

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

Tuesday, February 13, 2007

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

Boy Scout Troop 174 presented the Colors and led the Pledge of Allegiance.

PRESENT: Mayor Thalhofer, Councilor Kight, Councilor Ripma, Councilor Thomas, Councilor Canfield, Councilor Kyle and Councilor Daoust.

ABSENT: None.

STAFF: John Anderson, City Administrator; Jim Galloway, Public Works Director; Rich Faith, Community Development Director; Kathy Leader, Finance Director; Marnie Allen, City Attorney; Debbie Stickney, City Recorder; Beth McCallum, Senior Planner; Travis Hultin, Chief Engineer; Olaf Sweetman, Engineer.

GUESTS: See Attached.

2. CONSENT AGENDA:

- 2.1 ACCEPT MINUTES:** October 10, 2006 Regular Meeting, October 17, 2006 Work Session, October 17, 2006 Joint City Council/Public Safety Advisory Committee Work Session and November 14, 2006 Regular Meeting.
- 2.2 RESOLUTION:** A resolution approving an Intergovernmental Agreement between Metro Regional Government and the City of Troutdale for funding of the Year Seventeen Waste Reduction Program.
- 2.3 RESOLUTION:** A resolution accepting a right-of-way deed from Interstate Distributor Company for NW Rogers Circle right-of-way.
- 2.4 RESOLUTION:** A resolution accepting a public utility easement from Interstate Distributor Company adjacent to the NW Rogers Circle right-of-way.
- 2.5 MOTION:** A motion to approve the Annual Performance Evaluation of the City Attorney as evaluated by the City Council on January 30, 2007.
- 2.6 MOTION:** A motion to approve the Annual Performance Evaluation of the Municipal Court Judge as evaluated by the City Council on January 30, 2007.

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

3. PROCLAMATION: Scout Month – February 2007

Mayor Thalhoffer read the proclamation (a copy of the proclamation is included in the packet).

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

None.

5. MOTION: A motion approving the East Metro Corridor Study Memorandum of Understanding.

Travis Stovall, of East Metro Economic Alliance (EMEA), stated EMEA is a combination of the four cities with representation from the business community. We have come tonight to give you a brief update and review of the Memorandum of Understanding (MOU) in regards to the north/south corridor study that EMEA has approved. I would like to recognize the individuals that have come in support of the MOU from various areas around the region. From the Gresham Area Chamber of Commerce – Michael Patrick and Robert Brown; Dorothy Douglas from Wholesale Distributing; Lila Leathers, President of Leathers Enterprises; Michael Fitz, President of Star Oil Company; Mark Van Osdol, Safety Director of Reinhard Transportation; and Jeff Howe from Capital Cities Company. We have a letter of support from Dennis Benton, President of Benton Plastics. In his letter he speaks to the ability to grow economic development within a region by making sure that transportation issues are key. His organization was located off of 158th and Sandy Blvd. for awhile and he talks about the difficulty of being able to run an organization and develop economically because of some of the issues of getting to and from his location. He has moved his business to 181st and San Rafael and he talks about the advantages to having access to key areas that allow for the transport of different items in and out of his organization. This MOU sets the stage for a comprehensive East County study of the roads and transportation issues that exist currently and in the future. This will be the first study done on a comprehensive level that would be agreed upon by all of the East County cities. The cities of Gresham and Fairview have both already agreed and signed the MOU. They looked at this as an opportunity to work together to address issues that we currently face and issues that we will face in the future. There have been concerns about some of the studies that have already been completed. This study does not have a predetermined outcome. This study actually starts out by saying that we will study the four thoroughfares that come through this area; 181st, 207th, 242nd and 257th. This study will try to understand what our current issues are and what the current traffic flows are so that we will be able to address those issues. Funds are allocated for studies throughout the Metro Region. There are 26 projects that are currently on the table right now and there will only be a single digit number that are chosen for funding in the Metro area. Those dollars are going to go somewhere and they may go to a less deserving project or a less deserving study if we are not able to get those funds to come to East County so that we can see a comprehensive study on the thoroughfares that currently exist. What is the outcome? We don't know; the study has yet to be done. This will allow us to look at the issues that we currently have in East County to determine what kind of development would need to be done to address any concerns that we currently have in place, or may have in the future. Without this study it is very difficult for Multnomah County or Metro to begin to address any current or future issues. One of the things I have heard about at length is the 257th/I-84 interchange and the difficulties that surround that key area. Without this study it may be difficult to get funds to address the concerns that the City of Troutdale

has surrounding that specific key area. Another key issue is the concept of economic development. It is not to say that economic development shouldn't be allowed to happen without some oversight, which I call responsible development. That responsible development can be had through good and proper planning. I feel the foundation of proper planning is this study. I leave you with the concept that this MOU is looked at as a step toward understanding any key issues that we have with transportation for East County and also the ability to garner and capture those funds from Metro that they are offering. We feel this study is the foundation for moving forward.

Mayor Thalhoffer asked doesn't the MOU also recommend an east/west (Highway 212 to Sunrise) corridor study?

Travis Stovall replied that is correct.

Councilor Canfield stated I have a couple of questions about where this MOU originated. There was an article in the Outlook a couple of weeks ago that indicated that at first this study was going to be contingent upon 257th being the preferred route. Where did this idea originate?

Travis Stovall replied there was a meeting back on January 5th where our Land Use Committee met with EMEA, which includes representatives from each of the four cities. During their discussions they talked about what can be done about land use if we can't actually have transportation effectively serving those areas. So the question came up, what about a comprehensive study that is sanctioned by all four cities. As they looked at that 257th became the point of conversation. As the four Mayors sat at a different meeting they began to discuss why would we look at only one route to begin with, which has been some of the fallacies of some of the other studies. That is when they said we need to look at a broader approach to really have a comprehensive study. If you only study one route then you will only end up with a solution that focuses on that one route. When they broadened that they said we need to come up with a solution that may utilize existing infrastructure.

Mayor Thalhoffer stated I was at that meeting. I didn't hear the same things that maybe some other people heard or thought they heard. I do know that we talked about 257th at some length as a route that has a lot of promise. I remember making a statement, and Ron Papsdorf also made a similar statement, that we should do a comprehensive corridor study and we shouldn't just focus on one route. If we focus on just one route what is the use of having a comprehensive study if you have already selected a route. There were some people that heard it differently than I heard it. The Mayor of Gresham wasn't even at the meeting to bind the City of Gresham to any kind of MOU.

