

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

Tuesday, December 14, 2010

1. ROLL CALL, AGENDA UPDATE

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

Mayor Kight stated you may be wondering why there is caution tape in the Council Chambers immediately behind where we are sitting tonight. Apparently there is structural damage to the roof which Mr. Ward will explain in more detail.

Craig Ward, City Administrator, stated we had some concern over failing water pipes and some obvious settling on the south side of the building. I asked the Building Official to take a look at it and he strongly recommended that we engage a structural engineer to advise us on the stability of the building. A preliminary investigation was done by Miller Consulting Engineers on December 6th and they found various flaws in the structure of the building primarily at the south end. He specifically advised us that the roof above where the city council normally sits in these chambers could collapse and should be evacuated. He also found that the interior wall and floor in the kitchen and bathroom areas show significant signs of failure. We immediately stopped using the council chambers and engaged Miller Consulting to do a more thorough examination of the council chamber seating area to determine if the rest of the area in this room was safe to use, understanding that he had already recommended that the area behind the caution tape was not safe. He confirmed on December 8th that this portion of the meeting room is safe to use so we have reconfigured the meeting space to avoid using the unsafe portion of the council chambers. The rest of the building, including the portion of this room that we are now occupying, still has significant issues. We have asked Miller Consulting to provide us with a quote for a thorough evaluation of City Hall and an estimate for the repairs. We may need to obtain additional quotes from their competitors. Tomorrow Safeway Scaffolding will erect an emergency roof support in the area behind the caution tape which will cost us \$2,800 for the installation, removal and one months rent. It will continue to cost us \$500 a month to rent the scaffolding.

PRESENT: Mayor Kight, Councilor Thomas, Councilor White, Councilor Kyle, and Councilor Daoust.

ABSENT: Councilor Wand (excused).

STAFF: Craig Ward, City Administrator; Debbie Stickney, City Recorder; David Ross, City Attorney; Rich Faith, Community Development Director; Elizabeth McCallum, Senior Planner and Erich Mueller, Finance Director.

GUESTS: See Attached.

Mayor Kight asked is there an agenda update?

Craig Ward replied we are asking that Agenda Item #6 be pulled from the agenda tonight.

2. PRESENTATION: Certificates of Appreciation.

Mayor Kight presented Elizabeth McCallum, Senior Planner, with a certificate of appreciation that read: As the City of Troutdale's long time Senior Planner, Elizabeth McCallum is also the City's flood manager responsible for administering the National Flood Insurance Program to protect life and property from the ravages of floods. Her knowledge and expertise in this subject will prove beneficial to many Troutdale property owners over the next several years because of her diligence in identifying increased flooding potential resulting from the I-84/Sandy River bridge replacement project. In order to offset the higher risk of flooding during the bridge construction period, flood insurance premiums for at-risk properties will be paid for as part of the project construction costs. The City of Troutdale extends its gratitude to Elizabeth for looking out for the interests of its citizens by ensuring that owners of property along the Sandy River that are most vulnerable to flooding will remain protected under the National Flood Insurance Program. We praise her for her attention to detail and for the important role she plays in making our city a safer place to live.

Mayor Kight presented Councilor Kyle with a certificate that read: As a long term City Councilor for Troutdale, you will be remembered for your energetic participation in a number of different roles. Whether it was as a Director of our Urban Renewal Agency, or as a member of the Budget Committee, you provided a perspective that was always insightful and thought provoking. Your input and participation will be greatly missed by each member of our Council. It is our hope that you will have much success in the future. The City of Troutdale applauds your devotion to your position as City Councilor to make the city what it is today. You can share in the satisfaction of the many accomplishments that have been realized to make our city a better and safer place to live.

Mayor Kight also presented Councilor Kyle with a Rainbow Splendor sculpture from Caswell Gallery.

3. CONSENT AGENDA:

3.1 ACCEPT MINUTES: November 9, 2010 Regular Meeting and November 23, 2010 Regular Meeting.

3.2 RESOLUTION: A resolution adopting the Troutdale Hazard Mitigation Plan for the City of Troutdale.

MOTION: Councilor Daoust moved to adopt the consent agenda. Seconded by Councilor Kyle. Motion Passed Unanimously.

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

Stacy Bloom, new owner of Skyland Pub, stated I am here tonight to bring to your attention the amusement device fee. I was unable to attend the meeting that you held when this issue was discussed, but I was communicating directly with Councilor Wand during that time. I am here to request a repeal of that decision. With me is Shawn Hoerth who provides the amusement devices for my business. The notes from the meeting where this item was discussed indicated that there were no objections, but I would like to point out that most of the businesses with these devices are open in the evening and the owners are probably unable to attend these meetings.

Shawn Hoerth stated I have paid this fee for many years to you folks. In my business we have never had the manufacturers take 20% of our income. The State of Oregon had a fee on machines that went as high as \$100 but they eliminated the fee for operators at least 15 years ago. Secondly, the next biggest entity in Oregon is the City of Portland. They had a fee as high as \$100 per machine which was also eliminated 15 to 20 years ago. With double digit declines in our revenues I think this is an unfair amount of money to be asking based on other examples in the state. It is prohibitive for us because we cannot pass on these additional costs of running our business to our customers. If anything I am having to decrease the cost of play per game because people simply do not have the money. I am asking you to repeal this and be fair to us.

