

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

**Tuesday, February 10, 2009**

**1. ROLL CALL**

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

**PRESENT:** Mayor Kight, Councilor Wand, Councilor Thomas, Councilor White (7:02pm), Councilor Kyle and Councilor Daoust.

**ABSENT:** None.

**STAFF:** Dave Nelson, City Administrator; Rich Faith, Community Development Director; Jim Galloway, Public Works Director; Debbie Stickney, City Recorder; David Ross, City Attorney; and Erich Mueller, Finance Director.

**GUESTS:** See Attached.

**2. PRESENTATION OF COLORS / PLEDGE OF ALLEGIANCE: Boy Scout Troop 174.**

Boy Scout Troop 174 Presented the Colors.

Councilor White lead the Pledge of Allegiance.

All members of the Troop 174 introduced themselves.

Councilor Thomas stated I am a member of the Troutdale Lions Club and we sponsor Troop 174, I would like to thank them for all of the service that they provide to the City of Troutdale. They put the flags up in downtown for all of the holidays and they assist with events in the City including SummerFest.

**3. MOTION: A Motion to appoint David Hartmann as City Councilor to fill Position #1 (term expires on December 31, 2010).**

**MOTION: Councilor Daoust moved to appoint David Hartmann as City Councilor to fill Position #1. Seconded by Councilor Thomas. Motion Passed Unanimously.**

**4. OATH OF OFFICE:** Judge Raymond Young will administer the Oath of Office for City Councilor David Hartmann.

Judge Raymond Young administered the Oath of Office to Councilor David Hartmann.

**5. PROCLAMATIONS:**

**5.1** Scout Month – February 2009

**5.2** Big Brothers Big Sisters Month – February 2009

Mayor Kight read the Scout Month proclamation.

Mayor Kight asked Sarah Bennett to come forward and explain the Big Brothers Big Sisters program.

Sarah Bennett stated Big Brothers Big Sisters in the Portland Metro area has been around since 2002. That year we served less than 50 children. We ended year 2008 serving almost 3,000 children. We are working very hard to serve more children in East County. We are serving a lot of children through a grant we have with Reynolds School District. Big Brothers Big Sisters is a mentoring program. We match up adults with children ages 6 to 16 to do things out in the community and to have fun and just provide children with an extra friend that is not a family member who they can talk to. Many of the children have difficult things in their life. Volunteers can be any age. It is a great way for the city to get involved. Kids in our program are less likely to use drugs and alcohol, less likely to lie to their parents, and less likely to skip school. They get better grades and have improved self-esteem.

Mayor Kight read the Big Brothers Big Sisters Proclamation.

Councilor Hartmann stated I would like to thank you for your work. As a child I was a recipient of the Big Brothers Big Sisters program and it had a profound effect on me.

**6. PRESENTATIONS:**

**6.1** Councilor Kyle and Donna Erwin will present American Medical Response (AMR) with a check for contributions made at the 2008 Bite and Bluegrass Festival for the River Safety Program.

**6.2** Mayor Kight will present Certificates of Appreciation to Councilor Kyle and her family, Donna Erwin and Sharon Sandgren for their contributions in making the 2006, 2007 and 2008 bite and Bluegrass Festivals a success.

Councilor Kyle stated Donna Erwin and I are thrilled that we have a check to present to AMR. The Troutdale Bite and Bluegrass Festival was a dream-child of Donna Erwin and Sharon Sandgren. The goal of the Bluegrass event was to get people to visit downtown Troutdale. I got involved in the event at the first organizational meeting. It has been through the efforts of Donna, Sharon and I that we have pulled this event together for the last three years. My husband hasn't volunteered voluntarily, but he has been there every year helping where needed. My family and Donna's family have also assisted with the event. It has really been a lot of hard work. We are proud to be here tonight to present a check to AMR.

Donna Erwin stated I am really thrilled to be able to present this check to AMR because we have worked really hard. The service that AMR provides on the Sandy River is amazing. I have been a merchant in downtown for eleven years and every summer we had ambulances racing past our stores to help drowning victims. Since the River Rescue Program has been in place we haven't lost a single person down there. This doesn't just give back to Troutdale, it gives back to the whole community at large. I am really thrilled to present you with this check in the amount of \$850 and a T-shirt from the 2008 Bite and Bluegrass Festival.

Paul Priest, Operation Manager with AMR, stated I have had the opportunity to see this program grow to what it has become. It is a real privilege to be able to provide this service. The success we have had is just outstanding and we hope to continue that year after year.