Councilor Canfield asked were you aware that the first draft that the City of Gresham received of the MOU said that the cities would agree to have a comprehensive study done where 257th would be the preferred route?

Travis Stovall replied actually the first one that came before the City of Gresham was this revised MOU. They had it on their agenda for the Tuesday after the first EMEA meeting and

they postponed it until after the four Mayors met. The actual MOU that went to the Gresham Council was the document that you are currently seeing now.

Councilor Canfield stated I agree that improving the transportation corridors is necessary. My concern is that the devil is in the details, how are we going to get there.

Councilor Kyle asked could you tell us who EMEA is and who the membership is and why this is important to EMEA?

Travis Stovall replied EMEA was started about four years ago to address the dependence of each community on each other. The four mayors were asked to be on the board as well as a number of businesses to help address economic development issues. We have a unique situation in East County. If you do something in one city it affects one or more of the other cities very directly. With that understanding EMEA was developed to help address some of the economic development issues that each city depends on.

Councilor Daoust stated you said that funds would be allocated for this study. Are those Metro funds that would pay for this study?

Travis Stovall replied that is correct.

Councilor Daoust asked is there an estimate as to how much this study will cost?

Travis Stovall replied it is estimated that this study will cost \$1 million.

Councilor Daoust asked how much does Metro have available for studies like this?

Travis Stovall replied they did not give us an absolute number. There are twenty-six study projects that could be implemented or funded and they said that the number that they are actually going to be able to do is in the single digits. This study is a high priority (in their top five) on their list so we have a good chance of being funded.

Councilor Daoust asked when the MOU says that the cities will be represented and involved, what does that mean?

Travis Stovall replied historically the studies have been done by either one or two organizations and the comment has been made that when you set the criteria for a study then your outcome is probably going to be skewed by how you set the criteria. What we are presenting is that each of the four cities will be represented at the table when the criteria is set for the study.

Councilor Daoust stated so there will be a committee to set the criteria and then hand it over to whoever is doing the study?

Travis Stovall replied that is correct.

Councilor Daoust asked will the committee remain involved throughout the study?

Travis Stovall replied that would be our plan.

Councilor Kight stated the MOU indicates that the north/south route is priority number one. Why did EMEA choose that route as opposed to the east/west route, which is the second priority?

Travis Stovall replied at an earlier meeting this year Metro Councilor Rex Burkholder discussed the actual cost of doing east/west upgrades in comparison to the north/south upgrades. The north/south upgrades just based on cost and distance would probably have a higher chance of being funded than the east/west would.

Councilor Kight stated what you are telling me is the real need, because of congestion as well as increase in traffic, is south of Gresham and perhaps the need, if you are going to prioritize it setting money aside for a minute, would be the east/west corridor and not the north/south.

Travis Stovall replied I wish I could answer that but without the hard numbers, there isn't really any direction that I can give.

Councilor Kight stated as it relates to the north/south corridor and as you are traveling through the three cities of Troutdale, Wood Village and Fairview paralleling I-84, where would you identify that there is congestion in those areas?

Travis Stovall replied if you are looking for the answer that there is none, I would say that currently I can't tell you of any major congestion in any of those three cities. One of the key things that you notice as you drive through Gresham is that going either way there is congestion. They may be traveling to or from one of those three cities.

Councilor Kight stated if you look at 257th, 242nd (with the exception of 238th Drive where it goes from four lanes down to two lanes), 207th, 223rd and 181st they are all four lanes. So if we do a study what do you think the outcome is going to be as far as improvements within those corridors within the three cities?

Travis Stovall replied I can't answer what the outcome is going to be.

Councilor Kight asked where do you think the congestion actually is? Is it within the three cities, is that where we are having the problem? Or is it within the City of Gresham?

Travis Stovall replied as an example, I frequent north of Seattle and if you have been to Seattle lately they have traffic issues. As you go through Seattle you look at all these cars and you think where are all of these cars going? They are probably not going to Seattle but they are all going through Seattle to go other places. To address one end and not address another I think would not address the problem overall. To summarize, your point is made that there are some choke points that exist in the City of Gresham and we all know that. But as we look at trying to make sure that our area is going forward with responsible economic development, to only look at one area and not the entire chain of events that occur would be short-sided.

Councilor Kight stated so as a result of this study at the end of the day, what do you feel is the purpose for having a designated corridor?

Travis Stovall stated to address concerns that exist today is one thing. To be able to complete a study that gives us projections and ideas about the future are really key to what this study is all about.

Councilor Kight stated so if we have a designated corridor as a result of this study and that goes before the transportation committees, how do you think they will react to that?

Mayor Thalhoffer stated I don't think that is a fair question.

Councilor Kight stated well isn't the idea to garner transportation dollars in order to make improvements to that corridor, isn't that the end result?

Steve Entenman stated I would hope that the comprehensive study would identify all corridors that could serve the purpose now and in the future. It may not be just one corridor. I see that there would be priorities as improvements are needed based on growth.

Councilor Kight stated I am trying to get beyond the study. What is the end goal?

Travis Stovall replied the end goal is adequate traffic being able to move through the region.

Councilor Ripma stated I called you and asked you what number 5 in the MOU means and you answered Councilor Daoust the same way you did me, that the cities would be represented. Then you said something that made it sound like the cities should all come to an agreement on what the study should do before it starts. You realize that we are all over the map now. Was this not intended to be an objective scientific study of roads? When I read this MOU that is the kind of study I am thinking of, not one that is steered by cities.

Travis Stovall replied correct. The idea is that it would not be steered by cities but the idea is that as the cities sit at the table they are there to address any issues that come up in regards to making sure that the study stays objective.

Councilor Ripma stated Travis are you aware the last time we were invited to the table with the County, Gresham, Wood Village, and Fairview regarding the transfer of County roads, arguably a more important issue than this, that was suppose to involve all of us and Gresham went off on its own and went to the legislature. There is trouble with this approach because we were lucky to get a seat in the audience and we were not consulted. That is what alarms me about it. Don't you think that this MOU needs some clarification on this point? It is not clear about what is intended for the study; that it will be an objective study. Right now it sounds like a study that will be by the four cities by some kind of consensus, and we have bad experience here in Troutdale with that sort of approach. I want to see some clarification. Item 6, says that the cities with ODOT and others will reach agreement on a preferred corridor alternative and jointly advocate for its implementation. How do you, as the advocate

for this MOU, intend that to work? How are we supposed to reach consensus on what to advocate for?

