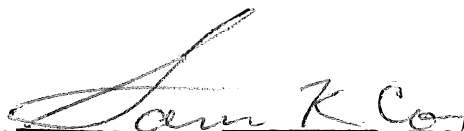


AGENDA
CITY OF TROUTDALE
104 SE KIBLING STREET
TROUTDALE CITY HALL
7:00 P.M. -- CITY COUNCIL CHAMBERS

JANUARY 13, 1987

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. OATH OF OFFICE:
Sam K. Cox, Mayor
Ron Burgin, Council
Marjorie Schmunk, Council
Paul Thalhofer, Council
- (A) 3. CONSENT AGENDA:
3.1 ACCEPT: Minutes of 12/9/86 Meeting
3.2: ACCEPT: Business License Report
3.3: ACCEPT: Bills for month of December, 1986
- (A) 4. PUBLIC COMMENT
- (A) 5. RESOLUTION: Accept L.I.D. Report and Set Date for
Public Hearing- McKnight Property
- (A) 6. RESOLUTION: Accept Right-of-Way Dedication - McKnight
Property
- (A) 7. HISTORIC PRESERVATION - Edgefield Manor
Consideration of Planning Commission
historic designation.
- (I) 8. REPORT: Solar Access
- (I) 9. ODOE: Energy Excellence Award
- (A) 10. RESOLUTION: Accept Right-of-Way Dedication 2nd. Street
- (A) 11. ORDINANCE: Forfeiture Second Reading
- (A) 12. DEPARTMENT REPORTS:
12.1 Public Safety
12.2 Finance
12.3 Community Services
12.4: City Attorney
12.5: Executive
- (A) 13. COUNCIL CONCERNS AND INITIATIVES
- (A) 14. ADJOURNMENT.



SAM K. COX, MAYOR

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SAM K. COX, MAYOR

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JANUARY 13, 1987

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- (A) 13. ADJOURNMENT.



SAM K. COX, MAYOR

MINUTES
CITY COUNCIL MEETING
CITY OF TROUTDALE
TROUTDALE CITY HALL - 104 SE KIBLING
COUNCIL CHAMBERS
TROUTDALE, OR 97060

JANUARY 13, 1987

7:00 P.M. -- AGENDA ITEM 1 - PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Sam K. Cox at 7:00 p.m. Mayor Cox asked Councilman Burgin to lead the Pledge of Allegiance.

City Recorder, Valerie J. Raglione, called the roll.

PRESENT: Bui, Burgin, Gault, Schmunk, Thalhofer, Cox

EXCUSED: Jacobs

STAFF: Christian, Dorsey, Gazewood, Samaan, Wilder, Barker, Raglione
CITY ATTORNEY: Jim Jennings

PRESS: Oregonian - Webb Reubal (7:07 p.m.)
Outlook - Dave Pinson

AGENDA UPDATE: - Pam Christian

There were no changes in the scheduled agenda items.

AGENDA ITEM 2: OATH OF OFFICE

Raglione administered the Oath of Office to Mayor Sam K. Cox (appointed for two year term). Oaths of Office were then given to Council members Ron Burgin, Marjorie Schmunk, and Paul Thalhofer (appointed for four year terms).

AGENDA ITEM 3 -- CONSENT AGENDA

Mayor Cox read the Consent Agenda items. There were no comments or changes.

MOTION: Bui moved to accept the consent agenda items 3.1 (Minutes of 12/9/86 Regular Council Meeting); 3.2 (Business License Report - December, 1986); 3.3 (Bills for month of December, 1986). Gault seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea
YEAS: 5

NAYS: 0

ABSTAINED: 0

There was no further discussion.

AGENDA ITEM 4 -- PUBLIC COMMENT.

Mayor Cox called for comments from the audience. There was none.

AGENDA ITEM 5 -- SOLAR ACCESS PRESENTATION

Samaan stated that there were 21 local governments in Oregon and Washington in a joint venture for the Portland-Vancouver Metropolitan area Solar Access Project. It is a two year project implementing a program to amend development ordinances to provide for and protect solar access to residences. A slide show and model was presented by Carole Connell, representative of the project consulting team.