Mike stated I own three bars. I just purchased one in Troutdale. I have one in Portland and they have done away with the amusement tax/license. I had one in Gresham and they recently did away with their fee. Troutdale is the only one that I know of that has this \$100 amusement fee/license. I am asking you to take a serious look at it. It is not helping us as a small business.

Mayor Kight stated this issue will be referred to Mr. Ward. We have had some discussions regarding this but this is the first time that we have had business owners come forward. We appreciate you taking the time to do that.

Shawn Hoerth asked will this be addressed before the first of the year when the licenses are due?

Mayor Kight stated no, this is the last official meeting of the year.

Shawn Hoerth asked how will that affect the necessity of having the licenses because I read in the minutes that you don't issue the business licenses to the business owners

unless the amusement operators like myself have paid for the amusement device licenses?

Craig Ward stated we brought this issue to the Council's attention some time ago because of the lead time needed to amend the process which would require an amendment to our code. The business license renewal forms have gone out and if the Council chooses to amend that process we can have a discussion about whether or not a rebate is to be provided to those who have already paid. At this point the business license does require you to pay for the amusement device fees.

5. REPORT: A report and recommendation on periodic review tasks pertaining to historic preservation and scenic vistas protection.

Elizabeth McCallum, Senior Planner, stated we are in the midst of Periodic Review of our Comprehensive Land Use Plan. One of the tasks (Task 5) is to look at historic preservation and possibly consider scenic view preservation in Troutdale. We have hired a consultant team consisting of Carole Connell who is a land use planner and Sally Donovan who is a historian. They have provided information to us about our historic property inventory, options to add more properties to our historic inventory, and view protection in Troutdale. What you have before you is a report of where we are at this point. My staff recommendation outlines actions that could occur as a result of these studies, which would require additional work in the form of legislative amendments to our codes. What we are looking for tonight is direction from the Council that is either concurrent with the Planning Commission's recommendations or some revision to that.

Carole Connell stated Sally Donovan and I have spent the last 4 to 5 months working on the City's historic and scenic resources. We have made presentations to the public, the Citizens Advisory Committee (CAC) and the Planning Commission (PC). There was a very explicit recommendation from both the CAC and PC. Each time we have gone through this it has become clearer that it is not of interest to preserve the scenic views in a regulatory manner. Ms. Donovan is going to start by reviewing the historic resources, which is a little more complex because there are so many aspects of historic preservation at the local, state and federal level. The CAC and PC were both very interested in this subject and are strongly promoting a more interactive program. Not regulatory, but looking at different ways to bring your historic resources to a point where they draw more tourism, get more owner involvement, and have more involvement with the Historical Society and other groups to collaborate and build on the resources that you have.

Sally Donovan showed the Council a PowerPoint Presentation (copy included in the packet).

Sally Donovan stated our three major tasks were: 1) re-evaluate and update the existing inventory (list of buildings) which was compiled between the 1970's and 1990's; 2)

evaluate the local preservation program and look at what has been accomplished over the last 20 years; and 3) review your existing historic preservation ordinance.

Sally Donovan stated we went through the existing inventories that were compiled over the last 30 to 40 years. There were eight resources that were locally designated. Two of those are on the National Register – Harlow House and Methodist Evangelical Church. The other six locally designated properties include two trees, two cemeteries, Althaus House and the Depot Building. (Pictures and addresses of the locally designated properties are on pages 10-13 of Exhibit B to the staff report.)

We wanted to view the other resources that were on this list so we did a field survey using the information that was compiled in 1990 to see what architecturally or historically significant properties were out there (Exhibit A to these minutes shows the field survey results). The water tower is an identity for Troutdale. You have the elementary school, City Hall building, four commercial buildings and nine residents that have retained enough architectural integrity, and were interesting historically, to maybe be considered for the National Register and local designation. That was a preliminary evaluation.

Section C of the Field Survey report is a list of properties that are really nice buildings/resources but they really need more research to determine if they would qualify for the National Register.

Section D of the Field Survey report lists properties that were really interesting but were harder to evaluate because there wasn't a lot of information about these properties. We really didn't do a lot with these properties because we need to do more historic research.

Section E of the Field Survey report lists six buildings that had been altered and we really couldn't tell that they were historic buildings. From 1990 to today they had been altered significantly and if the original builder of these houses walked by them today they wouldn't know it was the same house/building.

Section F of the Field Survey report lists the four structures that were removed from the Historic Resources list either because they were demolished or burned down. Basically ten buildings that were on that list are no longer viable historical resources (Sections E and F).

The Historic Columbia River Highway is on the National Register and is a national landmark. The US Army Corp of Engineer lab building was determined by the State Historic Preservation Office (SHPO) to be eligible for the National Register (Section G of the Field Survey).

Sally Donovan stated we mailed out letters to all of the property owners listed in Sections A and B of the Field Survey and two property owners have consented to be locally designated - the Strebin house and the Olson house. You have to have the

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Exhibit A – Results of Field Survey of Existing Historic Inventory – Item 5

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consent of the property owner to designate a local landmark. We are also recommending that City Hall and the Troutdale Elementary School be locally designated. You don't see a lot of wooden city hall buildings that are still in their original use. The Troutdale elementary School is a real good example of an early 1920's building with a 1950's addition to the building. These four buildings are the recommendations for local designation at this point.

