

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

Tuesday, August 26, 2008

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Thalhofer, Councilor Kight, Councilor Ripma, Councilor Thomas (via phone), Councilor Canfield and Councilor Daoust.

ABSENT: Councilor Kyle (excused).

STAFF: John Anderson, City Administrator; Rich Faith, Community Development Director; David Nelson, Chief of Police; Debbie Stickney, City Recorder; David Ross, City Attorney; Travis Hultin, Chief Engineer; and Olaf Sweetman, Engineering Associate II.

GUESTS: See attached.

Mayor Thalhofer asked is there an agenda update?

John Anderson replied yes. On your desk you have a replacement item for Consent Agenda Item 2.1.

Councilor Kight asked are the changes to Item 2.1 basically just some minor word changes, so there is nothing demonstratively changed as far as the intent of the message?

John Anderson replied that is correct. We had the Secretary of State's Office review our draft and it was prudent for us to respond to a number of their comments, so that is what you are seeing.

2. CONSENT AGENDA:

- 2.1 MOTION:** A motion to approve the November 2008 Police Station GO Bond Measure Explanatory Statement.
- 2.2 RESOLUTION:** A resolution allowing Mayor Thalhofer to sign an Intergovernmental Agreement with the City of Gresham for Mediation Services.
- 2.3 RESOLUTION:** A motion to give Staff direction on Executive Session matters dealing with Real Property Transactions at 436 E. Historic Columbia River Highway and the Discovery Block proposed development.

MOTION: Councilor Ripma moved to adopt the consent agenda. Seconded by Councilor Kight. Motion Passed Unanimously.

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

None.

4. PRESENTATION: Oregon Zoo Campaign.

Handout provided to Council (copy included in the packet).

Metro Councilor Rod Park stated the Oregon Zoo is a treasure to the community. The zoo is over 50 years old. The zoo has worked very hard to identify new projects for modernization. The Oregon Zoo Foundation and Metro have really done as much as we can do with the current facilities trying to guard every penny. We are at a point now where we have done everything we can and the facilities, given their age, need to be replaced. For example the veterinarian hospital will potentially affect our accreditation just because of the age. There are other things that we need to do and Patricia will go over those.

Patricia McCeg stated I have been working with the Oregon Zoo Foundation and the Metro Council in developing a bond measure that you have before you. In the packet we have provided you with: a copy of the ballot title; the explanatory statement; a list of the nine projects and a resolution that details each one of those projects; frequently asked questions; and a fact sheet.

Patricia McCeg showed the Council a PowerPoint presentation (copy not submitted into the record) that shows what the needs are, a little bit about each of the projects, and the specific proposal that is going to the voters.

Councilor Ripma stated the Zoo is one of Metro's great successes. Is there a breakdown of where the \$125 million is going to go?

Patricia McCeg replied each one of the projects has a budget attached to it and we can provide that to you.

Metro Councilor Rod Park stated that is an important point. There is a separate budget for each project. We are trying to avoid what we have seen in other ballot measures where there is a cascading affect and if the first project goes over it takes from the second project; each project is being managed separately with a set amount.

Councilor Ripma stated I certainly will be supporting this.

Mayor Thalhoffer stated the zoo does wonderful work and I know that I will certainly be supporting this any way I can.

Councilor Canfield stated the vast amount of water that the zoo uses every year boggles the mind. It looks like if this bond measure passes you could do something about the water use. Just the cost savings alone would probably be worth it. I would support this and would encourage Metro residents to strongly consider supporting this; it is a reasonable price.

Councilor Daoust stated I am very supportive of the bond measure and I hope people vote yes on it.

Councilor Kight asked how comprehensive is this bond measure? It is not a full remodel of the zoo so is it something that you are going to do in pieces. What is left undone that you didn't mention tonight.

Patricia McCeg stated the most comprehensive piece is the water. It is not a complete remodel; we are only dealing with four or five exhibits out of hundreds. Replacing the outdated water system will be pretty disruptive because it will involve every acre of the zoo. The work will be staged over a 10 year time period.

