

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

Tuesday, March 31, 2009

1. ROLL CALL

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

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

ABSENT: None.

STAFF: Dave Nelson, City Administrator; David Ross, City Attorney, and Charlie Warren, Public Works Director.

GUESTS: See Attached.

2. Discuss location of new Troutdale Library.

Mayor Kight stated Troutdale has never had a Multnomah County Library and we have finally reached the point where we are going to locate a Multnomah County Library in Troutdale. This library will also serve Corbett and Springdale. There were a number of issues and criteria that the Multnomah County Library Association came up with in order to determine where the library should be located/built. I was informed by Diane McKeel that they have selected the Cherry Park Plaza (where Safeway is also located) as the location for the Troutdale Library. I was speechless when I heard that location. I couldn't get my mind around the idea of having a monument building, a building that we can all be proud of, located in what is called a strip mall along the easterly edge of Cherry Park Plaza. There are a number of issues and I am not sure whether or not the Library Siting Committee/Multnomah County considered all of them when making this decision. There is no public transportation to this site, there is no loading dock and there is very little natural light. There is no access from the rear of the building; the only access is at the front of the building. I think most people feel there is no visibility. My point is that this particular property has been sitting vacant since the strip mall was built 13 years ago. Obviously retailers didn't feel that it was a credible site and didn't want to make that kind of investment. Also, it is not centrally located; it is on the westerly edge of Troutdale. It does not follow the criteria that the County Library set for distance between two libraries (2 miles). The Fairview Library is 1.7 miles from the Cherry Park location. The County approached the developers who I have asked to be here this evening, to at some point buy the library, should it be a ground up facility. Obviously this facility located in a strip mall would not be available to purchase, so it does not follow that criteria. The other three sites (Gateway Block owned by Dean Hurford, Gateway Estates

owned by the Mauck family, and the Handy Gas Station property) all have access to public transportation. They all, by virtue of the fact that they are custom designed to be a library, have a loading dock and they all have natural light on all four sides because it would be a free-standing building. They would have access from the rear of the building and they would have high visibility.

Mayor Kight showed photographs of the artist's renderings for the Gateway Estate, Handy Block, and the Gateway Block (not submitted into the record). These would be custom designed buildings and all three of the developers have spent quite a bit of time, money and effort to provide information to the Library Association. One of the other issues that came forward was can the County buy any one of these three facilities, and they have all indicated that they would be willing to sell the building to the County at some point. We are here tonight to discuss what our next step is. We don't have a lot of time because the County Commission is expected to make a decision this Thursday (April 2nd) at 10am. I would like to come up with an alternative plan and open up the process and create an equal playing field for the other three developers. Cherry Park Plaza is at \$12 per square foot and the other three developers are at \$26 and \$28 per square foot. They have all indicated that they can have the project up and running by February 2010. If it comes down to a case of price, we will never meet the \$12 a square foot for a pre-existing building, when you are asking these other three developers to build a building from the ground up. I have asked all three developers to attend tonight and give us a short presentation on the library, focusing on the features of their building.

Councilor Wand asked was contact made with Commissioner McKeel's office and the library folks?

Mayor Kight replied yes. Commissioner McKeel indicated that she would not be able to attend this meeting.

Councilor Wand asked was there a response that you received back from Mr. Sublett or the library staff?

Mayor Kight replied yes. Mayor Kight provided the Council with a copy of an email correspondence between Michael Sublett and Alex Mauck (copy included in the packet) and read it into the record (attached as Exhibit A).

Councilor Wand stated first, no loading dock. I understand that the facility owner (Cherry Park Plaza) has offered a loading dock to the back of the building. That was stated to the Siting Committee. Do you have conflicting information with respect to that issue?

Mayor Kight replied there is a grassy berm in the back and I think there would be problems with having large trucks accessing the back of the building.