Sally Donovan explained the review process for historic properties (attached as Exhibit B to these minutes).

Sally Donovan reviewed the changes that are being recommended to the Community Resource Protection Overlay District Zone to update it and bring it more in line with current preservation ordinances (attached as Exhibit C to these minutes).

Sally Donovan stated over the last 20 years (from the 1990 Comp Plan) there have been no new historic resources designated except for one residence and one tree. Four buildings were demolished, six were altered and no longer reflect the historic character and no new preservation incentives have been added locally. You currently have a really good incentive worked into your preservation ordinance. If a building can be used in a different way that would preserve the building but it is not zoned for that use, the planning commission can review that as a conditional use and okay that permit. I see that provision as a really good incentive for being locally designated. Basically in the last 20 years there hasn't been a lot done in preservation in terms of the City actively developing a program.

Sally Donovan stated some of the reasons for preserving historic resources are: I love the property - it has been in the family for generations and I want to preserve it; it conserves material and energy; it creates a sense of place or neighborhood; it enhances livability; it increases tourism and attracts local business and residents; it is eligible for financial incentives; it can be used as an economic development tool; and tourism of historic sites in Oregon is one of the major attractions. A study done by The Oregon Arts Commission in 2006 showed that cultural resources are the largest trade-sector industry in Oregon. It also stated that 80% of all adults who traveled 50 miles or more visit cultural or historic sites.

Sally Donovan stated we looked at how you can improve your preservation program. What we are suggesting is looking at a voluntary, proactive, positive approach to preservation. To start you can: **1)** Update your 2010 Comp Plan by including the buildings that you have received the owner's consent to be locally designated. **2)** Revise your Community Resource Protection Overlay Zone ordinance to strengthen it, and establish a Historic Landmarks Commission. The Historic Landmarks Commission would really take the place of the planning commission in terms of reviewing historic properties, which really does establish that expertise within that commission to deal with historic properties and gets the program going. **3)** Apply for Certified Local Government (CLG) Program, which establishes a funding base for the city. This allows you to get grants on a yearly basis for preservation projects.

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Sally Donovan stated the CLG program is ran by the State of Oregon but it is a national program that was established in 1966 as part of the National Preservation Act. It offers technical and financial assistance to communities to develop preservation programs. To become a CLG you have to: **1)** establish an ordinance, which you have it just needs to be updated; **2)** create a Preservation Commission; **3)** provide for public education through your meetings; and **4)** conduct and maintain a survey like you are doing now it just needs to be done on the state inventory form. The program offers you a baseline \$3,000 grant every year, which is a non-competitive matching grant. The match can be in the form of cash or in-kind donations. The competitive grants are from \$5,000 to \$20,000. The benefits include technical assistance from the State Historic Preservation Office, training, grants and increased local preservation activities which also brings folks into your community. The types of programs eligible through the CLG grant program include: reconnaissance-level survey to include the SHPO database; intensive level survey (develop more history and architecture to add to the historic database); landmarks board training; interpretive material; and engineering studies. There are a lot of different uses, and the state is really good with any kind of creative projects and development projects.

Sally Donovan reviewed the benefits and incentives for Historic Resources (Exhibit D to these minutes).

Sally Donovan reviewed Options A, B & C that are being recommended to the Council for their action (Exhibit E to these minutes). The CAC and PC both recommended Option C.

Councilor Daoust asked does it cost the City anything to apply for a CLG?

Sally Donovan replied the process is to update your ordinance and establish your Landmarks Board.

Carole Connell stated there is no fee for filing.

Councilor Daoust asked what are the rules for creating a preservation committee?

Sally Donovan replied they like to have someone who has expertise in history, architecture, archeology, building, real estate and things that are applicable to preservation. If your community doesn't have those resources than you don't have to do that. You can make it an advisory committee only, or they can have the final say.

Carole Connell stated you also develop bylaws. It really just takes this task away from the planning commission.

Councilor Daoust asked is the preservation committee responsible for applying for the grants, or is that the responsibility of city staff?

Sally Donovan replied they would do that together.

Councilor Daoust asked does Hood River have any city councilors or city staff on their preservation committee?

Sally Donovan replied not city staff. They are a separate entity. In Hood River we have final decision making authority but it can be appealed to the city council or we can refer it to the planning commission.

Councilor White stated it is my understanding that if you declare a bridge historical then there are setbacks from that bridge which could potentially affect neighboring property owners. Is that correct?

Sally Donovan replied if you have a building that is on the National Register that is right on the highway and they want to widen that highway, then they have to mitigate the damage to that building. In the 1960's when this law came in they were coming in and just plowing through historic neighborhoods and folks got upset about that. When you are doing a federally funded project, or a state project that has federal funding, then they do look at the historic national register properties and the impacts of the project.

Carole Connell asked were you asking about an actual bridge?

Councilor White stated I noticed that you wanted the Beaver Creek Bridge on the list of historic interest and needs research. I believe there would then be setbacks on what can be built near that bridge.