Councilor Kight stated you are talking about saving a tremendous amount of money for the taxpayers by going to a filtration system for the water. I hope you are successful.

5. MOTION: A decision regarding safety improvements on SW Hensley Road.

Olaf Sweetman, Engineering Associate II, stated we are here tonight to follow-up on the item we brought forward at the June 24th meeting that was requesting a reduction in the speed limit on SW Hensley Road from 30mph to 25mph. The reduction in the speed limit was approved at that meeting. We also received some testimony from neighborhood residents about the safety issues. Council directed us to see if we could also have a street light installed at the curve. That has been accomplished. In addition, Council directed us to explore other options at the curve, which included the possibility of installing stop signs. Given Council's direction we looked at all of the efforts that we have put into this in the past, and the fact that we had stated that stop signs were not a good idea, so at this point we felt that we should go to an outside traffic engineer consultant to look at this situation. After receiving two proposals from traffic engineering firms in the area, we decided to ask your opinion of whether we should go forward with this work or not. There was not a clear consensus on whether or not we should engage the services of a traffic engineering consultant, so we decided to bring this back to you tonight to try and get a clear decision on what to do next. We have outlined four options: **1)** Expedite the speed hump process, which has already been started by some neighborhood residents. The next step in the process would be for them to circulate a petition in the neighborhood to get enough signatures to show sufficient support in the neighborhood. Once that successful petition is submitted to Public Works then we would have an outside firm take speed counts. Assuming that was successful, we would meet in November with a committee to decide whether the speed humps should be installed the following year. This option would allow us to go ahead and do the speed counts and convene the Speed Hump Committee, with the possibility of having the speed humps installed this year if everything moved forward successfully. **2)** Direct Public Works to install the stop signs. We would not recommend this option because we don't feel that it meets the guidance of some standardized documents adopted by the state, specifically

the Manual on Uniform Traffic Control Devices. Secondly, it would probably require us to reconstruct that corner because in order to install stop signs there has to be an intersection. Currently it is just a curve and we would have to make it a 90° corner to make it look like an actual intersection. That is our opinion. The third reason is that putting in stop signs when there is no conflicting movement is not something that you would normally do. Motorists may perceive that it is not a good place for a stop sign and they may disregard it and that can lead to safety issues. **3)** The third option, which is our recommended option, is to get a traffic engineering consultant. We feel that would cost a minimum of \$5,000. **4)** The fourth option is to not take action at this point. See if the reduction of the speed limit, the installation of the street light and the results of the speed hump process makes any difference in the situation.

Councilor Ripma asked we could do the abbreviated speed hump process and still hire consultants, couldn't we?

Olaf Sweetman replied yes, you could direct us to do any combination of the options.

Councilor Ripma stated these other ideas, a guardrail and jersey barriers, are not up for consideration, they are just rejected as not safe or effective.

Olaf Sweetman replied I think they would probably be looked at by an outside consultant.

Councilor Thomas stated I would rather spend the \$5,000 on speed humps than on a consultant.

Mayor Thalhoffer stated I think we should go forward with the expedited speed hump process and I also think we should get a second opinion from a traffic engineering firm. You have recommended hiring a traffic engineering firm to give us a second opinion and I am in favor of that.

Councilor Ripma stated I agree.

Councilor Canfield asked Councilor Thomas, can you repeat which option you prefer?

Councilor Thomas stated I was looking at Option A and or C, although I am leaning towards A.

Councilor Canfield asked Olaf, you have a background in traffic engineering don't you?

Olaf Sweetman replied yes.

Councilor Canfield asked and you have quite a few years in traffic engineering don't you?

Olaf Sweetman replied no. The experience with the city has been pretty broad-based. An outside firm, that is all they work on. Traffic engineering is a pretty small portion of what we do here at the city.

Councilor Canfield asked do you still feel confident in your recommendation against installing a stop sign?

Olaf Sweetman replied yes.

Councilor Canfield stated I see no reason to not trust staff's opinion on this and I don't see any need to hire an outside consultant. I would go with Option A, an abbreviated speed hump process.