Travis Stovall stated we can always try to find process. As we complete the study and begin to move forward the process is similar to this, we walk through the information that has been developed. We certainly need to keep an eye towards what has occurred in the past, but look to the future with optimism.

Councilor Ripma asked are you aware of the 242nd corridor study that was done by Multnomah County in 2002?

Travis Stovall replied I am.

Councilor Ripma stated that cost \$200,000. I don't know what you folks are expecting to come out of this study, but that study by David Evans and Associates was an objective scientific study and what it came up with was traffic count projections over the next twenty years for 207th now Fairview Parkway, 238th, the 242nd connector and 257th which was based on Metro projections. When it was all done we found ourselves staring at that and only because Multnomah County was the landlord they said that is it, the 242nd connector is not justified. We couldn't even agree on that. Metro and Gresham wanted to keep that as an option, the three cities expressed a desire to kill it. What do you think this study is going to do for you? We are going to come out of this with a study that will have all of these traffic numbers, we will spend \$1 million and we will be right where we are now. After the study what are we going to do? What are we supposed to think we are advocating for here in Troutdale by voting for this?

Travis Stovall stated the questions that you are all asking have merit. We need to make steps and start by gaining buy-in and talking about this early and often. If I were to walk in here and put a study on the table and ask for your input or agreement to put a thoroughfare at 257th you are going to say you can't agree to that. These are steps we have to go through to make sure that we get community input. This study is the initial step and if we don't take this step we are not going to jump from step one to step four and ask for buy-in. I am here this evening to start asking early and often to take a look at this and the issues on the table regarding transportation and to answer the questions that have been raised this evening.

Councilor Ripma asked number 6 says we are supposed to reach agreement after the study and then agree to advocate towards implementation. Are you saying that we would get a chance to decide whether we agree before we advocate for implementation?

Travis Stovall replied that is correct.

Councilor Ripma stated I don't think that is very clear. It is worded vaguely. If the intent is that we, Troutdale, after the study is done can then decide whether or not we want to advocate, that needs to be clarified.

Councilor Thomas stated I appreciate the fact that this is a comprehensive study and I thought it was very well written. Do you have an idea of how long this might take to complete?

Steve Entenman stated it will take between six and twelve months.

Councilor Thomas stated this study may be including some things that may not have been included in the previous studies, for example Damascus with its projections of 200,000 to 300,000 more people in the area over the next 20 years. How is this going to affect business?

Steve Entenman replied movement of people in and out of our community and movement of goods in and out of our community has a direct relationship on the economic development in and around those thoroughfares.

Councilor Thomas asked how important is it to EMEA that the cities work together?

Travis Stovall replied it is of the utmost importance.

Councilor Kight asked you have actually listed the east/west corridor as the second priority, what is your fallback position if there is not agreement to the north/south corridor study?

Travis Stovall replied that is a great question in regards to what is the next step. If you go in with a fallback position you may not be able to move forward with the ideas that you need to move forward with. I don't have an answer prepared.

Travis Stovall stated we would like to have Mayor Bemis's letter included in the record.

Mayor Thalhofer stated it is in the record. Mayor Bemis sent a letter supporting the MOU, a copy of the letter was put at your place this evening.

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

Matt Wand stated I have some concerns about the process that is being presented to you. The MOU and the study are the types of things that we generally see politicians engage in so that they can have cover to make unpopular decisions. If this study comes out and says that the 257th Avenue interchange is the "best route" then this MOU will be used as a weapon by Gresham and the other two neighboring cities to force us into compliance. The system that this MOU spells out where we will all agree to agree when we come to the table is naïve. We had that opportunity to build that kind of goodwill at the original meeting where this notion of a study came up. What we saw was a situation where the other three cities, I don't believe, treated our Mayor fairly. They ganged up on us and it came out in the paper that they had an agreement of some sort that 257th Avenue was the preferred route. He has assured us that was not the agreement. What we have here is the beginning of betrayed trust. The other three cities are going to ask us to enter into this study and this MOU in good faith, they ought to show us good faith as well, and so far they haven't. Secondly, I know that the folks seated in these chairs are very well respected, but with all due respect some of the things that they

are saying, I don't think, are accurately reflected in the document. I don't believe that it is accurate to say that this is an unbiased comprehensive study when right on its face it says that the priority will be a north/south corridor over an east/west corridor. That is not comprehensive and that is not unbiased. The concept of buy-in is important because what action Troutdale takes today buys us in. On behalf of your citizens, 257th Avenue is a terrible route for the north/south corridor. There are neighborhoods, a school and a lot of high density housing which makes it very unpractical for 257th to be a north/south corridor. All of those issues potentially would be taken out of our control. If we agree to the MOU and then come back later and point those things out, they won't go anywhere. The citizens of Troutdale look to our city council to protect our interests. We look to you to protect us.

Mike Fitz stated I have a commercial drivers license. I drive trucks weighing as much as 105,000 pounds and as long as 75' through the middle of these cities. The quickest way to get to Marine Drive and I-5 is through Troutdale. You need all four routes to connect to 26. Trucking use to be the biggest employer in north Portland 30 years ago. My competitors are leaving Portland. If you have a connection south out of here than you have a chance for those companies to come here but right now they are going to Clark County and Clackamas County. The trucks are coming through your back door and if you don't plan for it, then it is going to be worse. Regarding congestion, I have spent an hour getting from the truck stop up to Gresham. Every time I come out this way to get to Hwy. 26 I ask which one of the four routes do I use. When I have a truck that is 75' long and weighs 105,000 pounds, I basically only have one legal choice. We need all four routes.

MOTION: Councilor Ripma moved to reject the MOU. Seconded by Councilor Kight.