Sally Donovan stated that is probably more to do with the mitigation for that particular bridge. If you have a house that is on the National Register it is not going to impact your neighbors.

Carole Connell stated it would be site specific and would depend on how much right-of-way there is and what the project is.

Councilor White stated one of my concerns, before diving into this, would be what kind of affects it will have on adjacent property owners. I know we are trying to make this a voluntary thing but you could be drawn into it involuntarily based on a decision such as making that bridge historic.

Sally Donovan stated I don't think it will impact the neighbors negatively. If you have historic property like a church, that is not going to impact the house next door.

Councilor White stated I was curious about the criteria and I was wondering why we left the Troutdale Bridge off of the list. Was there a reason for that?

Sally Donovan replied the Troutdale Bridge is part of the Historic Highway which is already protected.

Mayor Kight stated you identified two grants; one for \$3,000 and the other one is \$5,000 to \$20,000. If there is a project that will cost \$100,000 could you apply for the grant and accomplish the project in segments over a period of years?

Sally Donovan replied yes. In fact they like that. One year you could do the engineering study or a development plan and the next year you could apply and the money could go towards the rehabilitation of the building. They really like public buildings.

Mayor Kight asked once you have a grant does that become like seed money? In other words is there other grant money available to get the project done quicker?

Sally Donovan replied there are other grants through SHPO that go towards “bricks and mortar”, the rehabilitation of the building.

Mayor Kight asked can a city apply for more than one grant?

Sally Donovan replied you can only apply for one CLG grant per year.

Councilor Daoust asked under what designation, or would there be a designation, that would put a restriction on what could be done with the water tower?

Sally Donovan replied are you asking what you could do with it, or what the use might change into.

Councilor Daoust stated for instance if a developer wanted to change the character of the water tower by painting it pink, what are the restrictions on a designated property?

Sally Donovan replied in terms of your local ordinance you could paint it pink or do anything you wanted. If you were to make it into a condominium, then there might be a review process and you could always take it off of the local listing.

Mayor Kight asked there are cell phone antennas and cables on the water tower now, would those be allowed if it was to be put on the National Historic Register?

Carole Connell replied what exists now would be allowed.

Greg Handy, member and director of the Troutdale Historical Society, stated I would encourage the Council to move to the next step because I think this is a good program. I think this provides the land owners with incentive, and there are probably opportunities for the community including preserving the history of our town and tourism. I encourage the Council to move forward with staff's recommendation.

Sharon Nesbit, town historian, stated there has only been one house and one tree added to the locally designated list in the last twenty years. More than that has actually

happened through the offices of the Troutdale Historical Society in our efforts to preserve buildings. We just found it easier to go around the City rather than have them be active partners and participate in the events. The truth is we gave up on the City's Historic Designation list a long time ago and went ahead with nominations to the National Register on the old church and MeMenamins and made our way through the historic process without a lot of City participation. I think establishing a process to get historic preservation going in Troutdale would be a wonderful thing. I think having a committee that just looks at historic preservation would be a great thing. It has never been as invasive or as much of an encroachment as people thought it was. Even though they frequently deny that Troutdale is a historic town, you can see how it developed and it was its very nature to be an historic town. I think you just have to continue that process.

Councilor Thomas asked do you think that the Historical Society would be a good group to be the Historic Review Commission?

Sharon Nesbit replied I don't think they would be that entirely. I think they could contribute. We have architects, artists and lots of folks in this town with wonderful skills that should be part of that commission.

Carl Tebbens, member of the CAC, stated I would like to suggest that the council vote for Option C in the staff report. This at least makes it available to get to the CLG. There is no timeline or schedule, but if you get the process in place you can get to that point when you can afford it and want to.

Sally Donovan stated what we are looking for from the Council is some direction on historic preservation policies.

Elizabeth McCallum stated the staff is recommending that the Council direct staff by motion to:

- 1) Draft legislative text amendments to the Comprehensive Land Use Plan Goal 5 policies pertaining to historic preservation and Troutdale Development Code 4.200 Community Resource Protection to:
 - a. Implement Historic Properties Action Item Option C (shown on Exhibit E of these minutes), recommended by both the CAC and PC;
 - b. Include the updated historic resource inventory presented to the CAC and PC as a Goal 5 document (Exhibit A of these minutes);
 - c. Update the list of designated Community Resource properties in the Goal 5 narrative (of the Comprehensive Land Use Plan) to include all of the properties listed in Section A of the "Results of Field Survey of Existing Historic Inventory." (Exhibit A of these minutes).
- 2) Proceed with processing local Community Resource designation on the following properties: the Olsen house, and the Strebin house, the Troutdale Elementary School, and City Hall.

- 3) Draft amendments to Chapter 2.20 of the Troutdale Municipal Code to create a committee to be called the Historic Landmarks Commission.
- 4) Apply for Certified Local Government (CLG) status.

MOTION: Councilor Thomas moved to recommend that staff go forward with Items 1-4 of the staff's recommendation (outlined above). Seconded by Councilor Kyle. Motion Passed Unanimously.

Councilor White requested that staff look into his question regarding setbacks from historic bridges. It is very clear to me about a neighboring property, but it is not very clear to me what conditions might arise from declaring a bridge or an object historic.

Mayor Kight called for a 10-minute break at 8:35pm and reconvened at 8:45pm.