Councilor Daoust stated we have eight changes we have considered here. What additional changes do you think a consultant would come up with?

Travis Hultin, Chief Engineer, replied we don't know and that is why we considered the possibility of going to a specialist. We feel like we have gone through all of the ideas that we can come up with and we think we have gone through everything there is, but obviously our knowledge is not limitless and we are willing to contemplate the possibility that a traffic engineering specialist who has seen similar situations may have an idea that we haven't thought of. That is why we presented that option.

Councilor Daoust stated a lot of this is common sense. I think the speed humps are going to make a world of difference because it appears that a lot of the accidents are caused by speeding around the corner. If the Council wants to spend \$5,000 on a consultant to come up with a different solution, I am having a hard time trying to figure out what that would be, but I would be willing to consider Option C. I think Option A is a good option; speed up the process and get the speed humps in and it will probably work.

Councilor Kight stated I understand that we are trying to solve two problems. One is the speed at which people enter the curve and the second part of that is to keep vehicles out of resident's yards. So we need to reduce the traffic speed around the curve. Secondly is to provide guardrails to protect people and their homes. When I was on vacation I saw rumble strips used extensively. They are little pieces of metal secured into the pavement and they have yellow vinyl strips. They put them on both sides so people can't drive around them. I noticed that it was very effective in slowing down traffic. They used them on the main highways on really sharp curves. We might want to consider that. Speed humps generally aren't very popular with neighborhoods. Did you consider rumble strips at all?

Travis Hultin replied we have already implemented that; we have rumble strips on the road.

Councilor Kight stated but there are different types; there are the vinyl strips that make a little noise and then there are others that are much higher that really slow you down.

Travis Hultin replied I am not familiar with the second type you are referring to. Typically rumble strips are used to get drivers attention. You will see them used on pavement edges; you see them all over the highways these days. The type we used are designed to call your attention to the large pavement markers we put down alerting people to the curve and to the lower speed that is needed.

Councilor Kight stated the rumble strips that I experienced were a metal piece that is like a half circle that is embedded into the ground, so it is not just making noise but it slows traffic down. If those don't work and you can't find something of that ilk, than I would go along with Option A. You can do this incrementally, with the guardrail. I think we need to take care of the people living along there and make sure that cars don't end up in their yards or homes.

MOTION: Councilor Canfield moved that the City Council direct staff to implement Option A, abbreviate the speed hump process by conducting speed counts as soon as possible after a valid petition is received. Seconded by Councilor Kight.

Councilor Canfield stated I think Option A makes the most sense and provides the best method for slowing down traffic for the buck, and it is something that can be done fairly quickly.

Councilor Kight stated I think we need to do this incrementally and see what kind of response you have once you put in the speed humps. Of course that is conditioned upon whether or not the residents in the area want to have speed humps. We may have to come back and revisit this issue. I still like the idea of protecting the homes and putting in guardrails otherwise we are only addressing half of the problem.

Councilor Ripma stated I am prepared to support Option A. I would take the staff's recommendation and go forward with Option C also, but I didn't hear enough support from the Council. I will support the motion.

Councilor Thomas stated I like Option A. I was on the original Speed Hump Committee and one of the things we found was that speed humps were the most effective means for slowing traffic and I still believe that is true, so therefore I support Option A.

Mayor Thalhoffer stated I think Option A is only half of the solution to the problem. We already have rumble strips and they make you aware that you are coming to a dangerous intersection. I don't think the speed humps are going to do a whole lot more than the rumble strips do on that curve. But I would be in favor of implementing speed humps in conjunction with what the staff has recommended to us which is to have a study done by traffic engineers. I want a combination of Option A and C.

Councilor Daoust I will support Option A. I think it will actually solve the problem. The consultant may come up with a very expensive plan and speed humps may not be the consultant's recommendation and then we are back to square one. I live on a street with speed humps. It is a through street just like Hensley and the speed humps slow everybody down. We can do the speed humps now and then see how things go, and if we need to hire a consultant later we can. I would not support Option C; it is a little premature right now.