Councilor Wand stated what they told us was they could pave a walkway over the grassy berm and they could temporarily park on the street in the back to gain access to the back of the building. I don't know if that is the proper way of doing things or not, but I want to caution you that they have offered a loading dock. I think the argument should be that it is not

suitable and it is questionable whether it would meet city codes regarding how long trucks can be parked in the street.

Mayor Kight stated they haven't went through the conditional use process, so offering it and the reality of making it happen may be two different things.

Councilor Wand stated the no visibility issue, do you have any information that would contradict what the library folks told us which was that the shopping center has offered to move El Tapitio over and give them the end spot.

Mayor Kight stated what I was told was that they weren't going to move the restaurant because you have all of the commercial restaurant equipment and the kitchen and it would be very expensive to shift it over. They were going to take the existing site, which I indicated has not been rented since the site was built, and they were going to use that site, so we are receiving some conflicting information.

Councilor Wand stated what they told the Siting Committee when this site was mentioned and discussed was that they would move the restaurant and that the location would be on the end. I would like to know from Mr. Ross, what section of the zoning ordinance and the land use ordinance govern the tenant improvements inside a common wall dwelling such as the shopping center?

David Ross, City Attorney, replied I do not know.

Councilor Wand asked do we have any section of the code that governs the tenant improvements for a shopping center different from any other commercial facility in the city?

Dave Nelson replied I don't know. I can tell you what Mr. Faith indicated to me this morning. He stated that all four locations would need to go through the conditional use permitting system. He didn't see an issue with siting a library in the Cherry Park Plaza and the reason for that is because there is a church sited in that same plaza. In the Thriftway complex on Stark there is currently a church and a daycare center. He doesn't feel that there would be any zoning or planning issues that would prevent it from being sited there.

Councilor Wand asked Mr. Ross, with respect to an application for a conditional use, does the Planning Commission sit in a quasi-judicial capacity or is it discretionary?

David Ross replied I don't know.

Councilor Wand stated my understanding with regard to a conditional use is that there are certain criteria that have to be met in order to grant a conditional use.

Dave Nelson replied they have to go through the process, but based on what we know right now and based on the other businesses or service providers that are sited in that facility or similar facilities in the city, Mr. Faith didn't see it as becoming an issue.

Councilor Wand asked Mr. Ross, with regard to the section of the land use development ordinance that applies to shopping centers, if the City Council were to go through the process of altering or changing the applicable criteria for acceptance of a conditional use permit, would an existing structure be grandfathered into the old land use development ordinance or would we be allowed to alter the conditional use process and relate it to an existing structure?

David Ross replied I think the structure as it exists now would be grandfathered.

Councilor Wand asked at the time that a person comes in and seeks a permit for a tenant improvement, isn't that the time that the land use development ordinance is fixed for purposes of that permit? So in reality, if it was the case that a change in the land use development ordinance occurred prior to the time that a permit came in for a tenant improvement in an existing structure, wouldn't it be the case that the permit would be applicable and subject to the current land use development ordinance?

David Ross replied it very well could.

Councilor Wand stated unless anyone on the council strongly disagrees, I would really like to have Mr. Ross provide us with answers to those questions about changing the land use development ordinance, specifically the conditional use process including: 1) what the affect would be on the current landowner; 2) whether or not we could make it applicable; 3) whether there would be any risk or liability to the city in so doing; and 4) what would be the process for getting that done and how quickly could we do that. My thought is that as a city the city council has the obligation and the right to make sure that the buildings and the structures that are built within our city match the community standards that are important to us. I suspect that many of us in this room would rather not have an important government facility get put in the middle of a shopping mall or strip mall. Assuming that to be, I would like to know what the process would be to either have a moratorium on government buildings in shopping centers or to add a section in the code that would allow us to exercise our discretion and prevent this from happening.

Councilor Daoust stated since we only have a day and a half before Multnomah County is going to make a decision on the site, we don't have that much time. I would like to hear from the siting committee members what the County Commission is going to be told as far as why the Cherry Park site is their recommended site. If we are going to make a counter proposal to the County we need to know what they are going to be told; what the criteria for choosing the Cherry Park site was or is.