Carole Connell stated there are no requirements to preserve scenic views under State Goal 5. Troutdale has one paragraph in the Comprehensive Plan (page 14) that says, "Troutdale has a particularly scenic location, with views of points outside the community including the Columbia River, Mt. St. Helens, Mt. Adams, Mt. Hood, Broughton Bluff, Silver Star as well as Beaver Creek and the Sandy River Canyons within the City".

Carole Connell stated under Goal 5 you can decide to take this further because you believe that scenic views are important and you want to capture and preserve those views. The way we approached this is we know that you have identified those scenic view locations. We didn't venture into the industrial area. We didn't even take any pictures of the Columbia River or Beaver Creek. If you want to see the creek you are pretty much at ground level and there are a lot of trees and other obstructions that would make it hard to preserve those views. We narrowed it down to the highest quality scenic view locations and we took some pictures. Everywhere you go in Troutdale you are turning your head and looking at different views; it is spectacular. However, in many cases trees are already blocking views. On the other hand in many cases the topography is such that it is protecting the views. Roads are also in many cases keeping your views open. Some of your views are already protected and if you want to go further you could.

Carole Connell showed the Council photos of some of the views (not submitted into the record). Broughton Bluff is a unique view. It is the entry to the Gorge and is a backdrop for the city that can be seen from a lot of different places. Already the shopping center, whether it meant to or not, protects that view from 257th. If the urban renewal district develops with high density and tall buildings, will that block the view of Broughton Bluff? Probably not very much because of the topography, but there is some potential that it could happen. New development may be an obvious place to try and control obstructions of views; right now you don't have that. The other option is to start putting restrictions on tree planting along 257th. You probably don't have any real threats to the view of Broughton Bluff. A prime location to view Mt. Hood is at Strebin Berry Farm because it is undeveloped. Right now you have an opportunity to have an impact on

whether or not development can obstruct that view. With new development you could require a development plan that considers scenic views, but right now you don't have that. Sunrise Park offers a protected view of Mt. Hood, yet the trees that I believe are on private property someday will block that view. I don't think you want to plant any more trees in Sunrise Park. Is that worth putting in your code? Public land is a great way to protect those views. You could require that views be considered on new development of public property. Territorial views of the Washington hills could be blocked by trees or future development of vacant lands; should the development be restricted to protect the views? The rivers are low and they are blocked by trees and private property. Hopefully they will take views of the river into account when they do the design for developing your urban renewal area. Page 2 of Exhibit C lists several methods in which you can enforce protection of scenic views including: restricting signage size and spacing; limit tree height, spacing and species; developing view protection as a design criterion for development of the old sewer treatment plant and urban renewal site; prohibiting high guardrails, solid fencing or hedging and tight rows of street trees on the lower 257th and other highway areas; develop street light spacing specifications; limit tree planting height and spacing in city parks, cemeteries and schools; require a scenic view plan for future school expansions; reduce height limits and increase street setbacks for development of the Strebin Berry Farm; develop a standard to maintain a certain percentage of view corridors on the Strebin Berry Farm at the time of new development based on a required view corridor plan; restrict solid fence or hedges in certain riverfront areas; and develop height standards for cell towers, flag poles, wind generation devices and church steeples.

Carole Connell stated we presented the CAC and the PC with different levels of view protection (page 3 of Exhibit C identifies the range of regulatory options available). One option is no protection; just leave the Plan as is with the one comment. The state does not require you to do anything. On October 27, 2010 the PC decided, by a vote of 5-2, that this is the option that they wanted. The next level of regulation is to regulate view obstructions from cell towers, steeples, flagpoles and energy equipment. On October 6, 2010 the CAC recommended this level of protection where the City would add standards to the Code to minimize scenic view obstructions from new signs, cell towers, steeples, wind or other energy generation devices and flag poles.

Carole Connell stated the signage shouldn't be included because that was separate; we need to remove signs from that statement.

Councilor Thomas asked is this actually what the CAC recommended or is it your interpretation of what they recommended?

Carole Connell replied I will need Ms. McCallum to clarify this. The CAC wanted to also apply the scenic protection to new signs so that when signs went up they didn't block views.

Elizabeth McCallum stated the statement does characterize what the CAC said. If you go to the bottom of page 5 of my staff report the bulleted items reads, "On October 6 the

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CAC recommended “very low protection” with the inclusion of regulating signage through specific development standards addressing views and encouraging new development to accommodate views”. The CAC wanted some regulations put into the Code about signage specific to protecting views. I believe the language Ms. Connell read from Item B on page 3 of Exhibit C in the staff report does capture the essence of what the CAC said.

Carole Connell stated the second part of the CAC’s motion was that during pre-application meetings with developers staff should encourage developers to consider how their project can be oriented toward scenic views including street plans that maintain the scenic view through the site from the abutting properties or public streets. They didn’t want to regulate what happened on the site; they wanted staff to ask the developer if they have considered views.

Carole Connell stated the end result is that the PC decided they didn’t want any protection measures and the CAC has some low level protection that they would like.

Councilor Thomas asked what was the vote of the CAC?

Elizabeth McCallum replied I don’t have that with me, but it was not unanimous.