Travis Hultin asked for clarification on the motion. It is not included in the text of Option A, but I think inherent in this would be in addition to taking the speed counts we would convene the Speed Hump Committee as soon as possible after getting the speed counts done, which would also be a variance from our normal process. Am I correct in that assumption?

Several members of the Council responded yes.

Mayor Thalhofer asked is there anyone here that would like to speak to us on this issue?

Councilor Canfield stated a motion is on the floor. We don't solicit public testimony when there is a motion on the floor.

Mayor Thalhofer asked the City Attorney for an opinion.

David Ross stated there is a motion pending. I think you have to vote on the motion.

VOTE: Councilor Ripma – Yes; Councilor Thomas – Yes; Mayor Thalhofer – No; Councilor Canfield – Yes; Councilor Daoust – Yes; Councilor Kight – Yes.

Motion Passed 5 - 1.

MOTION: Councilor Ripma moved that in addition to Option A, that we also adopt Option C, refer the matter to a specialized traffic engineering firm. Seconded by Mayor Thalhofer.

Councilor Kight asked the Mayor if this would be an appropriate time to ask for public testimony?

Councilor Ripma stated I think that is a good idea.

MOTION WITHDRAWN: Councilor Ripma withdrew him motion.

Karen Davis, resident on Hensley Road, stated I have a question about the motion you just passed to expedite the speed hump process. Is there anyway we can bypass the petition process, or do we as citizens have to do that? You know there is a problem. It is not like we are coming to you with an unknown issue.

Mayor Thalhofer asked the City Attorney for an opinion on whether or not the residents have to do the petition process, which is the standard procedure for the City at this point.

Karen Davis stated since a notice was sent out about this meeting tonight and the prior meeting, if that same notice was sent out that speed humps were going to be installed and you held a public hearing on that, people would be here or send their comments. Wouldn't that work just as well?

David Ross stated I think there is a process that is outlined and I think that process has to be followed.

Michael McRae stated I think it is pretty unfair for us to have to go out and get all these signatures when you already know that it is an issue. We got in a confrontation with one of the neighbors down the street because he thought that we were violating his rights by using the radar gun, that we have to do, and it wasn't fun. Shortly after that another area resident parked right in front of my yard with his red truck and starred at me the whole time. I felt like I was being harassed. My opinion is that you already know that this is a problem. You will be putting a parking lot in Sunrise Park. When you do that what are you going to implement to let folks know that there is a corner there rather than going straight? I have heard people saying at all of these meetings that it is a traffic calming; it is not traffic calming, I see it as a safety issue. I have a busy personal life just with my restaurants and for me to go through the process of gathering signatures before September; that is a short timeframe. I don't think the speed humps need to be all the way down Hensley, I think that there should be two before the curve on each side. This is common sense. I don't see why you would need to hire an outside source to do a study. I think it is unfair for us to do the petition because you already know it is a problem. The street light on the corner is wonderful; it lights up that corner beautifully at night.

Councilor Daoust asked how many signatures would they have to get?

Michael McRae replied two-thirds of the residents in the affected area.

Mayor Thalhofer asked what is the affected area?

Travis Hultin replied the affected area would be established by consultation between the petitioner and myself. Typically you see a segment that is intuitive, major intersection to major intersection, but there is nothing in the Plan that says it has to be that way. If the folks want to come in and only petition for a portion of Hensley, there is nothing that would prevent them from doing that and that would then constitute the affected area.

Mayor Thalhofer asked would that address the problem that they are bringing up?

Travis Hultin replied if I understand them correctly, I believe so. I think one concern that they have is that they believe that the only choice that they have is to petition for speed humps on Hensley all the way from Cherry Park Road to 257th, and that is not the case. You could petition for a smaller area and they would come consult with me and we would take a look at the layout of the street to see what makes sense and what would be feasible and then establish the affected area.

Mayor Thalhofer asked Mr. McRae what do you think of that option?

Michael McRae replied that sounds fair.

Councilor Daoust stated if we are only talking about two speed humps on each side, it is a rather narrow affected area.