Connell stated that PPL and PGE offered tools for use in evaluating the hours of sun and intrusions of sun on homes during peak sun hours (9:00 a.m. - 3:00 p.m.).

The purpose of the presentation was to introduce the Metro Solar Project to the area. There will be further presentations.

AGENDA ITEM 6 -- ENERGY EXCELLENCE AWARD

Valerie Lantz, staff, introduced Michael Graney and Heidi Schaer from ODOE. Lantz stated that the Energy Management Grant from ODOE which had been applied for and received allowed funding a part-time position for one year. The purpose was to evaluate and implement an Energy Management Program for City facilities. Dale Flowers was hired and the efforts toward implementing the energy saving measures was recognized in the Award from the Oregon Dept. of Energy.

Michael Graney, Deputy Director, Department of Energy presented the Award was presented to Mayor Cox and Dale Flowers was recognized for his contributions and efforts.

AGENDA ITEM 7 -- RESOLUTION: Accepting Community Services Department Report (Dunbar Way LID).

Wilder reviewed packet materials. The resolution accepts the Report and establishes a date to be set for a public hearing, January 27, 1987.

The project would include construction of a new roadway and would commence at the signalized intersection on Stark Street approximately 377' from the existing curb returns. The structural cross section of the proposed Dunbar Way would include 6' sidewalks on both sides of the roadway, a 44' roadway section with water, sanitary, storm, underground power, street lighting, underground telephone and other facilities as may be necessary to

provide service to the benefiting property owners and ensure continuing development with future extension of the roadway and associated facilities. The roadway currently does not exist, but has been considered in planning efforts.

The preliminary cost estimate, \$98,850. It has been calculated that the approximate SDC credit for the entire project would be \$12,275 to the benefiting property in direct proportion to their level of participation in system oversizing. The SDC credit would be tied to and remain with the property.

The LID would be formed at the request of the owner of Tax Lot 51. The project provides for construction of a new facility whose ultimate benefit would be greater than that of just the benefiting property owners. It would also benefit additional undeveloped property to the north at such time as development takes place by providing a connecting point for the ingress and egress to undeveloped property outside of the LID boundaries.

Reynolds Administration has acquired approximately 15 acres to the north in the anticipation of constructing a new middle school. There is no question that the facilities would be used to serve the school, as a result, the report before Council should take into consideration that benefit.

Wilder introduced Harrison McKnight who was in the audience for any questions from Council.

Schmunk asked if hooking into Stark Street would there be any oversizing? Wilder stated that the oversizing has already been done in preparation of the development. EDA Grant sewer project did that with McKnight, Montecucco, and other property owner participation. McKnight has already participated in the sewer line.

(Exhibits A [maps], B [Preliminary Cost Estimates], B-1 [SDC Credit(s) Calculation], C [Benefit of Proposed Improvement], D [Method of Assessment], D-1 [Zone Cost Calculations], D-2 [map], E [Preliminary Unit Assessment], F [Outstanding Assessments] are attached to the Resolution.

Christian stated that there were two issues in the report No. 1: SDC's and oversizing and methods used for determining benefit to the property and cost of SDC's overall. No. 2: Is part of this particular project and can be discussed at length later, determining the credit rather than having a latecomer's agreement of rebatting to the original developer once new development comes in (Latecomer's Agreement-pay back the initial person once other development comes in -- a very cumbersome method.) This would become a policy issue within the City. It can be done as a means of offsetting costs and encouraging more rapid development. The persons would have credits in the SDC accounts that could be used to reduce the costs to further develop property.

McKnight commented stating that the modification is a large portion of real estate is removed. He felt that it was a sizeable, additional contribution to the City.

Wilder stated that the right-of-way dedication would still remain at 60' which is standard. The dedication requires in square foot property would not change with either a 32' or 44' road.

McKnight stated that he hoped Council would recognize that there were substantial more dedicated frontage to Stark Street than any other property owner on the street by giving the additional Tri-Met turnout.

Mayor Cox read the Resolution by title.