Mayor Kight stated I would first like to hear from the developers and then if we have any questions we can defer to the Siting Committee.

Councilor Thomas stated regarding the issue of natural lighting, I don't recall that coming up when we were discussing the Discovery Block for siting the library. They would have had similar restrictions as far as lighting because it would have been in the middle of the building on the bottom floor. When did that come up?

Mayor Kight replied this is in the project criteria (copy included in the packet).

Councilor Wand stated I was on both of the siting committees and what they continually told us at the siting committee level was that the committee does not get to make any decisions and that we did not get to make any recommendations. They told us that the committee is here to provide County staff with input and that the decision regarding what recommendation would be made by our County Commissioner would be made by that commissioner and that the decision regarding where the library would be located would be ultimately made by the County Commission as a whole. There were some newspaper articles written about a year and a half ago talking about how the Siting Committee wasn't representative of the people and they made these decisions and they decided on the downtown location because they are buddies with all of the downtown merchants; that was not accurate. I don't believe, but I don't know for sure, that Commissioner McKeel convened or consulted with the Siting Committee before she made this recommendation. I certainly did not get notified of any meeting for her to do that. As far as I know, Commissioner McKeel made this decision on her own in conjunction with the library staff.

Councilor Daoust stated there may have been a public input process, but the people that I talked to were not even aware of the Cherry Park location.

Councilor Wand stated the meeting that I was at, from my recollection, none of us preferred the Cherry Park site. There were a couple that said we could make it work, but almost all of us wanted that Cherry Park site removed and Mr. Sublett told us repeatedly that we need to leave that on the list for negotiating purposes; that this is a facility that we can get up and running faster, and because of the fact that we had to reconvene the Siting Committee a second time because the Discovery Block financing fell apart they wanted to leave this in here just to make sure we get a library. I can tell you they never told us, and I admit I wasn't at all of the meetings, but they never once told us at the meetings I attended that the Cherry Park facility was in serious contention to be the location. It was always described to us as a fallback position in the event of something dramatic happening with the other three locations. I will also point out that the level of animosity that I saw out of the library folks for the Troutdale Thriftway location and the arguments they made about not siting it at the Troutdale Thriftway location led me to believe that they did not prefer strip malls and that they did not want to go into a strip mall location and that the Cherry Park location was almost off of the table. Like the Mayor I was shocked when Commissioner McKeel supported it.

Dean Hurford stated I think that all three sites (Handy, Mauck, and his) will all fit the criteria of loading zones and lighting. We can all build a beautiful library. The architectural design is really out of our hands, it is going to be up to some higher power. All three of us own our properties free and clear and so we have deeply discounted the value of our property to do this project. I will re-cap some of the criteria that we have all been chasing for a long time. I don't know how you can find a location in Troutdale that is better served with mass transit than the corner of 257th and Historic Columbia River Highway. What intersection is going to be better served by mass transit? Visibility, I can't think of a busier corner in Troutdale. Visibility wise I would rate my site high. As we respond back to the County I think we have to hit certain points. They are only worried about timeliness and price. The only reason I want to do this is to have a beautiful building. I don't want to build the cheapest building. I could build a real cheap building and probably have a better chance of securing a lease. I have

kept my principles to civic-mindedness. I am anxious to hear from the Siting Committee as to why a strip mall would have more precedence over the civic presence of any one of these free-standing civic minded buildings. Just so everyone is clear, I did back out last time about eight weeks prior to the County choosing the site. I met with Commissioner Roberts and Tom Mack they urged me to get back in, so I did officially get back into the running when they choose the Discovery Block.

Councilor Wand asked did you have a conversation with Mr. Sublett or anyone else from the county after the press release was made last week about why they selected Cherry Park? And if so, what did they tell you?