Michael McRae stated it will be difficult to get the folks on the north side of me to sign the petition because they would have to hit all four speed humps to get to their home. Those rumble strips, yeah they are great but in my opinion they are way to far back and people drive around them all the time and they are not big enough. I don't feel them in my vehicle. Is there a code that says that they have to be so far away from a corner?

Travis Hultin replied they are actually set based on the distance from the pavement markings that we are trying to draw their attention to. So it is based on the perception and reaction time of the driver; there are standards for where you place those. They are not mini speed humps. The purpose of those rumble strips is to get the drivers attention so that they focus back on the road and to see the warning signs and pavement markings and basically alert them to the fact that there is a curve coming. They are not intended to act like a speed hump where you actually cause them physical discomfort that causes them to slow down, that is what a speed hump does.

Michael McRae asked is there a minimum number of 25mph signs that can be posted because there is only one going east on Hensley and there is one coming south on Hensley so when you come north or west on Hensley there isn't a sign.

Travis Hultin replied we can review that situation and see if there is a need for additional signs. In my professional opinion additional signs probably won't make much of a difference. Most studies show that just resigning the same speed limit really doesn't affect the behavior of drivers all that much. But we will look into it and see if we are short on signs based on the typical standard spacing.

Mayor Thalhoffer asked the City Attorney to review the process and see if there is anything we can do in an emergency situation so they can have an expedited process.

Jim Davis stated I want to voice my opinion about the petition gathering process. You probably remember my wife and me, as well as Michael, from the 440 signatures we gathered to kill that road project through the park. That took a lot of time. I don't know how many signatures we will have to gather, that is yet to be resolved but that is still going to take some time. As of today that only allows us about 35 days. That is not a lot of time to go out and find people at home. Furthermore, in compliance with the Plan I borrowed the radar gun from the Troutdale Police Department. I sat on the roadway for two days for an hour each day. According to the program I was supposed to do six hours of monitoring. After the second hour on the second day I gave it up because I was really uncomfortable with people slowing down and glaring at me. Two people walking by even made rude comments about what was going on. I didn't like being put in that position at all. I almost equate the same thing to going around and collecting signatures.

Mayor Thalhoffer stated but you understand that this might be a really small affected area.

Jim Davis replied I do understand that. There is always the possibility, given the target area, that we may not be able to collect enough signatures to go ahead.

Mayor Thalhoffer stated and if you can't then we will have to address the issue again and see what else we can do to make this a lot easier for everybody.

Councilor Daoust stated since this is so important to the Council and it is very clear that we agree on Option A, I guess I will pose the question of whether we can forego the Speed Hump Evaluation Committee. I would hate for this to go to the Committee and have the Committee trump what the Council really wants to do by saying that it is not that important to put speed humps in here. If we are looking at an abbreviated process maybe when the Attorney looks at that maybe that is one of the things that we can do, just shortcut the time it would take to go before the Committee. It is very clear what the Council wants here.

Mayor Thalhoffer stated well we have a process and we either have to amend the process or we have to follow it I guess. City Attorney, I am going to ask you again...

David Ross interrupted and stated why don't I meet with Public Works and we will review the process. After we have reviewed the process we could come back with a more well-reasoned response.

Councilor Kight stated there is this September 30th deadline.

Travis Hultin replied the timelines in the Plan were really based around the budget cycle. The idea was that you would have people come in with these speed hump requests and petitions and there would be a determination made and everything was timed so that determination would then feed into the next budget cycle so that the speed humps could be funded for the approved petitions. That is where that September 30th date comes from. The core of Option A is that we are expediting the process because under the normal process if they went out and got the necessary signatures, we did the speed counts and the data was there to support it and the Committee supported it, the speed humps would not go in until next summer. With the expedited process we would basically disregard the normal timelines in the process so that we could hopefully get those installed this year before the rains start. Even then, we are pushing it because we are coming up on fall and the asphalt plants are going to shut down.

Councilor Canfield asked is it stated in writing that is the only way that speed humps can be placed on city streets?