MOTION: Bui moved to approve the Resolution with modifications (sewer, water, portion of storm drain, underground power diverted and reassessed to other property owners. Burgin seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea
YEAS: 5
NAYS: 0
ABSTAINED: 0

Wilder reviewed the SDC credit. He stated that City requires a collection system development charge whenever a development goes in. The monies are used for (broad sense) system supply, system storage, system distribution. Not specifically for individual subdivisions. In streets, they are collector and arterials that the monies are used for. In sewers, the trunk systems and treatment plant; water, pumps and storage systems primarily. The City requires and collect these charges whether it is a home or business in proportion to their use or demands on the system. Often, City requires that the facilities be oversized to meet the future needs.

In the case of meeting the needs of this property, looping the water system, the wider street, the larger sorm sewer, et cetera. Those oversizing requirements come into play when we look at the broader perspective rather than the individual development. The ordinances set forth a development requirement on the part of the owner, regardless of those. We pretty much dictate what is required of the developer including the oversizing. We have also gotten involved in latecomer's agreement, which over a period of time, be forgotten. They are extremely difficult to administer.

An area which I think would be a good one, would be to establish property credits on SDC's. An SDC credit of \$15,000 for initial development requirIf someone comes in and needs a 6" water line, we require 12" we calculate the difference in value between the 6 and 12 and establish an SDC credit for the property. An SDC credit of \$10,000 is given, they come in with an initial development and the development requires SDC's of \$15,000 instead of the \$15,000,

they only pay the difference -- \$5,000. It would stay with the property, encourages development of the property, and creates an equitable situation for the developer. Rather than being tied to a latecomer's agreement, or being strapped with the cost of oversizing that may be required...they get a long term benefit out of it in the process.

Burgin stated that the only fault with the theory is the time value of the money. 6-8 years prior to development. Wilder stated that is the same as with the Latecomer's Agreement, however.

Christian stated that the only other option is to have the money in cash (i.e., Escrow) so that it could earn interest at that time. The problem is finding a way to fund the project NOW. Whether we borrow money, sell bonds on behalf of the City only (going to a vote). We do not have the capital money to fund the oversizing that we would require. It is the only option, other than having the property owners fund it. They would be getting the benefit in the future of opening the property for development. There would be a loss in the long-term from future dollars versus actual dollars currently.

Bui asked if there was a recommendation from Staff. Wilder responded in this specific case (LID) it is recommended that SDC credit be applied due to the oversizing. Regarding an overall policy, time would need to be spent in discussing and weighing of all factors.

Wilder stated that this specific application, LID ordinance allows that type of flexibility. It is not setting policy in this particular case, it is just applying a method to deal with this particular situation.

Bui agreed that it had been a problem in the past. He asked that staff come back to Council with recommendations and alternatives for subsequent cases. On this particular issue, however, he felt that supporting the staff recommendation was in order.

Christian stated that when the assessment portion would be done, this could be addressed at that time. The meeting didn't have to be a decision point for this issue, it would be for discussion and making a policy at a later date.

Bui asked that the staff provide information necessary for other alternatives to this issue when it comes back to Council for review.

AGENDA ITEM 8 - AUDIT REPORT - Grant Thornton (8:06 p.m.)

Christian made the necessary introductions and stated that she, Bob Gazewood, and Neil would answer any questions or concerns Council had after the presentation.

Neil Erickson, Manager of Grant Thornton, presented the audit

report. There were two reports: Comprehensive Annual Financial Report for FY ending June 30, 1986, and a Performance Review. The Performance Report presented observations and comments for future benefits through improved operating results.

Erickson reviewed the contents of the Comprehensive Annual Financial Report by sections, giving a brief overview of each.

Mayor Cox thanked Bob Gazewood and his staff for the work done on the Audit.

Christian stated that at the next work session, a written work program addressing each concern that the audit report brought out and how to implement those suggested changes. That would allow Council to have in writing a response to those comments. She stated that a motion to accept the Audit Report, as given, was in order.

MOTION: Gault moved for the acceptance of the Reports as given.
Bui seconded the motion.