Dean Hurford replied on the first go around I could call Mr. Sublett and I would get a call back that same day. I have been leaving messages for Mr. Sublett for five weeks now and I have not received a call back yet. It is a different mood from the County right now. The County is not really concerned about what is happening at the local level.

Councilor Wand stated they won't call you back. You have been at this for two years and they won't call you back.

Dean Hurford stated if in fact the Discovery Block backed out eight days after they were awarded the bid and I was still on the table, it seems to me that if they really wanted a free-standing site they would have come to the second place person and that didn't happen.

Councilor Daoust stated I appreciate your comments. My only concern right now is to summarize what our points are going to be when we testify before the County. I am looking for some points that will help us make a case to maybe stop their process of making a final decision on Thursday morning.

Dean Hurford replied I think our best approach is to go by their criteria.

Councilor White asked what is the proposed square footage of your design Mr. Hurford?

Dean Hurford replied we all have to be right at 6,000 square feet.

Councilor White asked did I hear that the Cherry Park site is double that?

Dean Hurford replied I heard that also. They changed the size from 7,500 for the first go-around to 6,000 square feet. I told them I could give them the 7,500 square feet for the price of the 6,000 square feet and they said no because they have a certain amount of money per square foot operating budget. So now it surprises me that they can double the square footage.

Councilor White stated to me it seems inefficient. I think if you design a building from scratch you can design it in an efficient way so that you get the same amount of use out of a smaller building.

Dean Hurford replied that is exactly right.

Councilor White stated to me that raises the cost of that \$12 per square foot price.

Councilor Wand stated could the folks from the Siting Committee that are here tonight help to refresh my memory. I recall us mentioning cost and Mr. Sublett telling us that we don't deal with cost right now; we deal with the criteria and we negotiate the cost later. Is that your recollection as well?

Male (member of the Siting Committee) replied all four of us were at every single meeting and there were a number of times where they talked about needing to consider the operating costs because they are looking at a 20-year long-term commitment, so getting a good deal is part of what they need to consider in making an informed decision. The Cherry Park site that we looked at was not twice the size, it was actually right around the 6,000 square feet that they needed.

A discussion took place regarding what location within the Cherry Park Plaza was discussed at the Siting Committee meetings to locate the library, and the possibility of moving the library to the end spot where El Tapatio is located so the loading zone could be on the end of the building.

Councilor Kight asked so was the loading zone going to be at the back or front of the building?

Female (member of the Siting Committee) replied on the front. The Gresham Library does not have a loading dock. They have a loading zone with a door in the front of the building, so that is what they were talking about doing in the Cherry Park site as well. One of the criteria was a loading zone; it did not say a loading dock.

A discussion took place between some members of the Siting Committee and the developers regarding the loading dock/zone requirement that was listed in the criteria.

Neil Handy stated during the process we had a couple of meetings with Mr. Sublett, June Mikkelsen, and Mr. Harrington to discuss all of these types of issues because it was unclear to me exactly what they wanted. Some of the things listed in the criteria unfolded as we went through these meetings; so they kind of added on to what their wish list was rather than what the criteria was. One of those was the loading zone issue; their preference was to have the loading zone next to the door that went into the work room so they didn't have to transfer the books from one area of the building into the work room. That wasn't specifically spelled out in the criteria. That is just one thing that we talked about at these meetings. Some history on how I got involved is after the Discovery Block failed I was approached by the County to consider submitting a proposal for our property (old service station). We made two proposals, one on the service station site and another on the property we own on 2nd Street, which would be opposite of the proposed new city hall site. We thought that would have been a better idea because it would have been part of a civic center concept. That option was not considered; it was rejected because of the fact that they wanted the visibility of the other site which is on a main street and was visible from 257th etc. So we went ahead and spent the money and did the proposal with the idea that because they had choose the

Discovery Block site downtown they would be eager to site it 3 blocks up the street or on Dean's property; so that is why we went forward. If I would have known the cost criteria that was outlined in Commissioner McKeel's press release I would never have gotten involved because you cannot build a building for the same price and make it a profitable venture verses putting it into a strip mall. I feel a little bit deceived by the whole process and I am not exactly happy about it. So my question is if it was good enough five months ago to be on the main street in Troutdale, why isn't it good enough to be on the main street of Troutdale now? It can't be just because of cost. Cost does not reflect the value of what you are going to receive in the community. I just think this is another slap in the face for Troutdale. We get the dog pound, a jail and now we get a used library.