Travis Hultin replied I believe that is correct. I don't think it has those specific words, but certainly I would read that to be the intent.

Councilor Kight stated I wonder if the Council could consider this an emergency in light of the evidence because of the accidents that we have had at that intersection. Normally when you are considering speed humps you are looking at ways to resolve speeding through neighborhoods, but in this case we are trying to avert people driving into people's yards as a result of accidents that they have had in front of their homes.

Mayor Thalhofler asked can we do that City Attorney? Can we declare an emergency, is that part of the process.

Councilor Canfield stated I am not sure we can override the ordinance Mayor.

Mayor Thalhofler stated I am not sure either.

Travis Hultin stated the Plan was not adopted by Ordinance. It is a Plan that was adopted by Council.

Councilor Kight asked why can't we consider this an emergency?

David Ross replied I would prefer to review the process with the traffic engineer and we could come back at the next meeting with perhaps a more well-reasoned response.

Mayor Thalhofler asked what is the date of the next meeting?

Debbie Stickney, City Recorder, replied October 9th.

Mayor Thalhofler asked what does that do to the timeframe?

Travis Hultin replied it all depends on what happens on the 9th. The main concern that I would have at this point as far as timing goes would be that there will come a point this fall where it really won't be feasible to install speed humps because the asphalt plants start shutting down for the winter and the availability of contractors and materials become very scarce.

Mayor Thalhofler asked if we make a decision on the 9th will there be enough time to get the job done by the 30th?

Travis Hultin replied it depends. If the decision is that they would still need to do the petition, it would depend on how fast they could get the petition turned around. If the decision is that they do not need to do a petition, then I think that our recommendation would be to at least do the speed counts to ensure that there is in fact a speeding problem. I think we know that at the corner there is, but we still probably want some speed data to evaluate that and that takes a week or two. Assuming that came back in support of placing speed humps, then it would be a question of the availability of contractors.

Councilor Daoust stated the regular timeline for the petitions is September 30th; that is not the expedited time, right.

Travis Hultin replied correct. In Option A those timeframes would be disregarded for this particular application.

Councilor Kight stated it appears to me that the overriding empirical evidence, by virtue of the fact that we have had several car accidents at that intersection, almost makes checking the speeds redundant. I don't get it.

Travis Hultin replied it is a very tight curve and we don't know how fast these people are going and how much of it is from people missing the curve, not being aware of it, intoxication or how much of it is just pure speeding.

Mayor Thalhoffer stated the City Attorney will meet with Public Works and see what kind of an expedited process you can come up with that makes this work.

Councilor Ripma stated I would still like to accept the Staff's recommendation. There are other kinds of possible mitigating solutions that we don't know about and the traffic experts might. I think we ought to try that as well.

MOTION: Councilor Ripma moved that we accept the Staff's recommendation, Option C. Seconded by Mayor Thalhoffer.

Councilor Ripma stated the complexity of this issue deserves to be studied by some experts. I think we all favor the speed humps, but there could be other traffic mitigating ideas that were considered and not accepted by staff and by us. I strongly favor doing the study. This is a dangerous intersection and we ought to address it every way we can.

Mayor Thalhoffer stated this is a very bad problem. Staff has recommended Option C, get a second opinion from a dedicated traffic engineering specialist. I think that makes a lot of sense. We need to solve the problem. Maybe the speed humps won't solve the problem, who knows maybe they will. This gives it another shot.

Councilor Thomas stated personally I think we are outside of what we should be doing. Option C is available at a later date. I think the speed humps always work; they are very effective. The idea is to slow traffic down and they will do that. Therefore, I can not support this.

Councilor Canfield stated I agree with Councilor Thomas. I think we have the solution in front of us with the speed humps and they will most likely work. I think we should wait to see if the speed humps work before we invest money in consultants.

Councilor Daoust stated I am on the side of spending the \$5,000 on the speed humps.