Councilor Thomas asked how does this fit in with the Tree City USA standards we have and the standards that Metro is trying to force on us that if you take down a tree you have to replace it with ten trees? Currently in the building code we have height limits, so it is self-protecting.

Carole Connell stated in many areas it will be.

Councilor Thomas asked what is the point in adding this other than to just add more regulations to the code?

Carole Connell replied that is where we are. It has been presented to you and to the different levels of the committees. If there is strong interest we can do it for you and if there isn’t you don’t have to do it.

Councilor Thomas stated what I am seeing from the CAC and the PC is to leave it as it is.

Carole Connell replied the PC definitely, the CAC was a mix.

Councilor Daoust stated the CAC is telling us that right now there is no height regulation on cell towers etc. I had underlined the cell towers and wind generation device when I was reviewing this material. Those were a red flag for me when I was thinking about the urban renewal area. We wouldn’t want to end up with cell towers down there blocking the view of Broughton Bluff or the Sandy River.

Councilor Thomas stated I like the idea of adding the cell towers, wind mills and that type of thing, but the rest I don't see any point in adding because they seem to be self-protecting already.

Carole Connell stated staff's recommendation is for the Council to direct staff to conclude the Periodic Review Task 5 analysis of protection of scenic views with a finding that protection of scenic views would require adoption of development standards that would restrict development and that restricting development of properties to protect scenic view is not in the City's best interest.

Mayor Kight stated or we could adopt the CAC's recommendation.

Councilor Kyle stated if feels like what we would be adding would be some muddy language if we don't spell out some specifics. You can't very well add language that we will encourage developers to be aware of views. Then it is left up to staff interpretation and debate by developers. I think we should just do nothing.

Councilor Daoust stated I go back and forth. I can understand doing nothing because the topography of our city allows you to view most of the scenic vistas unencumbered. On the other hand the one thing that irritates folks the most is if new construction blocks their view.

Councilor Kyle stated but we need new construction.

Councilor White stated you have to realize how close we are to build-out. I don't think the character of this town is going to change with the amount of land that we have left to build on. That is why one of our council goals is to provide stability in our code, especially during these tough economic times.

Councilor Daoust asked what kind of limitations do we currently have on signs?

Elizabeth McCallum replied in our current sign code we already address the really large freeway signs with a specific standard for spacing requirements and dimensions. There is a maximum height of 30' for freestanding signs elsewhere in the city. The size of the sign face is based upon the linear frontage of the property, but there is a maximum depending on the zone it is in.

Councilor Daoust stated so no new development in the urban renewal area could put up a real tall sign because our code already addresses the height of signs.

Elizabeth McCallum stated there is a standard established, but the code provides for variances from dimensional standards.

Councilor White stated I think it is important to point out that when a person develops their land on a waterway they are required to replant to the point where it pretty much blocks their own personal view. I saw the full presentation that you made and I agreed

with you about the trees that are growing and blocking views. I would be willing to look at an incentive where property owners wouldn't have to pay the \$150 tree permit to remove the tree to enhance the view. It was brought up to me by some of the business owners on the north side of our street that the street trees are actually getting to the height that they are starting to block the territorial hills of Washington. I would like to see a program where we could trim those, or make adjustments to certain trees, without it costing the property owner a lot of money.

MOTION: Councilor Thomas moved to recommend that staff go forward with Item 5 of staff's recommendation (to conclude the Periodic Review Task 5 analysis of protection of scenic views with a finding that protection of scenic views would require adoption of development standards that would restrict development and that restricting development of properties to protect scenic view is not in the City's best interest). Seconded by Councilor Kyle. Motion Passed Unanimously.

6. RESOLUTION: A resolution establishing a tax rebate program for targeted properties.

This item was pulled from the agenda.

7. PUBLIC HEARING/ORDINANCE (Introduction): An ordinance amending the Troutdale Municipal Code by changing all references to City Administrator to City Manager.

David Ross, City Attorney, stated as a result of the election on November 2, 2010 the Troutdale City Charter is going to change effective January 1st. One of the changes is the change of the name of the office of City Administrator to City Manager. Our code service is going to make the necessary changes to the Charter, and this ordinance is required so that they can be instructed to make the necessary changes in the Troutdale Municipal Code where there is a reference to city administrator made.

Council had no questions.

Mayor Kight opened the public hearing at 9:20pm and asked is there anyone here who would like to speak to this issue?

No testimony received.

Mayor Kight closed the public hearing at 9:20pm (a second public hearing on this ordinance will take place on January 11, 2011).

8. MOTION: Tabled Motion relating to Council support for the Sandy River Bluegrass Festival; substituted motion recognizing the Sandy River Bluegrass Festival as a

community event and amending Attachment A to Resolution No. 1772 to add Sandy River Bluegrass to the list of organizations that pay no fee to use city buildings for meetings or other events.

MOTION: Councilor Kyle moved to take this tabled motion off of the table for discussion. Seconded by Councilor Daoust. Motion Passed Unanimously.