A discussion took place regarding the current owner of the Cherry Park Plaza; the fact that it is currently up for sale; and the existing lease rate (\$22-\$25 per square foot triple net) in the Cherry Park Plaza which is only \$3 cheaper than what the local developers are prepared to build for a free-standing structure.

A discussion took place regarding the bond measure that was passed which included money to open a library in East County; how much money was included in the bond measure to be used to open a library in East County; and if they construct a library at a lower cost where does the remaining money go.

Male (Siting Committee member) stated I think the shortest way to sum up where the Siting Committee was is we felt that access was really important and that means walking access for as many kids as possible. What the Siting Committee wanted was a location where kids could go directly to the library from school without their folks. That means Cherry Park, Thriftway and the Gateway location across from the high school.

Female (Siting Committee member) stated we all understood that you are not going to have a five or seven year old walking there, but middle school and high school kids are going to be walking or riding their bikes. For parents, all of us wanted parking because that is really important. We need around 40 parking spots. The Gresham Library has a huge parking lot.

Male (Siting Committee member) stated what we heard in response to that was balance; we need to balance cost, visibility, and access. We really weren't involved in the discussion after we gave our general comments. What was really important was we need a library, we need it soon and it needs to be accessible and meet the criteria.

Female (committee member) stated I want to read a couple of comments from the October 16th Siting Committee meeting. It says, "Mike Sublett reiterated the County's goals." "We would like to get direction from the Board to negotiate from several developers in order to get the best deal." The piece that is missing to me, is there was never any negotiations. It is like Diane McKeel made the decision and no one was called. As a member of the Committee that really bothers me because we were told over and over don't take anything off of the table, leave it all on. When I watched Lonnie Roberts make the decision with the group in December to take the Thriftway group off, it was because of the way the people presented it to the Commissioners. They didn't want Thriftway and you heard really bad things about it.

Tanney Staffenson stated I know our site (Thriftway) is off of the table but I think for argument sake lets talk about strip mall to strip mall. We had mass transit service. We offered them 12,000 feet for the price of 6,000 feet. They didn't want that, they wanted it walled off at 6,000'. We had a loading dock and loading zone in the back of the building. The building is only eight years old versus the thirteen year old building (Cherry Park Plaza). We are centrally located. It goes on and on. Then we ran into some issues with the lease so we were taking options for the next 22 years of the lease, the County wanted to take it for 20 so that was fine. We had that covered. We were under \$12 per foot. If you are going to go into a strip mall put the two strip malls side by side. We have our financing lined up to purchase that entire shopping center so that we can have control over it. We wanted the library; we just couldn't pull it off.

A discussion took place regarding the need for the library to be located in an area that serves Corbett and Springdale as well; how the Thriftway site was more central to sever all areas; how the Siting Committee continually informed the County (Mr. Sublett) that the major routes for folks traveling in and out of the Corbett/Springdale area are Stark Street and entering the freeway at Lewis and Clark.

Alex Mauck stated I think that Dean, Neil and myself, knowing what we know now, and knowing the criteria and that you had to be 2 miles away from another library, I don't care if it is 1.9, 1.7 or 500', but the criteria is the criteria. I deal a lot with governmental agencies and as long as I know where I am coming from I am okay. I want to be able to play on a level playing field and I think that Dean, Neil and myself just feel that we really never had the opportunity. We have a lot of money and time invested in this and I don't think we were really ever being considered, I just think we were a token player so that they could go do what they wanted to do.