Councilor Kight stated in light of the fact that they have had accidents recently in front of their homes and in their yards and we don't want one of the cars to go through their houses, they need immediate relief. As stated by other Councilors, speed humps have been very effective and that gives them immediate relief. Lets try the speed humps; I think for the most part it is going to work. If it does not then we can revisit the issue and look for another solution.

Councilor Ripma stated this motion is not against the speed humps.

Councilor Kight stated I understand that.

Mayor Thalhofer stated it is in addition to the speed humps.

VOTE: Councilor Ripma – Yes; Councilor Thomas – No; Mayor Thalhofer – Yes; Councilor Canfield – No; Councilor Daoust – No; Councilor Kight – No.

Motion Failed 2 – 4.

Councilor Thomas stated since I was not able to attend the last meeting where we had the first hearing on this ordinance, I would like to be dismissed from the meeting.

Mayor Thalhofer responded sure.

6. PUBLIC HEARING / ORDINANCE (Introduced 7/22/08): A ordinance amending Chapters 3, 5, 7, and 8 of the Troutdale Development Code pertaining to Industrial Zoning Districts, Stormwater Management, and Public Utilities (Text Amendment No. 39).

Mayor Thalhofer read the ordinance title and opened the public hearing at 8:55pm.

Rich Faith, Community Development Director, stated this was introduced at the July 22, 2008 Council meeting. At that time I gave the full staff report with all of the background information pertaining to these amendments. These amendments are intended to bring our code into compliance with Title 4 of Metro's Urban Growth Management Functional Plan, which pertains to industrial lands. Also at the request of our Public Works Department we have some amendments to our Stormwater Management Chapter and the chapters that deal with Public Utilities. The stormwater management amendments primarily fill in some gaps that we have and clarify some points in our existing language. The public utility amendments deal with undergrounding, and they also clarify that when there are public utilities involved with projects that are other than land divisions, there is a need to comply with the various public works standards. At the last hearing on July 22nd I did introduce one revision to these that had not been carried forward from the Planning Commission and that revision deals with the terminology of how we measure the square footage for the size limitations for the specific uses that are allowed in our industrial zones that come under the size limitations of Title 4. I realized that we had different terms. In the Industrial Park and the Light Industrial Zones we talk about gross area whereas in the General Industrial Zone it refers to gross leasable area. After doing some research it was my recommendation that we use the term gross leasable area in all three zones for consistency. Those changes have been incorporated into the text that is attached to the ordinance and in the redlined version attached to the staff report. There was no public testimony at the last public hearing on this matter and there were no additional changes that the Council asked to be made. These amendments were considered by the Citizens Advisory Committee at two meetings earlier this year. They endorsed these and sent them on to the Planning Commission for a public hearing. The Planning

Commission conducted their hearing on June 18th and has forwarded on to the City Council their recommendation for adoption.

Council had no questions.

Mayor Thalhoffer asked is there anyone here who would like to speak to us on this issue?

No public testimony received.

Mayor Thalhoffer closed the public hearing at 8:59pm.

MOTION: Councilor Ripma moved to adopt the Ordinance amending Chapters 3, 5, 7 and 8 of the Troutdale Development Code pertaining to Industrial Zoning Districts, Stormwater Management and Public Utilities. Seconded by Councilor Kight.

Councilor Ripma stated we received no public comment and the changes are reasonable, so I favor them.

Councilor Kight stated Mr. Faith identified that a lot of these are housekeeping issues. Some of it is language and clarification and some of it is an equity issue as related to the gross leasable area as opposed to the gross leased area. It brings everything into compliance.

Councilor Canfield stated I know a lot of these changes are Metro requirements, but I don't agree with them, especially limiting the size of professional offices in industrial areas. I just don't agree, so I will vote no.

Mayor Thalhoffer stated industrial areas are what they are trying to retain because industrial area is shrinking in this region. There isn't much industrial area left so they don't want to have office parks taking up industrial land. I think that is one of the main points and I agree with that.

Councilor Canfield stated the main reason that Metro is doing this is they want things like commercial offices and medical offices to be near their light-rail stations and their town centers. That is not something that I agree with. I think Troutdale needs more flexibility than that and I don't think we absolutely have to go with whatever Metro says, although they say we have to.