Mayor Kight presented a Certificate of Appreciation to Councilor Kyle and Kelly Kyle that read, "*The Troutdale City Council presents this certificate of appreciation to Kelly and Barbara Kyle and their family for volunteering their time to make the 2006, 07, and 08 Troutdale Bite and Bluegrass Festivals a success. Their efforts include obtaining vendors and sponsorship, designing and maintaining the web page, signage for the event and organizing volunteers.*"

Mayor Kight presented a Certificate of Appreciation to Donna Erwin that reads, "*The Troutdale City Council presents this certificate of appreciation to Donna Erwin for volunteering her time and talent for the benefit of Troutdale's downtown businesses. Those good works include, but certainly are not limited to: The Troutdale Bite and Bluegrass Festivals 2006, 07, and 08; and the First Friday Art Walks since May 2002.*"

Mayor Kight stated we have a Certificate of Appreciation for Sharon Sandgren. Sharon was unable to attend tonight. The certificate reads, "*The Troutdale City Council presents this certificate of appreciation to Sharon Sandgren for her volunteer efforts in organizing and booking the entertainment and for being the Master of Ceremonies for the Troutdale Bite and Bluegrass Festivals 2006, 07, and 08.*"

**7. CONSENT AGENDA:**

- 7.1 ACCEPT MINUTES:** November 25, 2008 Regular Meeting, December 16, 2008 Special Meeting and January 13, 2009 Regular Meeting.
- 7.2 RESOLUTION:** A resolution approving an Intergovernmental Agreement between Metro Regional government and the City of Troutdale for funding of the Year Nineteen Annual Waste Reduction Program.

**MOTION: Councilor White moved to accept the consent agenda. Seconded by Councilor Wand. Motion Passed Unanimously.**

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

Kathy Looney, resident, stated I live in a rental house and I feel like I am being harassed by this gentleman that comes around and tells me to take a trailer off of the street in front of my

house. I have two vehicles and my husband was taking parts out of one vehicle and putting them into another to make one vehicle work. The gentleman came back and we got ticketed again; a \$600 fine because the vehicle is not working. I told him we would put it in the garage and work on it and he said we can't do that either. With the way the economy is you can't really afford to take your vehicle to a mechanic. We went to court and the ticket was reduced to \$250, but that is still ridiculous. Yesterday we received another ticket on a vehicle that is working, but doesn't get driven as often. It has valid tags and it is insured, but it is just not moved very often. Why?

Mayor Kight stated I will defer this to our City Administrator, who was our former Police Chief.

Dave Nelson replied I think you are probably referring to our Code Compliance Officer. If a vehicle hasn't been moved and it is in the public right-of-way (public street) for 72-hours, it can be cited. There is also language in the code that says that trailers/recreational vehicles cannot be stored on the street. I believe there is also language in the code pertaining to vehicles on private property needing to be drivable, licensed, and can't be parked on the grass. I will have our Chief of Police check into this and follow-up with you.

Al Lopez, resident, stated I have called Jack Hanna and talked to him about the ordinances and what it comes down to is it says you can't do any major auto repairs in your own garage. You can't have any compressors or power tools in your garage. I feel that Kathy is being singled out because I have driven around the neighborhood and there are vehicles that are not licensed, which constitutes an abandoned vehicle. I have also seen all sorts of other violations around the neighborhood. I feel this is a little unfair and is interfering with our rights. All of my life I have been able to work in a garage with no problems. We have lived here for a few years and we haven't had any problems until now, so I don't know what is going on.

Councilor Thomas asked for a summary report from our City Attorney on what the restrictions are.

Councilor White asked is this complaint driven?

Dave Nelson replied typically.

**9. MOTION:** A motion to appoint a City of Troutdale representative and alternate to the Columbia-Cascade River District Steering Committee.

Rich Faith, Community Development Director, stated this matter was informally discussed at your January 27<sup>th</sup> work session. We need to make some appointments from this council for a representative and alternate for the Columbia-Cascade River District Steering Committee. Last summer you approved a MOU and appointments were made at that time. With the turnover on the council there is a need to appointment a new representative and alternate. At your discussion on January 27<sup>th</sup> you determined that Mayor Kight would serve as the representative and Councilor Thomas would be the alternate. This requires formal action by the Council.

**MOTION:** Councilor Daoust moved to appoint Mayor Kight to serve as Troutdale's primary representative, and Councilor Thomas to serve as our alternate from the City of Troutdale as our representatives on the Columbia-Cascade River District Steering Committee. Seconded by Councilor Wand.