Bui - Yea; Burgin - Yea; Gault - Yea; Schmunk - Yea; Thalhofer -
Yea
YEAS: 5
NAYS: 0
ABSTAINED: 0

RECESS: 8:35 P.M.

RECONVENE: 8:55 P.M.

AGENDA ITEM 8: HISTORIC PRESERVATION - EDGEFIELD MANOR

Mayor Cox introduced County Commissioner, Polly Casterline. She introduced legal counsel for the board, Mr. Pete Kastings.

Polly Casterline stated that she was in attendance to listen to comments on the Edgefield Manor, ask a few questions and give information on the Manor to Council. July 15, 1986 correspondence to Pete Kastings, From F. Wayne George outlining the work needed to bring it to code. She stated that the age of the building and the codes in effect at the time of construction did not meet current code requirements. (Exhibit "F" in Council materials). She read some of the requirements for current code. The estimated cost would be \$2 million dollars. The maintenance cost for the Manor, as it is -- boarded up and left, is approximately \$25,000/year. Casterline stated that with the shrinking funds of the County, it isn't felt that putting \$2 million into the building with no determination of what use that the building is planned for...is the major questions. What plans for the building, other than a Historic designation.

Mayor Cox called for questions from Council.

Bui stated that he wanted to make it known, in his instance, there

was probably a conflict of interest since he is a member of the Board of the Troutdale Historical Society and in such a position, is responsible for policy and has had previous knowledge of the action that is before Council. He felt that he must abstain.

Jennings stated that was appropriate since it is a deliberative body and the body would be theoretically making a decision on a quasi-judicial matter to declare whether or not there are any conflicts of interest that occur on the deliberative body. The individual must make the decision whether or not to qualify or disqualify him/herself. For the record, however, the following Council members gave their standing with the issue.

Cox stated that he too would have to abstain on the basis of being President of the Historical Society and a member of the Board of Directors.

Thalhofer stated that he was a member of the Troutdale Historical Society, however, not a member of the Board and not in a policy making capacity.

Schmunk stated that she was a member of the Troutdale Historical Society, however, not a member of the Board.

Schmunk stated that there was not a price given to demolish the structure.

Casterline stated between \$25,000-50,000.

Burgin asked if there had been any type of potential resource for evaluation of the potential value of the site? He asked what research has the County invested in to determine what value?

Pete Kastings, Assistant Council Counsel, stated that whole question of whether to consider demolition of the Manor arose last summer, at that time the County Board of Commissioners had held hearings several times, and asked interested persons attending the hearing to go out and see if they could identify uses for perspective purchasers of that structure. The Board's hearing on the Manor was carried over several times, in all of the hearings, nobody was able to come up with a potential user for that structure. It wasn't the County trying to find someone interested, so much as it was interested persons trying to find someone in that structure.

Burgin stated that he didn't like that process. He felt the marketing was up to the owner of the property.

Kastings stated that the whole issue arises out of the context of the land use plan for the County Farm Property. Multnomah County has, for several years, been trying to develop a plan for better utilization of the property and in the course of developing the plan, consideration was given to the whole range of land use issues. A conclusion of the plan was to designate the portion of

the property that the Manor sits on for light industrial. He stated that the County went through a very lengthy process (2-3 years), and a fairly expensive process, determined that the most beneficial use of the property for the County for Troutdale was, light industrial.

Christian stated that her understanding was that Polly Casterline was just going to make a statement. She felt that we needed to follow the standard process of Staff Report, then proponents and opponents to comment. She stated that Council had a recommendation in the packet from the Planning Commission. A staff report from both the Planning Commission and related memorandums.

Samaan and Barker had prepared comments for Council. Samaan presented the staff report which began with slides of the site and structures on the property and gave background information.

Samaan explained Goal 5 requirements for historic preservation. This process involves three steps: Inventory, Conflicting Use Determination and Analysis, Conserving and Protecting the Resource. The Planning Commission has completed Step 1 which indicates that the Resource is significant based on information available. Samaan recommended that Council accept Planning Commission recommendation based on findings in the Staff Report.

