the current urban renewal take off. Can you paraphrase for me why I would want to take any risk right now, what the possible gain is by going down this road?

Councilor Anderson stated the only possible gain would be to see what else is out there and what we could do. We don't know.

Councilor White stated I appreciate Councilor Thomas being diligent and watching dollars with our tight budget. I would be more comfortable making this decision at the next meeting.

Councilor Thomas stated I think it would be good to also receive a copy of the Plan.

Councilor Allen replied I would agree.

Councilor Anderson stated I like what Councilor Thomas had to say. Wait two weeks and get a copy of the Plan.

MOTION: Councilor Anderson moved to table Item 2.6, a resolution supporting a Metro Community Planning and Development Grant Application to conduct an urban renewal area expansion feasibility study, to a date certain of Tuesday, April 23. Seconded by Councilor Wilson. Motion Passed Unanimously.

7. STAFF COMMUNICATIONS

Craig Ward stated we are eligible for a free one-day downtown visioning workshop. You previously asked that I schedule this workshop in late May, however it appears the first week of June works better for the consultant. The consultant said that if we expect more than 35 people they could do two workshops, one in the afternoon and one in the evening, either on a weekday or a Saturday. The dates available are Tuesday, June 4th, Wednesday, June 5th, Thursday, June 6th or Saturday, June 8th. I would like to put an announcement in the upcoming Champion and tomorrow is the deadline for articles. I need direction on whether you would like this held on a week night or on a Saturday, and if you think we should schedule two workshops or just one.

Council discussed and agreed to hold one workshop on Thursday, June 6th.

Craig Ward updated the Council on the following:

- The Historic Landmarks Commission (HLC) held their first meeting where two topics were brought up: 1) The former City Hall was a candidate property. The process requires the owner to pursue designation of their candidate property. We don't need to decide today. I am sure there are a lot of potential consequences that concern people, but it really does not bind us for anything we may want to do with the building; 2) The HLC discussed whether we could provide incentives. There is an incentive in our code, but there is also a process that is built in and that process requires a public hearing and that requires a fee. For a property owner to nominate

their property it will cost them money to pay for the hearing. Something that the we will be coming to you with is the question of do we want to waive the fee, as an incentive, for a property owner to go through the public hearing process.

- If you look on our website today you would find the video of your March 12th meeting online. We are working on making the 2013 Council meeting videos available on the website.

8. COUNCIL COMMUNICATIONS

Councilor Allen stated we have been talking about the parks system development charges (SDC). I see that as a separate issue from the Parks Master Plan in the sense that it seems to be too high at this point and it is an impediment to development. A federal study said that in the Pacific Northwest there is a high sixty some percent increase in residential and multi-housing permits year over year. We have also been reported as the second state in the nation for people moving into it. I agree that we did have a recession that impeded growth, but I see development going on now that is not happening here in Troutdale. Can we put the review of the parks SDCs on an agenda?

Craig Ward replied the SDC discussion is scheduled for a future agenda.

Councilor Anderson stated we have a resolution scheduled for May 14th that will suspend the automatic increase to the parks SDC, and on May 21st we are scheduled to discuss the parks capital improvement project list.

Councilor Allen stated none of that is discussing the SDC.

Mayor Daoust stated the CIP list is directly tied to the SDC.

Councilor Allen stated not necessarily. You can have projects you want to do, it is a matter for the Council to decide how we want to fund them. We don't have to fund all the projects with the SDC fund if we don't want to. We can use the general fund.

Mayor Daoust stated I think we can include that in the discussion on the CIP that is scheduled on May 21st.

Councilor Anderson asked David, didn't you say that the projects drive the SDC number?

David Ross replied the methodology drives the SDC rate.

Mayor Daoust stated we are looking at the methodology by looking at the CIP.

Councilor Allen stated you don't have to have the remaining few property owners paying for all the improvements that we want to do.

Mayor Daoust stated I still think we can discuss that.

Councilor Allen asked so you think we can bring that up on the 14th?

Mayor Daoust replied whenever that is scheduled.

Councilor Allen asked is that true?

Debbie Stickney replied May 21st is when you will be discussing the parks CIP list. On May 14th you will be considering a resolution that will suspend the automating increase for the parks SDC rate that would go into effect on July 1st if you do nothing. We understood from the last meeting on this topic that the Council wanted us to bring forward this resolution.

Councilor Allen asked on May 21st can we discuss the SDC?

Debbie Stickney replied yes. You will develop your project list which will determine what the maximum parks SDC rate is. Once that is established the Council can adopt the maximum SDC rate or any rate less than the maximum.

Craig Ward stated you can go through the list and come up with the maximum SDC rate that will pay for the identified projects. If you are only going to charge half of the SDC that means that all of the rest of the projects on the CIP will need to be paid by some other funding source.

Councilor Allen asked if we decide to reduce the rate on May 21st when would that take effect.