**VOTE:** Councilor White – Yes; Councilor Kyle – Yes; Councilor Daoust – Yes; Councilor Hartmann – Yes; Councilor Wand – Yes; Councilor Thomas – Yes; Mayor Kight – Yes.

**Motion Passed 7 – 0.**

Councilor Wand stated for the record, what we discussed was that Councilor Thomas has taken on one of our goals relating to this area so it made sense for him to be the alternate and, because Mayor Kight had the prior experience as being the alternate it made sense to make him the representative.

**10. MOTION:** A motion to recommend a street lighting plan for Jackson Park Road to the Mid-County Lighting District.

Mayor Kight stated both I and Councilor Kyle live on Jackson Park Road and we have both gone out and circulated a petition. I am declaring a potential conflict of interest and asking the City Attorney to decide whether or not we should step down at this time.

David Ross, City Attorney, stated I don't believe that it is the type of conflict that would have any financial gain or detriment, so I don't think you are required to step down, but you both need to declare what your conflict is.

Councilor Wand asked is your legal consideration based upon the premise that the existence or non-existence of street lights does not have any bearing on the value of a home?

David Ross replied my opinion was based upon the fact that neither the Mayor or Councilor Kyle, or a member of their household, stood to gain financially as a result of this. Now if that is in some way incorrect then there very well might be a conflict.

Councilor Wand stated I am not a real estate expert so I don't have any idea if the existence or non-existence of lights on a street has any bearing at all on the value of the property, but that would be the question.

David Ross stated perhaps that might be in the eye of the beholder as to whether or not additional lighting would have any monetary value or not.

Councilor Kyle stated two of these lights would directly affect my property.

David Ross stated if one or both of you feel more comfortable stepping down then you can do that, I am just saying I don't think it is required.

Councilor Daoust asked would it be appropriate for the rest of the council to voice their opinion as to whether or not they should step down?

Council agreed.

Consensus of the Council was that Mayor Kight and Councilor Kyle step down from this decision.

Jim Galloway, Public Works Director stated this was originated when a citizen by the name of Jim Kight contacted us and raised concerns about the street lighting on Jackson Park Road, especially for the pedestrians who walk on that street because there are no sidewalks. We treated that request as we would a request from any citizen and we passed it on to the Multnomah County Mid County Lighting District, which is responsible for the street lighting in the city and asked them to look into this. The response back from the Mid County Lighting District was that the lighting was inadequate to meet the urban standards. They have a recommendation to bring the street lighting in that area close to the standards, which is indicated on the map that is included in the staff report. It calls for adding four new street lights on that portion of Jackson Park Road. We are only talking about the public portion of Jackson Park Road which is the piece from Historic Columbia River Highway to approximately the bridge over Beaver Creek. We realized that there could be some controversy regarding this issue, and I think the County realized that as well. The County said they will do whatever the City asks for but we want the City to take the lead in trying to determine what the community desires are on this matter. We sent a letter out to each of the property owners that have property abutting that portion of Jackson Park Road to explain what the issue was, and informed them that if they have any concerns they could come to this meeting and testify, and/or provide my office with any comments they might have, which we would provide to the council. You have two such items as Exhibits B and C in your packet. One is a petition signed by six of those property owners and the other is an email received from one of those six. Those six property owners all indicated a desire to not have additional street lighting. You have also received at your place this evening an additional petition signed by twenty-three residents that identifies the safety concern that some folks have, and indicates that they believe that additional street lighting is needed on Jackson Park Road.

Councilor White asked is there any concern about environmental impact? I know that lighting can cause problems for the creek or pond.

Jim Galloway replied no. I am not aware that there are any issues.

Councilor Daoust stated six out of the ten households notified by the City replied that they did not want additional lighting?

Jim Galloway replied that is correct; that is shown in Exhibit B.

Councilor Daoust stated the petition we just received tonight had twenty-three signatures. Those twenty-three, I take it, are not part of this ten?

Jim Galloway replied I don't believe so. I haven't tried to do a cross check between the signatures.

Councilor Daoust stated I wonder if the new list of signatures, (the twenty-three) are closer to the street lights or further away than the ten property owners that were notified.

Jim Galloway replied I don't believe that they are closer than the ten that were notified. The ten that were notified are property owners along Jackson Park Road between Historic Columbia River Highway and the bridge over Beaver Creek. Since six people signed saying they don't want the additional street lighting, I don't know if any of the signatures on this additional petition are from the other four residents.