However, Steps 2 and 3 must be completed before the HRD designation can be applied. Staff recommends that Council withhold HRD designation until Step 2 and Step 3 have been completed by the Planning Commission and returned to Council for deliberation.

Burgin asked Mitchoff, Planning Commission Chairman, to explain the mood of the Commission. Mitchoff stated they were split.

Schmunk asked if he felt that they had looked at the economic impacts? Mitchoff replied, no.

Mitchoff then stated that yes, they look at the economic impact, however, being advised by Council they disregarded economic impact as not being a part of their criteria for the particular item that they were looking at.

Thalhofer stated that was correct. Planning Commission isn't suppose to in consideration of Step 1.

Cox called for further questions. There were none.

Christian stated that following the public hearing process would be in order.

Jennings stated that Council would also have to consider. The process was initiated by an application for a designation as a historical resource district. The City ordinance provides that the Council, within 45 days from the time the Council receives the Planning Commission recommendation, to make a final decision on

the application. In consideration on the decision and taking into account that the matter may have to go to DLCD there are only 45 days to wrap this item up under any circumstances. There is a tremendous time constraint. He stated that these time constraints have been imposed upon City by DLCD through their additional request of things to do. He doesn't know how workable the ordinance is in reality. We will be going back to Planning Commission asking them to do some extensive analysis very quickly report back to Council -- within the 45 day period.

Jennings stated that essentially what will happen is if the time constraint is not met, the application must fail and an opponent to the application can ask Council to deny the application if it goes beyond the 45 day period before this body. Since the application came in under the old ordinance. The new ordinance, in effect now, does not have that specific time limit in it. However, the State Statutes require that action be taken on zoning applications within 120 days from the time the application is complete. This application was filed in July, 1986 which would mean that we are beyond the 120 days period. We are operating under the old ordinance for purposes of this hearing and for purposes of the application since it started under that process. We can't change procedures on an applicant halfway through. In the future, we would be operating under the new ordinance which has different requirements.

Samaan asked Counsel to address the provision in the HR district in the ordinance which states ...once a structure that is on a list is threatened by the demolition, the process must be completed before a demolition permit is issued.

Jennings, it states ...as long as an application is pending. The application would not be pending at such time as the Council either approves or disapproves of this, or at such time as an opponent or proponent brings a motion before the Council to dismiss it for failure to act within the 45 day period. At the end of the 45 day period, if someone cared to bring a motion to Council at the next regular session, moving to dismiss this, Council wouldn't have any options one way or the other.

Mayor Cox called for proponent comments:

Proponent:

Sharon Nesbit, Historian of the Troutdale Historical Society spoke to the issue. She stated that Multnomah County had proposed to tear down a building without giving any thought to whether or not, in fact, it was a historic building. To determine whether it was historic was to file an application with the State Historic Preservation Office to determine eligibility for the building to be on the National Register. It does not have to be on the National Register to be on Troutdale Historical Society...if it is, however, it means that it not only has the City's significance, and County significance but, Statewide significance. The process of application was lengthy. A letter was received

stating that it was eligible for the National Register as a complex and building that has served a distinct social purpose that was significant throughout the state for a period of more than 40 years.

We then proceeded to the Planning Commission, asking for the Historic Resource District process which is not before you. She stated that the Troutdale Historical Society has proved beyond all doubt that it is a historic structure. She felt that the County has chosen to ignore that, ignore the State law that requires them to inventory historic buildings. They have not included it on any specific inventory in regard to historic structures. That does not mean that the City of Troutdale shouldn't follow Goal 5 of LCDC, which does call for going through a process on historic buildings. She stated that 'due process' should be met and was not asking to have the structure brought up to code. There may be a corporate headquarter or an individual that would see the advantages of rehabilitation of historic buildings which can have a consider tax incentive for owners. They would like to see Edgefield Manor "preserved and pickled" only until the land was sold and the new owner could make the decision regarding the structure value.

Robert Sturgis, citizen, stated that his property bordered the site and felt that had been mismanaged for 34 years. Mr. Staley, architect, has viewed the building, it is structurally sound and had a great deal of potential. The owner should make the decision, not the County.