Councilor Ripma stated I don't think this MOU is correctly written. It doesn't mean that we can't come up with a MOU that I would support. I feel strongly that this one is not it. Mr. Fitz, this MOU, in my opinion, is trying to advocate for a corridor, not four corridors. I think that is the intent, it is not really clear. That is a problem because three of the four corridors are already built, they need to be improved. Finding another corridor by doing a repeat of a study that was done just a few years ago is not sensible in my opinion. I don't disagree with Mr. Fitz, I think in the end we are going to have several routes and they already exist. What we need to do is try to get our share Metro Regional money for those routes. If you look at the way that the traffic is right now, where the improvements are, 242nd/238th has a new interchange, 207th has a new interchange and new road and 257th, they are already all built and yet they all come to a stop in Gresham. 207th ends at an empty lot; 242nd is congested at Division and Hogan it is just a mess; and 257th goes to Division and that is as far as it goes as an arterial. Those are problems that are in Gresham and yet I sense from the way this is crafted that Gresham would like us to pave yet another stretch of our city while still not doing anything in Gresham. This is part of the reason we have trouble reaching consensus. What we need is to either fix all of the roads, or decide on a corridor that we can all get behind. What we don't need is another study. The study in 2002 cost \$200,000 and it was full of numbers about traffic patterns and it didn't recommend an answer. The recommended answer had to come from the jurisdictions and in the end we didn't agree. We are going to spend \$1 million to have another study and we still won't agree. Even the question of north/south versus east/west I think is skewed in

this MOU. If you look where Boring and Damascus are and remember the history, that was to be connected east/west before any north/south was going to be built and yet this study presumes we are going to first go north/south and then second go east/west. Metro has projects that exceed the wish list for 50 years out. Putting something second on the list is like saying it will never get built. In affect this MOU is saying we want north/south and not east/west, that is at least one plausible read. I think we need to reject this MOU. If Fairview and Gresham are so keen that they already passed this before we even had the 4 Cities meeting, then if we need to get behind a route why not think in terms of a route that goes through Fairview and Gresham, which is 207th (Fairview Parkway). Maybe we have a corridor we can advocate for without having to spend \$1 million of taxpayers' money.

Councilor Kight stated I think Washington County Commissioner Roy Rogers who has been a member of JPACT for many years said it best, we spend about 98% of the time fighting over 4% of the transportation dollars. For those of you that don't know what I am referring to, 4% of the total transportation dollars are identified as unappropriated and they fight like cats and dogs over that. As Councilor Ripma pointed out they have at least 50 years worth of projects. I believe that the cities of Troutdale, Wood Village and Fairview have been recipients of major transportation improvements; the widening of I-84, the new interchange at 238th and 207th. What is missing in that is the improvements in Gresham. Councilor Ripma pointed out that 257th terminates from four lanes down to two lanes not in Troutdale but in Gresham, that needs to be improved from Division to Hwy. 26. We don't need a study for that; everyone in this room understands the need to increase the capacity and increase that stretch to four lanes. Further to the west the choke points are Hogan and Powell and Division and Burnside. Everyone that goes through those areas during peak times sits through two or three lights to get through those intersections. If I had only \$1 million dollars and I knew that was the most critical point that needed to be improved, that is where I would start to spend my transportation dollars. If you go further to the west you have the new improved 207th and 223rd, and again you are fine as you get to Burnside but if you want to go behind the restaurants, you are again down to two lanes. I would prefer the limited transportation dollars going to Gresham. Frankly you are long over due to add capacity to the roads where you have major congestion. The north/south routes in the other three cities are all four lanes, Gresham has been left out in those improvements to increase capacity within their city limits. That is why I am not supporting this. If this was written to support an east/west corridor I would be behind it 100% because that is where your development is going to take place. The development isn't going to take place on the residential side in the three cities of East County.

Mayor Thalsofer stated East County needs to work together. One of the reasons we don't have our share of dollars for transportation needs out here is because we are always fighting about where things should go. Previously I have been opposed to the 242nd connector; I still am basically opposed to that. I don't think that is a good route, especially for trucks. I am the representative for East County on the Joint Policy Advisory Committee on Transportation (JPACT) and I am a member of the Regional Freight and Goods Movement Task Force and you get a broader prospective of the whole issue when you hear from the freight folks about their inability to get from I-84

to Hwy. 26. I have been told by Multnomah County that the stretch in Gresham on 257th from Division to Hwy. 26 will be fixed in 2008. One of the problems with 257th is it doesn't have an interchange. It is a mess down there. Some of you ask where the congestion is. I can tell you where the congestion is in Troutdale, it is on Frontage Road where the truck stops are. Some of you have asked why not put the east/west route as the first priority. One of the reasons is because the north/south corridor is the one that needs the attention first because you are not only moving cars, but you are also moving freight. East/west streets for the most part are not designed to move freight. The idea, I think, is to get the freight trucks onto throughways or freeways to get them to move through faster and not mix with cars, bikes and pedestrians which they have to do now. I want to put you at ease. I didn't ever recommend 257th to be the corridor. We talked about the assets and liabilities of 257th. My recollection of that meeting on January 5th was that we talked about the good and bad but we did not actually make the decision to study 257th. The decision that we actually made was that we were going to have a comprehensive north/south study and then the east/west was also thrown in. When it got to the EMEA meeting it was shown that 257th was the designated corridor and I objected to that because that is not what I heard at the meeting. I talked to Mayor Bemis and said I didn't agree to that. He wasn't even at the meeting so he didn't agree to that. The study that Councilor Ripma refers to was not conclusive and was in fact suspended. When that study was done there wasn't Damascus and the Springwater development. I want to read a paragraph out of that study that I think is important, "To ensure future consideration of the 242nd Avenue connector between I-84 and Stark Street it is felt that the current study should be suspended at this time. Concern of each jurisdiction involved is to provide enhanced regional vehicular movement between I-84 and Hwy. 26. Suspension provides the opportunity to shelf the study until needs and priorities are reassessed within the entire 242nd Avenue corridor between I-84 and US 26 allowing resumption of the study at a later time." This is the later time. Conditions have changed. I think it is important for us all to work together because working together we can accomplish great things. If we try to work separately we are not going to accomplish anything.

Councilor Canfield asked the City Attorney, even if all of the cities agree to the MOU are there any consequences if any of the parties fail to abide by the contents of this MOU?

Marnie Allen, City Attorney replied it doesn't appear to me that it creates contractual legal binding obligations.

Councilor Canfield asked so legally it means nothing except for the feel good aspect?

Marnie Allen replied it also can and would be used in the future to show what your position was when it was entered into and probably try to lay forward the next course of action. So I wouldn't say that it has no value and no affect, I just don't think that it gives rise to contractual obligations that you can enforce in court.