Councilor Hartmann asked what prompted this interest originally?

Jim Galloway replied the original interest that came to my attention was from Mr. Kight who indicated a concern about safety, primarily for folks who would be walking in that area because there are no sidewalks. Jackson Park Road is a street that does not meet our street standards. It is a narrow street and does not have the standard right-of-way width. It is constrained by some geographic features.

Councilor Hartmann asked so the community support is in the same area of interest as well?

Jim Galloway replied I can't address that.

Councilor Wand stated you said that the Lighting District basically punted the issue to the City. Has that happened before in your experience?

Jim Galloway replied I can't think of a situation like that. I also can't think of one where it was pretty obvious that it was going to be controversial.

Councilor Wand asked do they typically allow the city to make this decision for them in a situation like this?

Jim Galloway replied normally the Lighting District doesn't get involved in retro-fits or infill street lighting; they are primarily the mechanism that takes the money from those folks that reside within a lighting district and they pay the PGE bills. However, on the probably three or four other occasions that I can think of in my tenure here where we have asked them about an infill, the City has specifically requested it. The most recent example I can think of is the street light on the sharp curve on Hensley Road, which was in response to the concerns we had from residents about cars going off the road and crashing into concrete walls or their private property. I think this is one of the few times where we have said we have a complaint and we are passing it on to you, please look into it and tell us if there is a problem. Instead of them saying yes there is a problem and we are going to fix it, they came back and said that there is a problem, do you want us to fix it.

Councilor Wand asked other than a complaint or a request for an infill, is there any other time when the Lighting District gets involved and triggers the application of the city lighting code?

Jim Galloway replied not that I can think of.

Councilor Wand asked why weren't the lights put in at the time the road was first created or upgraded?

Jim Galloway replied there hasn't been an upgrade on the street. I don't know when the street was originally created. I can't answer the reason as to why it wasn't done. I am quite sure that Jackson Park Road predates the Lighting District or at least predates the City's membership in the District.

Councilor Wand asked do you agree with their assessment that the lights are required to meet the City standards?

Jim Galloway replied to clarify, the City doesn't have a particular standard. I believe the Mid County Lighting District uses a generally recognized standard. I would suspect that, just based on being an observer going down there after dark, that probably additional lighting would be needed to bring it to urban standards.

Councilor Wand asked Mr. Nelson, in your past life as our Chief of Police do you recall an unusually high number of calls out to this area for vandalism, drugs or any other kind of crime?

Dave Nelson replied nothing that comes to my mind right now.

Councilor Thomas asked does the street lighting include the private part of the road?

Jim Galloway replied only the public portion of the street.

Councilor Thomas asked do you know how many of the folks that signed the petition were from the private portion of the road versus the public portion?

Jim Galloway replied I do not.

Councilor White asked I know there are future plans to connect a trail to the Beaver Creek Canyon, do you know when that might occur?

Jim Galloway replied no.

Councilor Hartmann asked one of the concerns is the cost to the taxpayer; do we know what the cost to the taxpayer is?

Jim Galloway replied I don't know what the cost of this particular upgrade would be. I think the cost from the Lighting District that is assessed to each parcel is a set dollar amount and I



believe it is around \$40 per year and shows up on the property tax bill. Whether this particular project would be enough to cause that to rise, I don't know that answer.

Mike Beal, resident, stated I don't live on Jackson Park Road but I walk it three days a week at about 6am. I have also walked other streets in Troutdale and in comparison I think this is probably one of the darkest roads I have walked on. There are only two lights on that road; one is up by the pond and one is near Beaver Creek. They are kind of dim because they are old. In between the two lights I don't think drivers can see the pedestrians, so it is a safety issue. Also my concern is with the crime. I have been down there in the winter and there are a lot of bushes and if some perpetrator jumped out, you would be done. Those are my concerns. I am not sure what the cost is, but I think it is worth it.

Kelly Kyle stated we would be immediately impacted by these lights because we do live in that area. As far as the safety goes, I think people have to take a little personal responsibility and wear some lights or reflective clothing. In the thirteen years that we have lived there we have had no crime on that street. As far as the cost goes, our power has been undergrounded on that street so they are going to have to dig up the street or use a tunneling machine to put in the power for these lamps and it is going to be very expensive. Regarding the existing lights, I have two neighbors who would like the one taken out that is there because they say it is too bright and it shines in their bedroom. We moved to that street because of its country feel; we like the stars. We don't want the illumination pouring into our backyard and our bedroom. We are against the lights.