Cox called for any further proponent comments. There were none.

Opponent:

Pete Kasting, Assistant Multnomah County Counsel, stated that under our Zoning ordinance there were 45 days and there were 3 options: 1. approve the application in whole; 2. approval in part; 3. by motion to dismiss the application. One of the issues discussed was to what economics of the situation are an issue? The Planning Director's discussion -- Goal 5 process -- emphasizes the fact that economics are an issue. Under Step 2 of the process 1. identify uses, ESEE analysis (which includes economics). Step 2 and 3 haven't yet been completed and there is the 45 day deadline to complete this. In Goal 5 reference to Section 10.065.04 Sub C are use considerations which are issues to be considered for a determination of historic resource meriting protection under City code. The structure can be adapted to a new use is part of the criteria, without harm to those architectural elements which contribute to its significance.

The County has maintained that this approval criteria itself refers to economic issues. What is meant by 'Can be adapted to a new use'. County believes it to mean economically feasible to convert to a new use. If the owner can get an economic return by moving it to a new use. That interpretation is consistent with the language. If not, nobody so far has suggested an alternative interpretation. The County feels that the advise Jennings gave to

Wilder in a memo July 15, 1986, ...However, there must be a hearing and factfinding body which determines that the value of historic preservation outweighs the economic and social impact of the zone designation on the owner. Again, the question is: Whether the owner can adapt it to some new use. The County feels can it be adapted in some economical way to a new use. The issue of economical beneficial use of the property needs to be identified. There is no evidence in the record showing that there is an economically beneficial use of that structure for Multnomah County. This needs to be found, under the provisions of the City's ordinance.

Thalhofer asked if before moving ahead (Step 1 Goal 5) the economics of the situation needed to be done?

Kastings stated that it was the most plausible method considering the interpretation of our zoning language. Criteria and standards determine whether it merits the designation of a historic resource.

Jennings stated that Goal 5 would need interpretation by DLCD. Council can either approve or disapprove the Planning Commission recommendation. Saying yes presupposes that there would be problems with DLCD because we have not gone to the other steps and forwarded that on to them for approval. Saying no stops the process right now. In making a decision whether to say yes, or no. Council has to follow, according to ordinance, the same criteria that the Planning Commission followed. Listed in Staff Report-application. The 3rd option available: leaning toward yes, but want to make sure Planning Commission does everything that DLCD demands be done is to accept the recommendation in part saying it if apparently found this to be at a 1C category - go back to Planning Commission and review 2 and 3, if necessary and return to Council a recommendation concerning 2 and 3.

(Tape 7)

Further options were discussed among legal Counsel and City Council members.

Mitchoff: Planning Commission Chairman, stated that the request was put to the Planning Commission as a group of buildings. If Council wished to section out the buildings, the Planning Commission would do so. Mitchoff stated that the land was not historically valued -- only the buildings.

Schmunk stated that she questioned the ability of Council to make a decision declaring the structure an historic resource district and putting several constraints on the property. She stated that some of the buildings are in such bad array 7 structures are being considered. She felt that this was asking far too much of the County.

Kastings stated that if someone else owned the property, and it make be historic and it may be falling down but you would be

telling the property owner that even though the house is falling down, and you can't sell the property with it sitting there, and you can't use it -- you will have to pickle it, spend money in the pickling process until something happens down the road. A hardship permit would be requested at a later time.

Schmunk also felt that if the application were sent back to the Planning Commission, Council would be asking staff for a quite extensive process. She didn't feel that some of the buildings were worth it.

Thalhofer asked if Council could accept the 1C category that Edgefield Manor is historically significant, and then refer to Planning Commission for steps 2 and 3 -- do we have the time and resources to do all of that in a 45 day period?

Christian stated that from the staff aspect, part of it can be done. There are parts of the process that we would need the expertise (economic analyses, feasibility) - no.

Thalhofer asked if the City of Troutdale could get that done in 45 days, somehow? Staff or whatever means.