Councilor Canfield stated there needs to be something done regarding regional transportation problems both for freight and cars. I agree with Mr. Fitz that all four

routes are absolutely necessary and that is why I have always been against picking one. Councilor Ripma is correct in the way that people twist these agreements and studies around. Just last year we had representatives from Multnomah County and Metro talking about the 242nd connector. Although it states in the actual paperwork that Multnomah County said that we will abandon this study until such time as we need to look at it again, but they told us in the meeting that this study said that the 242nd connector will never be necessary. At the same meeting we had a representative from Metro saying that it is absolutely necessary and we need it. The only difference that I could perceive from the two points of view was that Multnomah County wanted to sell that property with the right-of-way to McMenamins, so they had some interest in making that right-of-way go away. I wish all of the cities could get along but the fact is we don't. Even though I would be inclined to do a study and look at the numbers, it is always interesting to see what things look like, but it is important to remember that studies don't make decisions, people make decisions. Right now we don't get along at all. We recently had a meeting where the cities of Gresham, Fairview, Wood Village, Troutdale, Damascus and Sandy attended and there was division even within the city councils on what should be done on this. It was interesting that none of us had a copy of this MOU at this meeting where we were discussing this MOU. I asked Councilor Park, who was making this presentation, are you telling me that if we agree to this study outlined in the MOU that the cities are going to agree on the result? He said yes, you have to agree to the results. None of us had this MOU so we didn't know if that was true or not. Even though there are words on paper, people disagree on their application. As Ms. Allen points out there is nothing binding in the MOU by the parties. Councilor Ripma pointed out the number 5 in the MOU says that the cities shall be represented and involved in the study process. That could mean that the other three cities could mail us a letter saying by the way we decided on this corridor. That could be our involvement. I could in the future be in favor of a different MOU but it would have to be something that better protected the interest of Troutdale.

Councilor Kyle stated I am interpreting the MOU as a regional transportation study that does not focus on one or more corridors. I am very concerned about the economic development potential in our region. This study to me is not just about transportation today. I feel that our current city leaders are responsible for what we look like in the future. I do believe that we can and we must partner with our neighbors and consider the future of our region. We need to look at the bigger picture and not just what is in it for Troutdale.

Councilor Daoust stated I have thought about this a lot and I think I am going to have to reject Councilor Ripma's motion in order to support the MOU. I agree with Councilor Kyle that when it comes to transportation we need to have a regional view. If there is going to be a \$1 million study it better be a good study. If Metro is willing to spend \$1 million on a study it will probably come up with a lot of alternatives and my guess is it won't narrow it down to one alternative. Any organization that takes on a task this big is going to outline all of the alternatives. It is interesting that Metro already has this in their top 5 and that tells me that it may get funded irregardless of what Troutdale says or how we appear to stand. I would rather this Council be at the table when this study goes forward and in order for us to be at the table we will need to

sign the MOU. I am not so concerned about how we could further clarify in the MOU that the cities would work cooperatively. I don't think we need to waste time to clarify that further at this point and time. How each city is involved will be clarified in the future. I don't need to put everything upfront in this MOU.

Councilor Thomas stated I think that supporting the MOU is an absolute necessity. One of the things that I have been working on for the past year is getting all of the councilors from the various councils together to sit down and talk about things and find out what regional issues are so we can work together as a region. Just because it benefits one city directly or indirectly is not important. The fact is that if we want economic development and if we want to move trucks, they are going to take the most direct, efficient route, and the economic engine drives around the ability to move freight and service business. If you can't service businesses then you will not have employment. I think it is imperative that we as a city, and as a region, look at this study. The study says lets look at the options. It will take the east/west corridor into consideration along with the north/south. I think personally it is going to take all five of them to get it done. The four north/south corridors are not necessarily going to service everything that needs to be serviced to the south of us. We need options to move stuff east/west to get to I-5 to go towards California or even to Seattle without having to fight I-5 or I-84. There is a lot of value to that. There is a lot of business potential in Bend. Do we want all of our businesses to go to Bend? It could happen; they probably have a better transportation system than we do. Having to travel east/west through this city, especially around 4pm, it can take an hour to an hour and a half to get home. From a regional view, I think it is imperative that we look at this study. I think the study will show us what needs to happen. It may take years to get the funds to implement it, but at least there will be a plan in place to refer to. We can then offer the industry and people ways to get from point A to point B because people and businesses will not stay where they can't move.

Councilor Ripma stated I can count the votes.

WITHDRAWAL OF MOTION: Councilor Ripma moved to withdraw his motion.

There was no objection to the withdrawal of the motion.

Councilor Ripma asked are any of the Councilors in the majority concerned or willing to clarify some of these points? Is it your understanding that this is going to be an objective study that is not politically driven?

Councilor Thomas stated I believe that it will be an objective study. It will be done by an outside professional. It will have the various entities involved. I think your analogy and question was inappropriate when you talked about Gresham and the roads issue. We are talking about a different set of issues and a different set of players. If you put one or two people on the committee from each of the cities they will all provide the direction. Traffic studies are pretty cut and dry on how they look at things.

Mayor Thalhoffer stated if I didn't think it was going to be an objective study I wouldn't be supporting it.

Councilor Ripma stated don't you think it would be better if it was clearer. Do you think we, in view of everything that has been said, are going to have to support whatever the outcome of the study is? Are we going to be at the table after the study when the "reach agreement" part comes up? Is that your assumption?

Councilor Thomas replied I would imagine so.

Mayor Thalhoffer stated yes that is the assumption I have because that is what the language says.

Councilor Ripma stated I think it would be better if that was clarified.

MOTION: Councilor Thomas moved adoption of the MOU as written. Seconded by Councilor Daoust.

Councilor Canfield stated I still can't support this. I agree with this MOU in concept but I just don't believe that it protects Troutdale's interest even though it is non-binding. The various division just by our council is what we have been talking about. This division is occurring on this council and between cities. Even if this study goes forward we are going to be right back here with the same discussion and the same arguments and a \$1 million will not change that fact one bit.

Councilor Kyle stated our city council could micromanage this MOU and when the final results are in I believe whether it benefits Troutdale or not is not the point. This isn't about Troutdale, it is our region and what is important to our region.

Councilor Kight stated Rex Burkholder who chairs JPACT, felt that with the limited transportation dollars that we have, that the north/south routes would require minimum improvements and the chances of that happening would be much better than the east/west corridor. So the purpose of this study ultimately will be to have a designated route. The public is already using all four routes. The purpose of having a designated route is to make transportation improvements to whatever route that is. Are you willing, as a Council, to support the idea of adding additional capacity to 257th that cuts through Troutdale? That, potentially, is what could happen.

Councilor Kyle stated this recommendation came from the businesses and that is why I respect the request.

Councilor Ripma stated I still think there is some benefit to a couple of clarifications in the MOU. Would any of the councilors in the majority be willing to entertain a friendly amendment to make some clarifications to the MOU?

Councilor Thomas replied no.

Mayor Thalhoffer replied no.