Barbara Kyle stated the only thing I would add is that we did move there because that is an old original road that runs through Troutdale. It is a country feel. We moved from the country and since we have been there you know that there has been a lot of high density development. We have always felt secure in our neighborhood. I prefer that it not be lit to encourage a lot of walking as the density increases. I guess the value here is in the neighborhoods livability because down where we live we are in a canyon, we are not on the riverfront but we do enjoy the stars. The neighbors who are directly impacted by this decision that you need to make tonight have said no.

Councilor Daoust asked one of the things that the Lighting District said was that the best way to bring Jackson Park Road as close as possible to the desired street lighting standards is to replace the luminaries on the existing two street lights.

Barbara Kyle stated which will make them brighter. When The Lighting District showed up at our door and asked us how we felt about it, we said no.

Councilor Daoust asked so the six people that said no, would they also, in your opinion, say no to just fixing the two existing lights?

Kelly Kyle stated our petition states that we want no changes.

Councilor White asked on the drawing that shows the proposed lights, it shows one light near the pond (light #4), two more near the homes (lights 2 and 3) and then another one closer to

the bridge (light #1). Would you have a problem with just adding two of those lights, # 1 and #4? Those would be the furthest away from the homes.

Barbara Kyle replied that would not affect us personally, but it would affect others.

Councilor Hartmann asked would there be any interest in lighting shields to protect the homes from the direct light?

Barbara Kyle stated I can only speak for me, but one of the things that we appreciate about where we live is that it is a country feel and we can still see the stars. I guess you might call that attacking our environment. I understand the safety issue, but I feel that because it has been a dark road we don't have a lot of vandalism because it isn't pleasant to walk out there at night.

Councilor Daoust asked have there been any safety or crime issues?

Kelly Kyle replied there has been none. We haven't even had a dog hit.

Jim Kight stated regarding the crime issue, there is a turnout across from my house and we do have crime over there. We have had drug deals and stolen cars dumped there; we have had all kinds of activity. Because of the placement of our house I am able to see that in the daytime; in the nighttime it is almost impossible. Part of the problem is that there is about two-tenths of a mile and in that stretch there are only two street lights. On the curve itself there is no light whatsoever. I think the critical thing to think about is the safety. As the City Council that is one of your primary considerations for the citizens of your community. There are no sidewalks. People walk their dogs. A lot people use that as a means of pedestrian access to Columbia River Highway. Children early in the morning, particular in the winter when it is dark, are walking to the bus stop and at the same time we have commuters that are coming off of Jackson Park Road from the south. There are approximately 18 homes back in there. The petition was signed by people south of that recognizing that they all use the road to walk and commute. They are very concerned about children going to the bus stop and they can't see the kids and there is no way for them to get out of the way because the street is the sidewalk. They are all very supportive of having additional lighting. Regarding the livability and the ambiance, they can put shields on the lights so that the light is directed down. With the new flat lens you don't have the broad cast of light like you do with the old fixtures that are there now. They are also using a new yellow light instead of the white light.

Councilor Thomas asked wouldn't you say that adding additional light without adding a sidewalk also creates a safety factor?

Jim Kight replied you have a deficit to begin with by virtue of the fact that there is no sidewalk. By having additional lighting if people are walking at least it will give the driver an opportunity to see somebody that is walking on that street.

Councilor Daoust stated the twenty-three people that signed your petition would still be in the dark. The lighting is for the northern part of the street. Is my perspective correct on that?

Jim Kight stated a number of years ago when I first moved there we had a survey done by Mid County Lighting District and we added several street lights in the area south of the bridge.

Councilor Daoust stated so the 23 people who signed this petition also have street lights by their houses.

Jim Kight replied yes.

Councilor Wand stated you mentioned the lighting shield, different color of light and the flat lenses. Are those the current standards that Mid County Lighting District is using everywhere, or would this be a special standard here?

Jim Kight replied according to the staff report that is the current design that they are using in residential communities.

Councilor Daoust stated there was a point brought up about the cost of this project because of the undergrounded electricity. Are the people aware that the expense may be higher? What is your prospective on that?

Jim Kight stated when Mid County Lighting District puts in additional lighting, or when they come in and retro-fit an existing neighborhood that cost is added back in to the total that they charge the city for the lighting. They aren't charging individual property owners. The cost is spread out to all of the citizens of Troutdale.