Debbie Stickney replied we may need to give a 90-day notice to those who have requested to receive notification of a change in SDC rates.

Councilor Thomas asked is that required on a reduction of the fee?

Debbie Stickney replied that hasn't been clarified yet.

Councilor Wilson stated a lot of good parent volunteers were involved in the project at Troutdale Elementary School that John Leamy mentioned. The school grounds look a lot better.

Councilor Anderson stated I am looking forward to receiving the budget. I understand that the target that was established for Craig Ward in November has been hit with a little room to spare. I wanted to acknowledge Craig and the department heads for hitting the number. I hope that the budget process this year, with the improving financial situation not only locally but nationally, won't be as protracted as it has had to be in the past because of those uncertainties.

Reynolds High School did something last month that was life changing for some of the students that participated in a program called Challenge Day. It is confronting every

stereo-type that we all had in high school, tapping subjects that aren't discussed in the lunch room or discuss with our friends. It annihilated that barrier. They are going to bring this program back. They are targeting juniors. Having a junior in high school myself, I think it is the perfect time for this type of exercise. I wanted to commend the Reynolds School District, Reynolds High School staff and the students who were behind this and who put this on. It was quite moving.

Councilor Thomas stated I wanted to thank Craig Ward for taking the time to go and testify before the State Legislature. I appreciated the information that you gave us.

I have always appreciated the fact that the City has been very willing to help out with the Eagle Scout projects. I had someone call me about this and I referred them to Craig. I attending a Friends of Scouting fundraiser this morning.

Mayor Daoust updated the Council on the following:

- I attended the Port of Portland Annual Luncheon today. 400 people attended this luncheon. They put on a real nice program outlining their accomplishments for the past year.
- I attended the EMCTC meeting last Monday along with Councilor Allen.
- I met with the Mayors of Wood Village and Fairview last Thursday where we discussed funding a Tri-City Economic Development position. We may be discussing this in the future.
- At our last work session we discussed holding a Town Hall meeting where we could receive feedback from business folks on tourism, transient lodging tax and the visitors center. I have scheduled this for Tuesday, May 7, 2013. I would like to have an article included in the upcoming Champion.
- Bremik has pulled a demolition permit. We have a concept plan of what a city hall layout could be in the corner building that is across from Mayors' Square. The only purpose of that was to see if we could fit everything in that space. We haven't signed anything or made any promises yet. I think we still need to discuss what we would like in the council chambers. We are still talking about taking a field trip to look at different city hall council chambers.
- Budget Committee meetings start next Monday, April 15th.
- I participated in the Reynolds High School Challenge Day. Professional facilitators ran the program; they did an excellent job. The challenge is to get high school juniors to feel comfortable enough that they open up and talk to you about their problems and what they experience at home and in school, what they are afraid of, and what they are bullied about. Those kids really opened up; I could not believe it. We met in small groups of six or seven; I was an adult with five kids and they had the opportunity to open up and talk to each other about what their feelings were and what they were going through. It was touching. Every single one of those students had a story. It was an eye opener that the vast amount of students were struggling with things in their personal life. The whole purpose was to get the students comfortable enough to talk to each other about those things, and to change the entire high school around. This has worked in other high schools; it is a proven program that has been around for twenty-five years.

Councilor White thanked the Troutdale Lions Club for another successful Easter Egg Hunt and Pancake Breakfast. I want to especially thank John Brown.

This last Sunday in the Oregonian the article on the front page caught my attention - Flood Zone Errors Soak Home Owners - lenders under federal pressure are wrongly forcing owners to buy costly flood insurance. I was really proud of our Council. In our Council Goals that we just approved tonight we have a goal to be proactive and inform the public and property owners about the flood plain mapping changes that result from FEMA's RISK Map project now in progress. I am glad we took a serious look at that; we are ahead of the curve.

Charlie Warren is going to be retiring soon. We don't get to do the hiring for that position, and this has nothing to do with his work, but with the direction that this Council is going I think it would be important that we have a mandate that states the new person replacing Charlie has a minimum of 10 years private sector experience within the last 15 years. If I can get Council's support I would like to look at making that an official requirement.

Councilor Allen stated I think that would be a good idea as we received testimony tonight. It is better if your city staff knows what it is like to be on the other side of the table so they can understand the process and what it does to the private sector. Sometimes we get people with no private experience whatsoever and they really don't know the consequences of their decisions. They lack practical knowledge.

Councilor Thomas stated the idea intrigues me, I just wonder if we are outside of our boundaries.

Councilor Anderson stated in theory I agree with everything you said.

Councilor White asked is that three?

Mayor Daoust stated I think you are planting the seed. I don't think we need to agree on anything tonight and I think Craig is taking notes.

David Ross reminded the Council to review the Charter.

9. ADJOURNMENT:

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

Meeting adjourned at 9:08pm.

Doug Daoust, Mayor

Approved May 14, 2013

ATTEST:

Debbie Stickney, City Recorder