Councilor Kyle replied no.

Councilor Daoust stated I don't think we can come up with so many words that would take the politics out of it.

Councilor Ripma stated I am thinking that we simply make it clear that this will be unbiased and that we will have a full voice when we try to reach agreement.

Councilor Daoust stated it is written in the spirit that you want. It says that the cities will work cooperatively.

Councilor Ripma stated lets hope that when the study is completed that this isn't waived at us that we promised to support it no matter what. I predict we will hear that.

Councilor Kight asked would the Council consider adding two words, equal representation.

Several Councilors replied no.

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

Motion Passed 4 - 3.

Mayor Thalhoffer called for a break at 8:55pm and reconvened the meeting at 9:07pm.

6. PUBLIC HEARING / ORDINANCE (Introduction): An Ordinance adopting a Development Agreement approving Tyson's Place single-family subdivision.

Mayor Thalhoffer read the ordinance title and opened the public hearing at 9:09pm.

Marnie Allen, City Attorney stated this is an ordinance that would approve a development agreement. The development agreement approves a single-family subdivision on a particular piece of property in the city owned by DA Grey. The property is zoned A-2. The development agreement restricts the use that will occur on that property to a lower density by approving the single-family subdivision. Because this ordinance and development agreement approves a specific land use on a specific piece of property, we are bound to follow the quasi-judicial land use proceedings that are set out in State Law and the Troutdale Municipal Code. A staff report has been prepared that analyzes the approval criteria in our Development Code that applies to a single-family subdivision and it has been made available seven days before the hearing. If you have questions about what those approval criteria are, or want the Mayor or me to identify the approval criteria for you, please raise that in your testimony and we will identify those criteria. Ms. McCallum will present the staff report and discuss the approval criteria. The Mayor will then open the public hearing. The applicant, DA Grey, will have an opportunity to speak in support of this subdivision and development

agreement. Anyone else who is present and wants to testify in support of the subdivision and development agreement will have a chance to speak to the Council. Then anyone who is here that wants to testify in opposition will have an opportunity to testify before the Council. If there is any testimony in opposition, then the applicant will have a final opportunity to present rebuttal testimony and argument. After all of the testimony has been submitted, the Mayor will close the public hearing and then this matter will be set over for a second public hearing in two weeks. If you are going to testify you need to give your name at the beginning so we have it in the record. Any issues that you want to raise on appeal with LUBA need to be raised before the City Council tonight with enough specificity that they can address those criteria. Failure to raise any issue tonight will preclude an appeal of that later either to LUBA or any kind of challenge in Circuit Court. I remind the Councilor to declare any bias, ex-parte communications or conflicts of interest if there have been any relative to the development agreement and subdivision.

Councilor Kyle stated I haven't had any communications with anyone in the subdivision, however, as a real estate agent I am a listing agent for a home in the Sedona Park subdivision.

Marnie Allen stated so you have a potential conflict of interest that you are declaring.

Councilor Kyle stated correct.

Councilor Thomas asked how close is the house you are listing from the proposed development?

Councilor Kyle replied five houses to the south.

Beth McCallum, Senior Planner, stated we are considering a subdivision on the property that is located west of 257th, north of SW Sturges Drive, east of Sedona Park and the County Farm property and south of the Troutdale Terrace Apartments. This property is zoned A-2, Apartment Residential, which is the highest residential zoning district in the City because it is in the Town Center Overlay District. This site also has a Vegetation Corridor and Slope Overlay District because of the steep slopes on the property. Single-family dwellings are permitted uses in the A-2 zoning district within the Town Center Overlay. The applicant has provided us a tentative plat with nine (9) lots. This is in compliance with the density allowed in the A-2 zoning district. Each lot must be at least 3,500 square feet in area; that standard is met. The maximum density on this property on the net area would be ten (10) lots, and the applicant is proposing nine (9) under the settlement agreement. Access to the subdivision will be via the public streets in Sedona Park to a new public street that will be constructed. The street connection at 257th Avenue is for emergency access, pedestrian and bicycles only. It will be gated to prevent unauthorized access by vehicles to 257th Avenue. The lots and street are platted in such a way as to minimize the impact to the steep slope areas of the property. The steep slope areas, depicted in the drawing on page 5 of the PowerPoint presentation (copy included in the packet), are in the back yards of Lots 5 through 9. The steep slope development standards allow for use up to 30% of the steep slope area. The applicant will be using less than 2% of the steep slope area. To reduce the likelihood of slides in the steep slope area, there are draft conditions that have been proposed to properly

convey storm water from the development in the steep slope area. This subdivision involves requests for the following variances from development standards in our Development Code in order to minimize intrusion on that steep slope area: 1) reduce the right-of-way width for the public street from 50 feet to 35 feet; 2) reduce the pavement width from 28 feet to 24 feet; 3) eliminate the planter strips on both sides of the public street; 4) reduce the required front yard setback for Lots 2 through 9 from 20 feet to 10 feet to the houses and 18 feet to the garage door; and 5) reduce the required arterial street side yard setback for Lot 4 from 20 feet to 15 feet. Variances from the public street standards also required the following deviations from the Construction Standards for Public Works Facilities: 1) under the Public Works standards it is called a capacity-reducing deviation for the street cross-section proposed; 2) reduction from the local street intersection curb radius; and 3) a reduction from the spacing requirement between intersection curb returns and adjacent driveways to allow a spacing of less than 20 feet. With respect to how the street is ultimately engineered, the ROW width and street pavement may not be a uniform width; specifically it may be narrower at the entrance from SW Edgefield Avenue. On page 4 of my staff report, we identified the variances from the street standards requested with the pavement width as narrow as 22 feet. Olaf Sweetman, a Civil Engineer for the City, indicated to me that this narrowness may be necessary when they get down to the actual details of engineering the entrance from Edgefield Avenue to the narrower public street. The specific subdivision criteria from our Development Code is that a subdivision must comply with all applicable statutory provisions, the City's Comprehensive Land Use Plan, Development Code and all other applicable laws of this City, appropriate agency or jurisdiction. It must comply with the City's Transportation System Plan, Parks and Greenway Plan, Capital Improvement Plan and any other applicable Plan adopted by the City. It must also comply with the City of Troutdale Construction Standards for Public Works Facilities. Staff has found that these criteria are met or can be met with conditions or met with approval of the variances requested. Exhibit B of my staff report goes into a full analysis of these criteria and the implementing development standards from the Development Code. In addition to this set of criteria the Code also has additional criteria that the subdivider shall demonstrate that the street, parcel, and block pattern proposed meets the following criteria. 1) Proposed parcels shall be suitable in area and dimensions to the types of development anticipated. Staff has found that the layout of the subdivision is suitable for the single-family homes that are proposed on these lots. 2) Street right-of-ways, pavement widths and sidewalks shall be adequate to accommodate the type of volume of anticipated traffic. Even though variances have been requested to reduce the right-of-way, staff has found that the variance criteria are met. As explained in my staff report, public works staff, I and the applicant have looked at an opportunity to possibly widen the street from the 35 feet to 40 feet, which I will explain in more detail a little later. 3) Public utilities including water, sewer, and stormwater drainage to serve the proposed subdivision can be provided in accordance with the City of Troutdale Construction Standards for Public Works Facilities. 4) Residential areas shall be protected from potential nuisance from a proposed commercial or industrial subdivision, to the extent feasible or possible, by providing extra depth in parcels backing up on existing or potential developments, a landscaped buffer strip, and other similar measures. This criteria doesn't pertain to this as it is not a commercial subdivision. 5) Physical limitations of the site such as flood or slide hazard, natural features, or any other constraint shall be accommodated within the design of the proposed land division. That has been considered with respect to the unique shape of this property and the steep slopes on the property. Staff has provided the Council with two options. Option 1 is to approve the