Councilor Daoust stated that is where I want to be Thursday morning with Multnomah County. I want to try and bring us to a level playing field with them. The best tool we could get is there presentation that they are going to make Thursday morning. That is the most powerful tool we can have to go into their meeting with on Thursday. If we don't have that then we need to go in and request more time, but we need to have a good reason to request that. We can't just go in and complain.

Dave Nelson provided Council with a copy of what looks like Multnomah County's staff report and the attachments from their webpage (copy included in the packet).

Councilor Wand stated I think the fact that Cherry Park Plaza is up for sale is a silver bullet and I think we should make that prominent in our presentation.

Female asked would the Council be willing to reconsider the Thriftway building?

Mayor Kight stated I think the County wants to be done with this. We need to make it really easy for them. If they thought that this would open up the whole process over again they are going to throw their hands up and they will vote for the Cherry Park site. I think if we open up the Thriftway site, I think we are doomed.

Male asked could we get the Council to support the location kitty-corner from Reynolds (Gateway Estates) that is in the center of hundreds of kids as far as access?

Mayor Kight stated the one thing that we probably don't want to do is dictate to the County Commissioners and override the Siting Committee and Mike Sublett...

Male interrupted and stated that would not be overriding the Siting Committee because that is what we wanted; away from downtown where we know the kids are.

Mayor Kight stated my proposal to the Council is that we try to create an equal playing field, and to have the City consider putting in the parking lot so we would own the parking lot and we would pay to have the parking lot constructed in order to bring the cost down. All of these gentleman have indicated that they could have these buildings up and ready to turn the keys over to the County by February 2010, with the city walking through the process of the building permit, planning stage and so on as opposed to the usual 60 days, 45 days and so on. The one thing that Diane McKeel mentioned to me is that they want this done and completed as fast as possible.

Councilor Thomas stated one of the disadvantages that the City Council has had is that we have not been involved from the beginning. I thought that the Thriftway site was the best site because it is at the center of the population of Troutdale. We don't know what the allocation was in the bond measure, if there ever was an allocation, because the bond measure was passed as an operating levy with the promise that Troutdale would get a library. Whether or not they specified any money in that specifically for the construction of the library is a question to be asked of the County Commission.

Councilor Wand stated I understand where the Mayor is coming from; he wants to hold out a carrot. I am less interested in holding out a carrot. I want to let them know that we are prepared to change the land use development ordinance in Troutdale and that we are prepared to make sure that their conditional use permit is denied and that we are not going to stand for this and if they continue to come into our city and bully us around and treat us like we are second class citizens in this county, then they are going to run up against severe resistance from the City Council.

Councilor Thomas stated by doing that you take the Thriftway complex out of the running.

Councilor Wand stated if they put it back in the running then we can come off our threat. The fact is right now there are four sites, only one of which is a strip mall. We have to be prepared, but I cannot rationalize how anybody could select the Cherry Park site over the other three sites considering what they told us at the Siting Committee, considering all of the factors. The only thing that I can come to is that they were unhappy about our decision on the right-of-way and they are seeking to punish us to the detriment of the citizens.

Neil Handy asked was there anyone on the Siting Committee that had the Cherry Park Plaza site as the number one choice, and was there a number two choice?

Male stated there were various opinions on the Siting Committee.

David Ross, City Attorney stated if the conditional use permit application is a quasi-judicial proceeding then we should probably be careful about putting bias on the record at this point.

Gregory Kord stated I am concerned about our rights as Troutdale residents having a say in where the library is located. I feel like this is being pushed on us and we are not getting any input. We voted yes we want a library and now we are being told this is where we are putting it. We pay the taxes. I would like to see East County be its own county and they can keep downtown Portland and not tell us what to do.

Councilor Kight stated keep in mind Commissioner McKeel is supportive of this location and she is....

Councilor Wand interrupted and stated she is not listening.