Rich Faith, Community Development Director, stated the Sandy River Bluegrass Festival is scheduled to occur in August. A non-profit organization (Sandy River Bluegrass) will be sponsoring this event and they are seeking some recognition on the part of the City for this event in order to hold the event in Glenn Otto Park. They are also asking for the rental fees to be waived in conjunction with putting on this event. We have three types of events that are called out in the code – community events, special events and events of citywide interest. They are very similar, yet they are also distinct by way of the definitions that are given in the code. From what I have gleaned in listening to some of the discussion that took place on November 23rd, and from reviewing some of the correspondence, I believe that this event could qualify as a community event and I would recommend that simply because that is the highest level of those three types of events. It would fall into that category because it appears that the council is willing to recognize Sandy River Bluegrass as a community organization that is providing a benefit to the citizens of Troutdale and is sponsoring an event that will be open to the citizens of Troutdale. If the City does desire to co-sponsor, or simply offer assistance by allowing the event to be held annually in Glenn Otto Park, then that elevates it to the level of a community event. That is very similar to what takes place when we have SummerFest for example. I am recommending that you substitute the following new motion in place of the one that was made on November 23rd: A motion recognizing the Sandy River Bluegrass Festival as a community event and amending Attachment A to Resolution No. 1772 to add Sandy River Bluegrass to the list of organizations that pay no fee to use city buildings for meetings or other events. The second part of this motion is necessary to establish on the record that this organization will be listed amongst a number of organizations which we already have granted exemptions for fees for use of city buildings, and in this case the park, and because they are not currently on that list it would memorialize that as well through this motion. I believe this motion will accomplish everything that was being asked for, and cleans things up so that from this point forward we will continue to treat this as a community event and would recognize Sandy River Bluegrass as a community organization that qualifies for rental fee waivers.

Councilor Kyle stated for the record this is a 501c3 non-profit charitable organization that has tax exempt status, and supports water safety programs on our Sandy River.

Councilor Thomas asked when we look at this list of organizations that qualify for fee waivers, does the city have anything in the code that requires them to show proof that they are non-profit?

Rich Faith replied no. There is nothing that requires them to be a non-profit organization.

MOTION WITHDRAWN: Councilor Kyle withdrew her motion made at the November 23, 2010 meeting.

MOTION: Councilor White moved to recognize the Sandy River Bluegrass Festival as a community event and amending Attachment A to Resolution No. 1772 to add Sandy River Bluegrass to the list of organizations that pay no fee to use city buildings for meetings or other events. Seconded by Councilor Thomas. Motion Passed Unanimously.

Mayor Kight called for a break at 9:30pm and reconvened at 9:36pm.

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| <p>9. REPORT: Police Facility Project Report on:
A. General Obligation Bond Offering
B. The Capital Project Fund
C. Project Administration Program</p> |
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Erich Mueller, Finance Director, stated tonight is the first report, of what I am sure will be many, on the police facility over the next twenty-four months. One of the main goals tonight is communication in an effort to keep all of the various stakeholders informed.

Erich Mueller stated a resolution was adopted in July setting the bond measure of \$7,540,000. The voters graciously choose to make the civic decision to approve the police facility measure on November 2nd. At the November 23, 2010 council meeting the Council authorized the issuance of the General Obligation Bond by approving the resolution that was drafted by our bond counsel. We are moving forward with that process. During the summer we were busy working on getting the audit completed, which is a necessary part of what is referred to as the "Official Statement" (which is essentially like a prospectus on an investment). We are currently working on edits to the Preliminary Official Statement. Once all of that is finalized a package will be put together for Moody's Investment Services for a credit rating on the bond. In January we will have a conference call with Moody's as they go through the credit rating process, which is necessary for our bonds before they go to what is referred to as the "pricing" activity, which is anticipated to take place in late January. Once that is completed than the funding and closing takes place about 10 days later (mid February). The past prudent financial practices have benefitted the City. We currently have an Aa2 credit rating, which is considered a strong investment grade. There will likely be some delays that are unexpected, but that is the general timeline on the general bond offering.

Erich Mueller stated Resolution 2083 that was adopted last November established a Police Facility Capital Project Fund (36), which is a fund that is separate and distinct from the General Fund. This fund will receive the proceeds from the bond offering as

well as record and capture all of the project expenditures. The voter approval of the general obligation bonds, based on the statutes, created both the budgeted resources and the requirements appropriation, so there is no further action required. The capital project fund has a budget of \$7,540,000, and as of December 6, 2010 there is \$7,539,811 remaining in the fund. So far the only expenditure charged to the fund has been the sign that was put up at the site.

Erich Mueller showed the Council a PowerPoint Presentation, attached as Exhibit F to the minutes (the Event Timeline Overview on Page 23 of the PowerPoint is included in a larger format in the packet).

Chief Scott Anderson stated the Police Facility Management Group has implemented a communications strategy that is designed to inform you, the city employees and the public at large on the progress of the Community Police Facility Center project. That strategy includes: 1) presentations at council meetings; 2) press releases to the news media including TV and radio stations, print media including the Outlook, NW Connections and the Oregonian; 3) articles in the Champion city newsletter; 4) emails to the West Columbia Gorge Chamber of Commerce and the Kiwanis civic group; 5) and the addition of a link on the city's web site so that folks can log onto www.troutdale.info and go to a link to see the progress on the project. We encourage citizen participation which can be accomplished best by attending the Public Safety Advisory Committee meetings on the first Thursday of every month at 7:00pm at the City Conference Building. We encourage and invite anyone who has any ideas, questions or concerns, or just wants to be informed to attend those meetings because this topic will appear on our regular agenda for every meeting. In addition, the Budget Oversight Subcommittee meetings are public meetings. We want to get the word out to everyone on what is going on and when, and invite folks to participate.