subdivision as proposed with conditions; approve the setback and streetscape standard variances from the Troutdale Development Code, as requested; approve deviations from the City of Troutdale Construction Standards for Public Works Facilities street standards; and approve a staff recommended reduction to an existing 12-foot easement to the City to 7 feet. This would accommodate a 40-foot right-of-way with a 28-foot paved street for most of the street, to provide for on-street parking on both sides of SW 10th Way. (Page 15 of the PowerPoint presentation shows an illustration of the reduced easement.) That easement was granted to the City for pedestrian access and is 12 feet wide. If it is reduced by 5 feet the bulk of the right-of-way for SW 10th Way can be widened. If that is the case Lot 2 would change just enough that the street side setback, which is typically 10 feet on a corner lot, would have to be reduced to possibly 5 feet. The area where the street pavement width might need to be narrowed to 22 feet is at the intersection of SW Edgefield Avenue. Option 2 in my staff report is to deny the subdivision. If the subdivision is denied, DA Grey may construct the 19-unit condominium as outlined in the Settlement Agreement. Staff recommends Option 1, approval of the subdivision with conditions as proposed in Exhibit B of my staff Report.

Councilor Daoust asked could you clarify where the condition is for the guardrail?

Beth McCallum replied in Exhibit B of the staff report, Page 39, Condition #4q, states, "If a guardrail will be provided by the developer along 257th Avenue, then it should be shown on the construction plans". Condition #5b on Page 40 reads, "Obtain a construction permit from Multnomah County for installation of a guardrail along the sites 257th Avenue frontage in a location to be approved by Multnomah County". The exact location has not been determined because it does require some additional engineering.

Councilor Kight stated it says if a guardrail will be provided by the developer. Who is providing the guardrail?

Beth McCallum replied the developer is supposed to provide the guardrail.

Councilor Kight stated it doesn't say that.

Beth McCallum replied I would propose that Condition #4q could be rewritten to be more affirmative by removing the word "if" and add "the developer shall show the guardrail on the construction plan".

Councilor Kight asked could you show slide 2 that shows the plat of the property? There is one lot immediately to the west where the road kind of curves out, I am assuming that is a home.

Beth McCallum replied that is lot 18 of Sedona Park.

Councilor Kight stated that is the lot that they did the lot line adjustment on.

Beth McCallum replied that is correct.

Councilor Kight stated it would almost preclude anyone else from accessing the new road to the development. If the property to the west which is owned by Multnomah County was developed, there would be no way for them to access this new road, is that correct?

Beth McCallum replied that is correct because this is sidewalk on top of a utility waterline easement and public accessway easement.

Councilor Kight asked is the property to the west landlocked?

Beth McCallum replied no, it has frontage on Halsey Street.

Councilor Kight asked is there anything there now?

Beth McCallum replied it is vacant land. There are a lot of trees and it is a steep slope and there are some wet areas.

Councilor Kight stated they have put roads over easements before. How could we ensure that doesn't happen in a future development, as far as accessing this new road?

Beth McCallum replied I have no opinion about that.

Councilor Ripma stated I may have misunderstood you, in addition to making a decision to approve or not approve you brought up an issue involving the setback of an extra 5 feet involving the sidewalk to allow the road to be wide enough for parking. Were you saying that is a decision that we have to make or is that included in the recommended approval?

Beth McCallum replied on Page 4 of my staff report under Option 1, it says to approve the subdivision as proposed with conditions; approve variances from the Troutdale Development Code as requested; approve deviations from the City of Troutdale Construction Standards for Public Works Facilities as identified by the staff based upon the applicants tentative plat drawings and approve vacation of 5 feet of the 12-foot easement to the City that is on the southerly 12 feet of the site to accommodate off-street parking on SW 10th Way where the street can be widened to the 40-foot right-of-way with a 28-foot paved street. Specifically in Exhibit B, if everything is slid south by 5 feet the geometry of Lot 2 changes slightly and in order to fit the standard house on Lot 2 the setback would have to be reduced from 10 feet to 5 feet. That is not specifically said in this option and in order to make that clear, it probably should be. So Option 1 would also consider allowing the street side yard setback of Lot 2 to be reduced to 5 feet if necessary.

Councilor Ripma stated you also said something about the walkway had to be reduced.

Beth McCallum replied the walkway is within a 12-foot wide easement right now. If 5 feet is taken from that easement so that the street can be widened to a 40-foot wide right-of-way, then the walkway would be 7 feet wide. A standard sidewalk is 5 feet wide.

Councilor Ripma asked and that is because the whole subdivision would slide south?

Beth McCallum replied Lots 1-4 would slide south.

Councilor Ripma asked is all of this to accommodate a wider street included in the recommended ordinance.

Beth McCallum replied it is included in Option 1. What is missing from Option 1 is the statement that the street side yard setback for Lot 2 may need to be allowed to be 5 feet instead of 10 feet.

Councilor Ripma asked will that be corrected for the second hearing?

Beth McCallum replied yes.

Councilor Ripma stated I favor the wider street to allow parking on both sides.

Councilor Canfield and Councilor Daoust agreed.