Councilor Wand stated I don't see anything here telling us whether or not this would cause an increase in the Mid County Lighting District fee for next year's taxes. Do we have to make this decision without knowing that information?

Jim Galloway stated the information that I received from the county did not address the cost. Initially I would have concluded that to mean that they did not anticipate that this would cost so much that they would be doing a rate increase based solely on this project. I can clarify that.

Councilor Thomas asked who picks up the cost when we put in subdivisions? Is it paid for by the developer and then the Lighting District takes it over?

Jim Galloway replied normally that cost is paid for by the developer. The developer submits the plans for the street lighting and they are approved by the Lighting District, usually in conjunction with PGE. When the development is completed and accepted the Lighting District takes over the responsibility for the operation and maintenance of those street lights via a contract with PGE.

Councilor Hartmann asked what is the zone for this area?

Rich Faith replied it is R-20.

Councilor Daoust stated I would like to have the Council discuss the options before we have a motion.

Councilor White stated I agree that road is a unique road. As soon as you cross the bridge you are on private property. I feel that the people that travel that road are the people that live there and are familiar with it. On the other hand I also realize that you have a pond and a creek that attracts children, pedestrians and nature lovers. I respect the people that live on that road and the fact that they want to keep their street looking like it has for many years. I don't feel we have major safety issues or problems on that road. I think I am leaning more towards improving the existing lights (Option B). I drove down that road tonight. I am familiar with that road but I didn't feel that it was very dark. It gets really dark when you cross the bridge onto the private portion of the road. I think in the future if we do add a trail through there we may need to look at lighting at that time.

Councilor Hartmann stated typically when I have looked at ideas like this in the past I like to look at the concern of the impact to the people that are immediately affected by the property itself. What does that zone look like; it is the kind of zone or area that would particularly be suited for this kind of improvement. I agree with Councilor White in that there could be some negative impacts to the current culture that exists in that area. It seems very overwhelming that the land owners that are immediately impacted feel a specific way. Those areas are concerning to me. I am also concerned for the safety going forward. There is a particular interest in knowing that as more people continue to move towards Troutdale that road will become increasingly susceptible to danger. I tend to lean towards protecting and preserving the interest of the community and the environment as Barbara Kyle had stated.

Councilor Wand stated I remember the first time I went down there; it is kind of a hidden road. Even though I grew up in the area I didn't really know that it was there. It did remind me quite a bit of the Corbett area, which I love. One of the downsides of being up in the Corbett area is that someone dies in a single car accident or someone gets hit. That is one of the compromises that you make when you live in the country. But this is a city street and as such we have standards. We just heard from one of our residents who wants to work on their vehicles in their driveway and he has to give way to that based upon the city ordinances and standards of living in a city. When I drive by some of the old farms that aren't farms anymore I get pretty sad about that but by the same token that is the way it is when we are inside the urban growth boundary. I am swayed quite a bit by the residents who drive over this area on a daily basis. Yes the residents that are living there probably have a little bit of a different perspective, and they have pointed that out to us. Our responsibility extends further than the people who are immediately adjacent to the proposed lights; it extends to the people who use the city street and to all of the residents as a whole. With respect to light pollution, as a stargazer myself, light pollution is a big deal to me. I am also aware of the new technology that has made things possible such as me being able to see the stars as I am walking around the Mt. Hood Community College campus while I was in school there. I think I am reluctantly leaning in favor of supporting this improvement; I think the majority is supportive of upgrading the lights.

Councilor Thomas stated I would have to lean towards leaving it as it is mainly because I remember having several discussions about the dark skies; several people were concerned

about light pollution and being able to see the stars. The other side I look at is we have a standard that we use for speed humps, which requires a majority of the people in the affected area to approve those going in. I always have a little bit of a challenge when one group of people want to dictate to another group as to what should go there. It is a residential street. I would say that if you were to go over 25mph you would have a real challenge even traveling down that street as far as speed goes. I am sure that they are very well aware of the safety considerations. I believe that adding street lights to that would probably bring up the next question, which is we will need sidewalks in order for the people to have someplace to walk. As we were informed by our Public Works Director, the constraints for that street would not even really allow for sidewalks to be put in. At this point I would rather leave it as it is.