Mayor Thalhoffer stated I disagree with you.

VOTE: Councilor Ripma – Yes; Mayor Thalhoffer – Yes; Councilor Canfield – No; Councilor Daoust – Yes; Councilor Kight – Yes.

Motion Passed 4 – 1.

7. STAFF COMMUNICATIONS

John Anderson stated today Dave Nelson, Clyde Keebaugh and I attended the meeting that was put on by Oregon Department of Transportation (ODOT) looking at the final aesthetic designs of the two I-84 bridges across the Sandy. They are getting ready for an open house on September 11th and they hope to make a decision on that final design by the 11th. They will take some additional input on the 11th. The City Council has an opportunity to either informally or formally provide input on those options. We could take a few minutes tonight to review the designs and voice your preference and we could provide that information to ODOT's design team or you could put it on your September 9th agenda.

Council discussed this and decided to put this item on the September 9th agenda.

8. COUNCIL COMMUNICATIONS

Councilor Canfield stated I have decided not to run for a second term on the Troutdale City Council. It has been an honor and pleasure to serve the citizens of Troutdale for the past four years and it has been a pleasure to work with the City Councilors and staff. I will not miss the meetings that go past midnight, but I will miss the sometimes respectfully contentious discussions. It has been a great four years and I thank the Troutdale residents for giving me the opportunity to serve.

Councilor Daoust stated I was not able to attend but this last Saturday they had the dedication of the Bird Blind on the Sandy River Delta that Maya Lin designed. I did see a video of the Bird Blind and it is pretty impressive along with the bigger parking lot that was constructed. If people get a chance to visit it I would highly recommend it.

Councilor Kight asked the City Attorney for an update on the issue of shopping carts. I know that Gresham has passed an ordinance and I am curious where we are on the process.

David Ross stated we have an ordinance drafted. Gresham was going to decide what to do after Metro had decided that they were going to take this up, but then Metro decided that they were not going to take up this issue. Gresham told me that they were going to let me know what they decided to do. I haven't heard from the City Attorney's Office in Gresham. I can share with you a staff report that was given to the Salem City Council. Their analysis was that they were going to wait for a year and monitor Beaverton's experience, because their analysis was that the ordinance was going to cost more to enforce than perhaps the benefit would be. We have a draft ordinance and we are waiting for further direction.

Councilor Kight asked is there one template for an ordinance that everyone is drawing from or is everyone creating their own.

David Ross stated Gresham's is modeled on Beaverton's.

Councilor Kight asked has Wood Village and Fairview entertained the idea of having any kind of an ordinance?

David Ross replied I have been in touch with Wood Village and they were waiting to see what we were going to do because it makes sense for all four cities to do the same thing for enforcement purposes.

Mayor Thalsofer stated I was invited to speak at the dedication of the Bird Blind. It is about a one mile walk from the parking lot on Jordan Road but when you get out there it is a space where you will find that you are all alone with nature. It is a beautiful area. I guess the Native American frequented that area and Lewis and Clark was there. It has a lot of history. It was a real successful day.

John Anderson stated this was one of the key elements to the Sandy River Connection proposal. There is a pedestrian bridge that will be attached to the south I-84 bridge and provide a good connection across the river. It will be a 16 foot pedestrian/bicycle connection. With the completion of the Maya Lin facility and the trail on the east side of the river, having that connected by the freeway pedestrian bridge to the west side will be a big plus. Everyone is excited that they were able to get the project constructed and get the parking lot in; it was really a phenomenal accomplishment. This is a great tribute to Lewis and Clark and the history of the area and the environment. The US Forest Service is dedicated to bringing the Delta back to its natural condition.

Mayor Thalsofer stated the Oregon National Guard helped to build the trail out there to make this dedication possible.

9. ADJOURNMENT:

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor Kight. Motion passed unanimously.

Meeting adjourned at 9:20pm.

Paul Thalsofer, Mayor

Approved September 23, 2008

ATTEST:

Debbie Stickney, City Recorder