Councilor Thomas stated I like the wider street to allow for parking on both sides. My concern is that by dropping this to a 7-foot wide easement and if you put 6-foot high fences on both sides you create a pretty narrow tunnel for folks to walk through. I am concerned about it from a safety point of view unless there is some lighting provided.

Councilor Ripma asked is there any other way to accommodate the wider street and not reduce the walkway by squeezing Lot 1?

Beth McCallum stated it is squeezing all four of these lots. If you move everything south by 5 feet the only option other than taking 5 feet from the walkway would be to allow 10-foot rear yard setbacks instead of 15-foot rear yard setbacks.

Councilor Thomas asked basically we are talking about taking the street from 35 to 40 feet, right?

Beth McCallum replied the right-of-way, yes, with a 28-foot paved street.

Councilor Thomas asked what is the minimum width for a street that would still allow parking on both sides?

Beth McCallum replied 28 feet is the minimum for parking on both sides and 26 feet would allow parking on one side.

Councilor Canfield asked does the width requirement have to do with the Fire Marshall recommendation?

Beth McCallum replied no. These standards are from our Construction Standards for Public Works Facilities for allowing parking on one side or two sides of the street.

Mayor Thalhoffer asked the applicant to come forward.

Ed Sullivan stated this is on remand from LUBA. The remand proceedings began in November with an agreement to settle the matter. There was an approval of the 19-unit condominium but with this as a backup. If this were successful then the 19-unit condominium would go away pursuant to the terms of the settlement agreement. We agree with the staff report and we agree with the conditions proposed in the staff report. I would like to respond to the two questions about the conditions. In Exhibit B, Page 39, Condition #4q regarding the guardrail, I have some proposed language for this condition. We have assumed all along that we were going to have to put in a guardrail, so we want to make sure that the language is clear. Our proposed language is, "A guardrail will be provided by the developer along 257th Avenue, and shall be shown on the construction plans". For the street side yard setback on Lot 2, I would propose language along these lines, "that a variance for the street side yard setback for Lot 2 may be reduced from 10 feet to 5 feet".

Leslie Hauer stated with regard to the street lighting, there is an existing street light to the south of the property and there is another one in about the middle. The surveyors did not locate street lights on the city street side and I can't tell you where one is. I would like to explain the 28 feet and why that happened. A couple of weeks ago I stopped by the city to ask if there were any issues coming up during staff's review. I told them that one of my concerns was parking because that had been an issue with the neighborhood at the outset. We brainstormed about several items and city staff suggested that if we could widen the right-of-way to 40 feet we could have a 28-foot wide street and meet the standard to allow for parking on both sides. We didn't take it any further than that and at this point it is a condition in the staff report to do that. This was an item recommended by your staff and we thought it was a good idea and we would like to make it work.

Councilor Kight asked on Lot 2 if you have a 5-foot setback are you going to stick with the configuration of the homes as you have them outlined?

Leslie Hauer replied we are not sure. This is a conceptual plan.

Ed Sullivan replied we do have to stay within the lot lines and setbacks.

Councilor Kight stated I was concerned that the 5-foot setback was fairly close to the road. The 28-foot street with parking on both sides, would that accommodate emergency vehicles?

Ed Sullivan replied yes it would.

Councilor Kight stated I am particularly concerned with the end property having only one outlet.

Leslie Hauer stated the connection to 257th was specifically requested by the fire department for emergency access. I would like to respond to an earlier question about a street going through to the property to the west. The area to the west is topographically challenged. We didn't do a lot of work with that area so I can't tell you exactly, but it would be theoretically possible to put a street there but in our opinion it would be unlikely.

Councilor Ripma asked are there any other possible options that would not require reducing that 12-foot sidewalk at the south end that you would be comfortable with? I just want to make sure that we have covered all of the options because I do favor the wider street.

Leslie Hauer replied this was the staff's recommendation and it looks like it would work for us. We didn't go into the details because for one thing we didn't know how this idea would fly with the Council.

Councilor Ripma stated I was just wondering if the lots could be squeezed in some way that would still allow the 12-foot sidewalk. I guess I am hearing perhaps not.

Leslie Hauer replied the lots along that edge are small. 3,500 square feet is the minimum and Lot 3 is right at that. There is no room to be squeezed much further than what they are without going below the minimum lot size.

Councilor Thomas stated I appreciate your comments about the street lights. My concern is that once you stand up the fences I am not sure there will be adequate lighting.

Mayor Thalhoffer asked is there anyone here to testify in favor of this Development Agreement?

No testimony received.

Mayor Thalhoffer asked is there anyone here that would like to speak in opposition to the Development Agreement?

No testimony received.

Mayor Thalhoffer closed the Public Hearing at 9:52pm. There will be a second public hearing on this issue in two weeks.

Councilor Ripma asked for clarification, staff will bring this back with the changes that were discussed?

Marnie Allen, City Attorney clarified that the language will be amended so that the guardrail is clearly required and that the conditions of approval allow for a 40' right-of-way with 28' pavement and that any adjustments to the variances will be addressed not only in the staff report options but also in the findings of fact and conditions of approval.

Beth McCallum stated for clarification Page 22 of Exhibit B elaborates on the street side yard setback.

7. STAFF COMMUNICATIONS

Jim Galloway stated some time ago there was interest expressed by some on the council to contact Multnomah County about a possible name change to the section of roadway in front of the Outlet Mall between Historic Columbia River Highway and Frontage Road. All of our maps refer to that section of road as 257th. However, officially on Multnomah County's

maps and records that section of road is called Graham Road the same as it is on the north side of the freeway. When we approached the County at that time they didn't seem very receptive. I have since had recent communication with the County and I think they are now receptive to that change. With Council's approval, I will go forward with a request for the County to consider that name change.

Council was in agreement to go forward with the request.

8. COUNCIL COMMUNICATIONS

Councilor Kight stated it has come to my attention that there is a property owner that lives on SE Kibling who has a collection of automobiles on his property and the neighbors are upset about it. They have approached some of the council about addressing this issue. Council will probably be revisiting this issue as our Code Enforcement Officer develops the case.

Councilor Thomas would like to have more information or insert flyers into the Champion that talk about issues such as public safety. There are a lot of flyers available on how to handle various emergencies and he wanted to know if it was possible to put inserts into the Champion periodically.

9. ADJOURNMENT:

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

Meeting adjourned at 9:58pm.

Paul Thalhofer, Mayor

Dated: Approved May 9, 2007

ATTEST:

Debbie Stickney, City Recorder