10. STAFF COMMUNICATIONS

Craig Ward, City Administrator, reminded the Council that Friday, December 17, 2010 is the deadline for applications for city committees. City Hall will be closed on December 24th and 31st. Staff is assuming that the December 28, 2010 Regular Council meeting will be cancelled unless we hear differently from the Council tonight. Thursday, January 6, 2011 the City Council is scheduled to interview council candidates at 6:30pm. On Thursday, January 13, 2011 at 6:00pm the Council will be interviewing committee applicants.

11. COUNCIL COMMUNICATIONS

Councilor Daoust wished everyone a Merry Christmas and a happy holiday season. I support cancelling the December 28th meeting.

Councilor Thomas wished everyone a Merry Christmas and Happy New Year. I also support cancelling the December 28th meeting.

Councilor Thomas stated it is really hard to see the lines on 257th at night especially when it is raining. Is it possible to have some reflectors put on 257th? I realize it is a County road, but I was wondering if we could ask the County.

Craig Ward replied we will do that.

Councilor White stated it was brought to my attention that not very many people are taking advantage of ODOT's offer to pay for their flood insurance. I want to encourage property owners to do that. If you looked at the river tonight it may give you good cause. There are some concerns that once you are in this program you cannot get out of it. I have been assured by city staff and ODOT that that is definitely not the case. I want to wish everyone a Merry Christmas and Happy New Year. I would also like to thank Barbara Kyle for her service. She has been very helpful to me as a new councilor and I appreciate that.

Mayor Kight stated when we first found out about the problem with the city council chambers and that fact that it may be injurious to our health to be sitting up on the dais I contacted Joe Gall, Fairview City Administrator and he offered his facilities. I thought that was very magnanimous on his part. But as you can see the city staff is very adaptable. We have taken out several rows of chairs and we have made do with what we have here. For those that don't know, this room is used by multiple different groups. We have committee meetings and we have court in here. This room is used throughout the week and month, and frankly we just have to do with what we have. If it comes to the point that we have to evacuate this portion of the building, then we will have to look at other alternatives. It is critical that we have some form of a city council chamber whether it is in this building or someplace else. I did want to thank the City of Fairview for making that magnanimous offer.

Mayor Kight stated I received a call from Mayor Mike Weatherby and apparently the individual that was on the Port of Portland Citizen Advisory Noise Committee is no longer able to serve on that committee so that position is open. This position rotates between the three cities, but Mayor Weatherby indicated if there is someone in Troutdale that would like to serve on that committee they can contact the City Recorder. We will also put a notice in the Troutdale Champion.

Mayor Kight stated we had a very successful Christmas Tree Lighting Ceremony. I measured that success two different ways. One was by the amount of people that showed up. I think this was probably the largest group that we have ever had. Kudos to the Centennial High School and Reynolds High School Choirs for performing at the event. We had participation from the Gresham Fire Department, American Medical Response (brought their restored 1947 red and white Cadillac Ambulance), Multnomah County Sheriff Department and the Troutdale Police Department. Secondly, the merchants said this was the most successful event that they have ever had relative to the Christmas Tree Lighting. The stores were full and people were buying gifts and so they were very happy. We want to continue to have events in our downtown in order to support our merchants who are going through a challenging time. I wish Barbara Kyle

all the best in whatever endeavors she will be involved with. Merry Christmas and Happy New Year to each and every person. Have a safe holiday season.

Councilor Kyle stated my eight years on the council is obviously coming to an end. The night that I was sworn in to serve my first term Mayor Thalhofer gave me some friendly advice – always vote my conscious. This has been a great experience. Although councilors do not always agree one-hundred percent of the time on all things, it is interesting to hear everyone’s viewpoint. I really appreciate the process. I want to give some special thanks because there are a lot of people who have been very supportive. First of all, my husband Kelly and my family. Families of volunteers sometimes get ignored on special occasions because we are so dedicated. My family has been gracious and supportive and I thank them. The staff, I always get a kick out of staff. We micromanage you and yet you take it in stride and you do your best to educate us, but mostly you smile and you are patient. I want to mention something that has meant so much to me. Jerry Stitzel and the Columbia Life Church congregation regularly sends us notes that they have prayed for us. You have no idea how much that really means to me because when you are on the council a lot of times you need a lot of prayers. I have been volunteering in our city for fourteen years on the planning commission, budget committee and council and at a lot of downtown events. Volunteering is in my bones. I inherited it from my mother, who inherited from her mother and so on. Although my councilor term is ending, my volunteer services have not. I want to thank everyone who has been so supportive. I have spent the last eight years serving each and every one of you and I look forward to seeing you out in the community. Happy holidays to you and yours and thank you very much.

12. ADJOURNMENT:

MOTION: Councilor Daoust moved to adjourn. Seconded by Councilor White. Motion passed unanimously.

Meeting adjourned at 10:25pm.

Mayor Jim Kight

Approved February 8, 2011

ATTEST:

Debbie Stickney, City Recorder