Councilor Kight continued, she is our representative for East Multnomah County.

Female stated I would love a bigger voice in this. I took my children and walked around the area behind Alex Mauck's property and talked to those people and informed them of all four sites and we asked them where they felt the library should be located. They liked the fact that the kids could go to Gateway Estates and not have to cross the busy street. I liked it because my kids could get there. That is not the only thing. I took this to work. I work on Swan Island in the evenings and I have a lot of folks who attend Mt. Hood Community College that don't live near here and what they liked is that they could come off of the freeway and they could go to class and because they do not like the library at the college, they could leave the collage and stop by Gateway Estates before they get back on the freeway. So it wouldn't be just serving Corbett, Springdale and Troutdale. I am not a fan of the Cherry Park location even though I live closer to it. Parking is a huge issue. I have recently gone to the Fairview and Midland libraries and I hate the parking at both. I am tired of driving around for 20 minutes to find a parking spot to go to the library.

Mayor Kight stated I want to read a letter that is going to be sent to the Oregonian and the Gresham Outlook from Dr. John H. Kilian who has an office on 257th (letter was not submitted into the record). "More often than not, I agree with the opinions and recommendations of Gresham Outlook Publisher Mark Garber and Multnomah County Commissioner Diane McKeel. But in the case of locating a new branch of the new Multnomah County Library in Troutdale, I respectfully disagree. One trip to find the Clackamas County Library at Clackamas Town Center should have convinced the decision-makers that the Cherry Park location is unworkable. It has a nondescript, difficult location lacking any of redeemable identity. To me, a center for study, adventure and reflection should state, "I am a Library." Instead the decision to have the new facility adjacent to a Mexican restaurant tells me I can reserve Steinbeck's "Cannery Row" with a grande burrito."

Mayor Kight called for a break at 8:40pm and reconvened at 8:45pm.

Councilor Daoust stated my focus is on what we are going to say Thursday morning. Unfortunately we only have three minutes per speaker on Thursday. So if Mayor Kight gets 3

minutes and I get 3 minutes maybe we can cover these types of things. My proposal is that we ask the County to reconsider and not make a decision Thursday and list our reasons why. Our bottom line counter proposal would be that we request that either the County or their designee sit down and negotiate with the developers or turn it over to the City Council or our designee to negotiate with the developers and select a site for the City of Troutdale. In other words, re-engage them with all of the developers. I don't think it would be prudent for the City Council to go in recommending another site.

Councilor Thomas asked wouldn't we, in that process, be able to add in a site that is comparable with the Cherry Park site?

Councilor Daoust stated possibly, if they turn it back to us. I am hesitant, like Mayor Kight said, to open the whole thing up again.

Councilor Thomas stated the other side of that is that they opened that up by saying we want to put it here. There is comparable value, for example, with the Thriftway site. What does it hurt to ask the question.

Mayor Kight stated it has been clear from the conversations that I have had with Mike Sublett and Commissioner McKeel that the clock is running. They want a library and they are done with all of this. That is why you are going to have a vote on Thursday and we are going to try to delay that a little. My piece is that we sweeten the pot by offering that the city will put in the parking lot and get title to that property. I don't think they want to delay it any more.

Councilor Kyle stated rather than throw the carrot in, maybe you could give them the opportunity to ask for a carrot rather than just throwing them a carrot. We really deserve a good library without throwing a carrot.

Mayor Kight stated so we will say that we would like to participate in the process. There is a financial piece of this we would like to consider that I can take back to my council as opposed to a dollar certain.

Councilor Hartmann asked was there documentation that said that the Commissioners were actually going to look at all the options, they asked you to keep all of the options on the table but then there wasn't any negotiating that took place afterwards?

Male stated and there was no formal coordination to rank them so we as a committee were saying this is our first choice, second choice, etc.