Christian stated that a consultant could be commissioned to do that. The problem would be the money - if Council wanted to drop something out of the work program that would be their choice. This has been the concern throughout the process, what happens when we get to step 2? Who is required to do that process? City Staff? A considerable amount of time and effort would be required to develop that type of staff report, when there is basically 1 person to do that. The detriment of all other projects that are set out is a concern.

Burgin stated that he agreed with Thalhofer's direction. Step 2 and 3 need to be carried through. A challenge could certainly be expected. However, the second part of Thalhofer's request, whether or not it can be done in 45 days...as a City, there is a responsibility if there is a proposal before Council that conforms and addresses with something in the ordinance, he didn't feel that the issue of money to look into it was the issue.

Council discussion ensued.

Thalhofer stated that his concern was related to the time factor.

Wilder stated that he felt a consultant would have to be hired for a good portion of it -- his guess would be greater than \$5,000. to do that and maybe closer to \$9,000 to have a thorough and complete economic analysis done within that time frame.

Christian asked Wayne George how much the analysis of compatability of uses that was done - ECO's first report was \$10,000 and could not recall the second analysis cost, which the County paid for. Whether or not it could be relevant to this need.

Schmunk stated that the building, the ages of the building and the life spans of the building would be included in the report.

Burgin stated that the determination couldn't be made by stating that it is not historically significant, because it is not economically viable.

Kastings felt that there wasn't sufficient evidence entered to satisfy the standard contained in Section 10.065.04C

MOTION: Thalhofer moved that the Edgefield Manor be found as historically significant and that this is in the 1C category and the application be referred back to Planning Commission for completion of Steps 2 and 3. Burgin seconded the motion.

Discussion:

*Included Edgefield Manor and all associated structures.

Thalhofer asked to hear as to the importance of the other structures separate from the Manor.

Nesbit stated that information from the State Historic Preservation Office regards the building as a complex. An ensemble of a complex.

Mitchoff stated that the application was put to them as a heap of buildings. If Council wished Planning Commission to section out the buildings, they would do so.

Further discussion ensued. (Tape 7/8)

A point of clarification regarding grounds and buildings...The overlay would be applied to the structures only.

Kastings discussed the process of the ESEE analysis and theoretically the decision is to apply the overlay district. Once done, the County, under our ordinance is allowed to come in and make application for a Hardship Permit. That would allow us to come in stating that County has the building, can't use it for anything, its a liability to the County, it will cost money to sit there, it is a hardship on the taxpayers of Multnomah County -- and ask for a permit to demolish it. That is a possible scenario. He felt that he should raise this issue prior to making a commitment to spending resources on doing the ESEE study.

Nesbit stated that her understanding was a hardship permit couldn't be applied for until after the zone change is in place.

Kastings stated that was correct, but after the process they

could.

Nesbit agreed that then that was possible.

Thalhofer stated that we needed to take it one step at a time.

Cox called for further comment. There was none.

YEAS: 2

NAYS: 2

ABSTAINED: 1

Bui - Abstained; Burgin - Yea; Gault - Nay; Schmunk - Nay;
Thalhofer - Yea

Motion failed for lack of majority.

MOTION: Burgin moved to accept the Planning Commission's designation of 1C and add that at the February 10, 1987 City Council meeting act in deliberative way to consider the ESEE conflicting uses and make a determination. Thalhofer seconded the motion.

Discussion.

YEAS: 2

NAYS: 2

ABSTAINED: 1

Bui - Abstained; Burgin - Yea; Gault - Nay; Schmunk - Nay;
Thalhofer - Yea

Motion failed for lack of majority.

Burgin stated that he didn't want to amend the application as presented.

Discussion ensued regarding the related structures and which structure(s) should or should not be peeled off until the main building is the only structure remaining.

Discussion ensued regarding whether or not these decisions should be done at Step 2 instead.

Thalhofer felt that Council had a responsibility to see that this didn't die.

MOTION: Burgin moved to table this item until adequate information from the applicant is received on the additional structures.

Motion died for the lack of a second.

MOTION: Thalhofer moved that Edgefield Manor be classified as historically significant site and 1C designation including six buildings excluding the duplex and that the matter be referred to the Planning Commission for completion of steps 2 and 3 according to the process. Burgin seconded the motion.