Councilor Daoust stated I have some mixed feelings on this. I can see both sides. We always struggle with this trying to address those that are most affected verses those that use the same street. I am tending to pay attention to those most affected and leave it the way it is. I would be willing to look at a lesser version of the proposal. Maybe deleting proposed light #3 as a compromise, which affects four of the six signees (it is right in the corner of all four of their properties) and putting caps or shades on the other three lights. That would take into account some of the wishes of those most affected and the people that are concerned with safety issues. The safety issue is a question with me; I don't know that there are any safety issues. The former Chief said there were no crime issues on that street. Some of the neighbors said there are no crime issues on the street and some said there were. I am not sure what the issue with crime and safety is on that street. It doesn't seem to be a very unsafe street to me. That is part of the reason why I am not willing to go with all of the street lights.

**MOTION: Councilor Wand moved that we accept proposed street lights #1 and #4. Seconded by Councilor White.**

**Councilor Wand stated it is a compromise. If you look at proposed street light #1 the City of Troutdale owns that property to the east and it is also on the outer most edge of one of the curves. Proposed street lights #2 and #3 are bunched in close together and impact the largest number of our residents. Proposed street light #4 is another outlier and is on an investment group property, not impacting directly one of our residents at this point. We can also ask for the two existing lights to be upgraded so that they are shielded, facing downwards, with the flat yellow lights.**

**Councilor Thomas asked for clarification, is part of your motion to include the upgrades to those two lights?**

**AMENDED MOTION: Councilor Wand amended his motion stating it was my intention to approve the request but only to add two additional lights, proposed lights #1 and #4, so upgrades to the existing proposed street light #1 and #4. Seconded by Councilor White.**

**Councilor White stated I agree with Councilor Wand primarily because I feel that the addition of these two lights will be far enough away from the affected properties. This will illuminate the two areas that I feel are of most concern, primarily because they**

have the water feature and I think that is where most of the general public is attracted to. Proposed street light #1 was definitely the darkest portion of that road. There is a curve there and if you miss that curve you will go down a steep bank into a creek. I know that this road has a country feel but they have to realize that they are in the town center of Troutdale and the growth that is going to occur is heading that way. I am supporting this.

Councilor Daoust stated I will also support the motion. I think it is a good compromise. It addresses some of the safety issues and it addresses the neighbors' concerns.

Councilor Hartmann stated I agree with that statement.

Councilor Thomas stated it makes sense to me.

**VOTE: Councilor White – Yes; Councilor Daoust – Yes; Councilor Hartmann – Yes; Councilor Wand – Yes; Councilor Thomas – Yes.**

**Motion Passed 5 – 0.**

#### **11. STATE OF THE CITY MESSAGE: Mayor Kight.**

Mayor Kight read the State of the City Message (copy included in the packet).

#### **12. STAFF COMMUNICATIONS**

Dave Nelson informed the Council that there will be a City Council Work Session on February 17<sup>th</sup> starting at 6pm to review the draft council goals.

Dave Nelson asked the council if they will all be in town for the March 24<sup>th</sup> meeting since that is spring break.

All Councilors stated that they were available.

#### **13. COUNCIL COMMUNICATIONS**

Councilor Daoust stated I will not be at the February 24<sup>th</sup> Council meeting.

Councilor Wand stated I am still hearing concerns regarding Waste Management's service during the storm. I would like to request some additional information from Waste Management about the delay in the service that we experienced and what we can do to prevent that in the future. In particular, why it is that on the first day of the storm before the snow started falling they already canceled service for that day. Maybe we could also find out if any of the other local waste management companies garbage pick-up services were able to function and if so why they were able to do so.

Councilor Wand requested that there be a separate fund in the proposed budget for the Centennial Arch Monument so that we can facilitate the receipt of the donation from the Historical Society which is tax deductible, and also any future donations that we may receive from the business community, chamber, student groups, etc.

Councilor Wand stated I understand that at the beginning of March we will be receiving a report from the West Columbia Gorge Chamber of Commerce (WCGCC). I want to make sure that the packet of information that we receive is a complete packet of information for the financing, the amount of money that the City has given to the WCGCC over the last several years. I would like to have a detailed dollar amount so we can take a look at that as well, and verify that we will be getting financial information from the WCGCC that gives us insight as to what percentage of their funding comes from the taxpayers in the City of Troutdale.

Dave Nelson stated the Interim Finance Director, Andy Parks, has already set-up a separate fund to track the Arch revenues and expenditures.

Councilor Thomas stated this coming Saturday is our 150<sup>th</sup> Anniversary as a State.

