

CITY OF TROUTDALE

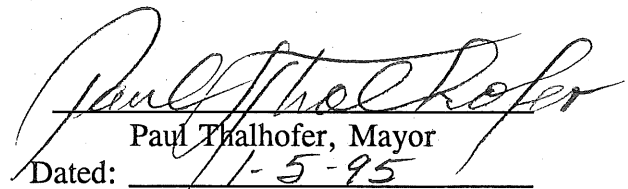
AGENDA

**TROUTDALE CITY COUNCIL - REGULAR MEETING
COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099**

7:00 P.M. -- January 10, 1995

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. OATHS OF OFFICE: Judge Ray Young
Paul Thalhofer, Mayor
Pat Smith, Council Position #1
Bruce Thompson, Council Position #3
Don Lloyd, Council Position #5
- 2.1 ELECTION OF COUNCIL PRESIDENT
- (I) 3. DISCUSSION: Charter Requirements for Council Votes. Sercombe
- (A) 4. CONSENT AGENDA:
4.1 Accept Minutes - Regular Session - 9/27, 10/11, & 10/25.
4.2 Business Licenses - Month of December, 1994.
4.3 Resolution - A Resolution Recognizing the completion of the Public Facilities in Sweetbriar Meadows Phase III Subdivision and Accepting them into the City's System as a Fixed Asset. Galloway
4.4 Resolution: A Resolution Adopting an Intergovernmental Agreement Between the City of Troutdale and Metro Allocating \$3,361.00 of Metro Challenge Grant Funds to Troutdale to Implement Activities Specified in the Troutdale 1994-95 Annual Waste Reduction Plan. Galloway
- (I) 5. COMMENDATIONS, AWARDS, AND PROCLAMATIONS:
5.1 Recognition - Marge Schmunk. Mayor Thalhofer
- (I) 6. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 7. APPOINTMENT: Marge Schmunk to Mt. Hood Parkway Citizen Advisory Committee. Mayor Thalhofer
- (A) 8. RESOLUTION: A Resolution Authorizing the Mayor to Enter into an Agreement with Multnomah County for Roads Transfer. Galloway

- (I) 9. PRESENTATION: A Status Report Concerning the Proposed Mt. Hood Parkway. Galloway
- (I) 10. PRESENTATION: Troutdale Chamber of Commerce Up-date.
- (A) 11. PUBLIC HEARING: A Public Hearing on an Appeal of a Planning Commission Decision - Tentative Plat File #94-047, Sedona Park. Barker
- (A) 12. PUBLIC HEARING\ORDINANCE: An Ordinance Amending the Troutdale Municipal Code, Chapter 2.52, Disposition of Personal Property. FIRST READING Berrest
- (A) 13. PUBLIC HEARING\ORDINANCE: An Ordinance Amending the Troutdale Municipal Code, Chapter 8.12, Burglary and Robbery Alarms, and Declaring an Emergency. FIRST READING Berrest
- (A) 14. RESOLUTION: A Resolution Authorizing the Police Department to Enter into an Agreement with the Multnomah County Sheriff's Office for a Joint Special Investigations Unit. Berrest
- (I) 15. DEPARTMENT REPORTS:
- | | |
|----------------------------|-----------|
| 15.1 Finance | Gazewood |
| 15.2 Public Safety | Berrest |
| 15.3 Community Development | Faith |
| 15.4 Public Works | Galloway |
| 15.5 City Attorney | Sercombe |
| 15.6 Executive | Christian |
- (I) 16. COUNCIL CONCERNS AND INITIATIVES
- (A) 17. ADJOURNMENT.


 Paul Thalhofer, Mayor
 Dated: 1-5-95

Minutes
Troutdale City Council Regular Meeting
Troutdale City Hall
Council Chambers
104 SE Kibling Avenue
Troutdale, Oregon 97060-2099

January 10, 1995

I. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer called the meeting to order at 7:00 p.m. and called on Councilor Kight to lead the Pledge of Allegiance.