Cox called for discussion.

YEAS: 2

NAYS: 2

ABSTAINED: 1

Bui - Abstained; Burgin - Yea; Gault - Nay; Schmunk - Nay;
Thalhofer - Yea

Motion failed for lack of majority.

Christian stated that the problem did not appear to be the historical significance of it. The timeframe of the application and the ordinance in affect at the time, the lack of appropriate process approved by LCDC (which we'll be challenged for regardless), and the agreement by everybody that there should be more information available to you, as decisionmaking body, as to the economic benefit, social value - the whole evaluation process. Staff could probably give more information in that regard, than the Historical Society will develop on each piece of the house. That same type of evaluation will have to be done again whether buildings or added/subtracted or not. We will be challenged regardless of what is done.

Discussion ensued.

Samaan stated that the determination of how many buildings was not an issue at this time. The evaluation process will address that.

Christian stated the question was is there enough evidence before you to make the final evaluation to set up a whole preservation process for the buildings.

Thalhofer stated that he understood that the Planning Commission could come back and state they don't want any of it...on the basics of economics of it. The motion is are we or are we not going to declare this historically significant and get on with the process. There is a process established for this and we are trying to follow it. There are historical buildings in this country. There is a process for preserving them..perhaps. For posterity, I think we need to preserve historical structures, buildings, et cetera. I'm hearing about money here. This is important to Troutdale and the Troutdale area.

Christian stated that if Council directs the evaluation to be done, we will do it. We are bound to do it. Whatever decision is made, if the effort is put into it, lets look into all of the issues and Council feels comfortable if the need to challenge your decision arises. An ordinance was in effect when the application was made, however, there is another ordinance in place now. That raises legislative questions.

Burgin stated that if points 2 and 3 are followed within a 45 day limit, the bases will be covered. He felt there was adequate information on the historical value of buildings. He didn't have adequate information on the economic, social, environmental and

energy issues.

MOTION: Burgin moved to accept the recommendation of the Planning Commission to designate the Manor anseble as a 1C designation and refer it back to the Planning Commission for steps 2 and 3.

YEAS: 3
NAYS: 1
ABSTAINED: 1

Bui - Abstained; Burgin - Yea; Gault - Yea; Schmunk - Nay; Thalhofer - Yea

MOTION: Burgin moved to table the balance of the agenda items in light of the hour.

AGENDA ITEM 10: Ordinance - Forfeiture

Cox read by title the ordinance.

Schmunk: JPAC Woidyla was the representative. The position is now open since he is no longer Mayor or Fairview. The person serving on JPAC should also be a member of the East County Transportation Committee - this should be a part of the bylaws. She stated that she needed a motion from Council accepting this.

To facilitate a unified voice for East County on transportation issues to the region the representative to the regional committee Joint Policy Advisory Committee on transportation should be a designated member on the East Multnomah County Transportation Committee for that district.

Unanimous decision YEAS: 5

Thalhofer: Asked for a comment from Counsel regarding abstentions.

Jennings: They can step down and speak from the audience, however, they cannot vote.

MOTION: Bui moved to adjourn. Gault seconded the motion.

YEAS: 5
NAYS: 0
ABSTAINED: 0

Bui - Yea; Burgin - Yea; Gault - Yea; Schmunk - Yea; Thalhofer - Yea

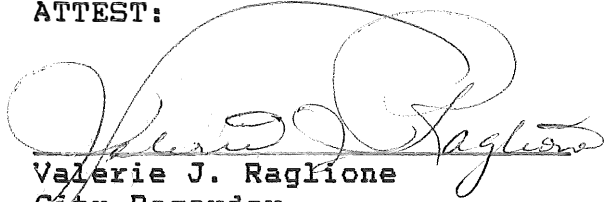
The meeting adjourned at 10:55 p.m.



Sam K. Cox, Mayor

Dated: January 28, 1987

ATTEST:

A large, stylized handwritten signature in cursive script, appearing to read 'Valerie J. Raglione', is written over a horizontal line.

Valerie J. Raglione
City Recorder

26:35