Mayor Kight stated I am concerned about the idea of our Chamber of Commerce moving out of the downtown. I am wondering if the Council would like to have a work session or if the City should send a letter to the Chamber saying we are putting you on notice that we don't think that this is the best time to do this given our current economic situation. It would also send the wrong message to our downtown folks. I would like to hear the Council's opinion on whether you would like to schedule a work session so we can have communication with the Chamber of Commerce and they can explain why they are doing this.

Councilor Daoust stated I think we need to have the Chamber address us so that we can get our questions answered. We have a lot of questions as to why they are making this move.

Councilor Kyle stated in response to Councilor Wand's request for information above and beyond what has been typically required in the past of the Chamber, it sounds like you want to look at history. I would recommend that a letter be sent to the Finance Director outlining just exactly what you want because when the Chamber does come to make its presentation it will just be bringing what we have typically required of them. As to moving out of downtown Troutdale, that is a business decision that will speak to lower rent and more space. We are still in negotiations. The Reynolds School District made us the offer to use one of their buildings but we still have a lot of steps to go through. If this is something that you are concerned about I would recommend that when you address the Chamber with this additional financial information, you might want to outline your concerns and then we could speak to it all at once. There has been a huge change at the Chamber. I am currently the Interim Director. Finances, the best spot for tourism and a lot of other issues were addressed by the Board in December and January. The Chamber is in the process of interviewing for the Executive Director and is hopeful of having a new Director in place by March 1<sup>st</sup>.

Mayor Kight asked how soon is the Chamber expecting to move out of the downtown facility?

Councilor Kyle stated we haven't completed satisfactory negotiations with Reynolds yet. We are required to give a 60-day notice where we are now.

Mayor Kight stated so there is adequate time for the City Council to have a discourse with the Chamber and talk about this issue.

Councilor Kyle replied absolutely. This is an opportunity for the Chamber that would cost us one-half of what we are currently paying for rent. We will have a new Executive Director and an Economic Development position so our rent will double because we will need to have additional space. We still don't have any parking and the signage is poor. We actually looked across the street at another building, but it didn't work.

Councilor Thomas stated there are really two issues. One is the financial issue which I see as a separate issue and I agree with Councilor Wand's request for additional information because the reports we have received in the past have been weak to say the best as far as the actual accountability piece. The other issue is the potential move of the Chamber office. I would really like to see us have a work session. I do think we should send a letter to the Chamber saying that the City Council doesn't really want you to move. Secondly, we need to have a work session to discuss this to see if there are any other options or see if there is any way we can provide some assistance.

Mayor Kight asked are you saying that you don't want them to move out of downtown, or you don't want them to move out of their current facility?

Councilor Thomas replied I would prefer that they don't move out of downtown.

Councilor Kyle stated the Chamber accounting is bad. We are in the process of working on this to make it understandable and hopefully within the next month this change will be in place. There are a lot changes with the transition. We lost our Executive Director to Multnomah County and we lost all of our staff. As of December 15<sup>th</sup> I have been there trying to figure out what we have. We are doing the best that we can.

Councilor Daoust asked do you have a siting committee?

Councilor Kyle replied there have been three people involved in that. The entire Board of Directors went and looked at a couple of spots.

Councilor Daoust stated I agree with Councilor Thomas. We should send a letter upfront expressing our opinion and also asking them for options when they do come before us at a work session.

Councilor Wand stated I would like to add a polite request that they invite us to be involved in the process.

Mayor Kight stated Councilor Kyle has been working very long hours. They have had one-hundred percent turnover in staff. I am hearing from the Council that you want a work session relative to the issue of moving out the downtown.



Councilor Wand asked do we need a motion?

David Ross stated if the Council wants to express an opinion about something I think they need to do that publically.

**MOTION:** Councilor Wand moved that we request the Mayor to send a letter to the West Columbia Gorge Chamber of Commerce stating the opinion of the City Council: Our strong preference is that their location remain in the downtown area; that they provide us with options for ensuring that happens; and that respectfully we be invited to participate in future discussions regarding the siting of the West Columbia Gorge Chamber of Commerce office. Seconded by Councilor Thomas.

**VOTE:** Councilor White – Yes; Councilor Kyle – Abstained; Councilor Daoust – Yes; Councilor Hartmann – Yes; Councilor Wand – Yes; Councilor Thomas – Yes; Mayor Kight – Yes.

**Yeas: 6      Nays: 0      Abstained: 1**

#### **14. ADJOURNMENT:**

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

Meeting adjourned at 9:07pm.

**Jim Kight, Mayor**

**Approved February 24, 2009**

**ATTEST:**

**Debbie Stickney, City Recorder**