Councilor Hartmann stated so could there be a valid question of the Commissioners that says we understand that part of this formal process there is supposed to be a negotiation process, a selection process if you will, not just a recommendation but a true selection process. We haven't seen that happen yet and we would like to see this delayed so that process could be facilitated. We would like to see these players be a part of that as key decision makers in that final selection. Is there documentation that would validate that question and says that they are bound to do that?

Councilor Kyle stated I think the key here is criteria. You need to point out what pieces don't meet the criteria. I also think that a visual is really important. This piece of information that we have that the property is for sale and the lease amounts, those are very powerful visual points that need to be attached to any handouts.

Mayor Kight stated I am going to show a PowerPoint presentation that will include a photograph of all the locations and the renderings from the three developers. I am going to go through the criteria and Dave Nelson will be showing the slides as I am talking. I will also provide them with a hard copy that I hope to deliver to them tomorrow. So if I understand, what I am hearing the council say is that we want to participate in some shape and form financially, and what can we do to help this process along.

Councilor Thomas stated up until this point we have been left out of the loop. I think it is important for the City Council to be involved because it is in Troutdale and we know our citizens better than they do.

Female asked so is advocating for the Thriftway site part of your presentation?

Mayor Kight replied no.

Female stated I have to tell you that based on the two rounds of the Siting Committee, when the first round dissolved and fell apart then all of a sudden the Mayor was going to throw money at the developer to make it happen I was very upset by that. The interpretation to me as a Troutdale resident was that the city was trying to define where they wanted the site. With all due respect, I think you are focusing on sites that serve the downtown and I think in order to restore credibility in the process to the people you need to throw that in there to show that you are willing to represent every member of this town. There is a huge contingency of people that want to make sure that Thriftway gets every fair shot it can.

Mayor Kight stated at the end of the day I have to be pragmatic. I put myself, as an elected official, in the same position as the County Commissioners and this is something I can't do in a three-minute presentation.

Female stated well someone needs to do it.

Mayor Kight stated we can at least throw that out there and get the name out there so they hear it.

Female stated I think that site has been dismissed from day one by the County because they saw it as open farmland, there is nothing out there. I was appreciative that they started over (round two) and they put Thriftway back on the list.

Councilor Wand stated I think the best way to approach this is to throw back at them that you had a cheap strip mall that a huge portion of this town really wanted, but you choose the strip mall that was cheap that a huge portion of this town doesn't want.

Mayor Kight stated Councilor Wand since you have committed to being at the hearing on Thursday that can be part of your 3-minute presentation.

A discussion took place regarding requesting the County to delay making a decision for 30 days with support for this request coming from the Troutdale City Council and the Siting Committee members.

Councilor Daoust stated if the County is going down the path of not wanting to take staff time for Multnomah County to go through the process again, then we could reiterate our proposal to take that from them and go through the process ourselves so they don't have to feel the burden of having to rework some of the things they thought they went through but they didn't. We are going to point out what they did not go through and what they did not consider; these were the flaws in your process from our point of view.

A discussion took place about how to approach the subject of putting the Thriftway site back on the list or whether that should be brought up in the presentation to the County on Thursday.

Council discussed their strategy for their presentation to the County Commissioners at their Thursday meeting. Mayor Kight will do an overview identifying the problem; show photographs of each site; review how the criteria is or is not met with each site; and make a statement that the City would like an opportunity to have 30 days to review what options we have to make this project pencil out for all parties (address the cost efficiency issue). Councilor Wand will hit on cooperation between the City, Siting Committee and the County; ask for an additional 30 days; and mention that the direction he is receiving from our citizens and those east of us is that this is not the preferred site. Councilor Hartmann will go through the criteria. Councilor Daoust will go over a list of reasons why they need to reconsider; some of the flaws in their process; the criteria, reiterate the 30 day request; and offer a solution.

3. Adjourn:

Meeting adjourned at 9:44pm.

Jim Kight, Mayor

Approved May 12, 2009

ATTEST:

Debbie Stickney, City Recorder