City Recorder Martinez called the roll.

PRESENT: Thalhofer, Schmunk, Ripma (7:14), Thompson, Kight, Lloyd, Burger-Kimber

STAFF: Berrest, Christian, Faith, Galloway, Gazewood, Lantz, Martinez, Sercombe

GUESTS: Attendance Record Attached

Christian stated that the October minutes are not ready at this time.

4. **CONSENT AGENDA:** 4.1 Accept Minutes - Regular Sessions 9/27, 10/11, & 10/25; 4.2 Accept Business Licenses - Month of December 1994; 4.3 **RESOLUTION:** A Resolution Recognizing the completion of the Public Facilities in Sweetbriar Meadows Phase III Subdivision and Accepting them into the City's System as a Fixed Asset.; 4.4 **RESOLUTION:** A Resolution Adopting an Intergovernmental Agreement Between the City of Troutdale and Metro Allocating \$3,361.00 of Metro Challenge Grant Funds to Troutdale to Implement Activities Specified in the Troutdale 1994-95 Annual Waste Reduction Plan.

Mayor Thalsofer called this item.

MOTION: Councilor Thompson moved to approve the consent agenda minus the October Minutes. Councilor Kight seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

2. OATHS OF OFFICE:
Paul Thalsofer, Mayor
Pat Smith, Council Position #1
Bruce Thompson, Council Position #3
Don Lloyd, Council Position #5

2.1 - ELECTION OF COUNCIL PRESIDENT

Mayor Thalsofer called this item.

Judge Raymond Young administered the Oaths of Office to Paul Thalsofer, Pat Smith, Bruce Thompson, and Don Lloyd.

Mayor Thalsofer postponed item 2.1 until Councilor Ripma arrived.

3. DISCUSSION: Charter Requirements for Council Vote.

Mayor Thalsofer called this item.

Sercombe briefed the council on the requirements of the newly adopted charter - Mayor votes, Mayor's Term, Executive Powers, Filing Vacancies, and the Ordinance Adoption Process.

5. COMMENDATIONS, AWARDS, AND PROCLAMATIONS:
5.1 Recognition - Marge Schmunk

Mayor Thalhoffer called this item and stated that Marge Schmunk has given the City of Troutdale 19 years of dedicated service on the Planning Commission and City Council.

Mayor Thalhoffer presented Marge Schmunk with a plaque recognizing her service to the city.

Schmunk thanked her family for all of the support over the 19 years and again thanked the staff and council and wished Councilor Smith luck.

Councilor Thompson presented Schmunk with a Clock on behalf of the Council, Staff and City.

Christian presented Schmunk with a dozen roses.

Schmunk stated it has been very rewarding and she would not be able to say enough about all of the people she has worked with over the years.

2.1 ELECTION OF COUNCIL PRESIDENT

Mayor Thalhoffer called this item.

NOMINATION: Councilor Lloyd nominated Councilor Thompson. Councilor Kight seconded the nomination.

MOTION: Councilor Ripma moved to close the nominations. Councilor Burger-Kimber seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

Mayor Thalhoffer stated that Councilor Thompson would be Council President.

6. PUBLIC COMMENT:

Mayor Thalsofer called this item.

Richard Brown, S.E. Evans, thanked the city for the stop signs placed in his neighborhood.

7. APPOINTMENT: Marge Schmunk to the Mt. Hood Parkway Citizen Advisory Committee.

Mayor Thalsofer called this item and stated he would like to appoint Marge Schmunk to the Mt. Hood Parkway Citizen Advisory Committee as the City's representative unless there are any objections.

There were no objections.

8. RESOLUTION: A Resolution Authorizing the Mayor to Enter into an Agreement with Multnomah County for Roads Transfer.

Mayor Thalsofer called this item.

Galloway stated this was received late but it is before council for information and if desired staff will come back at the next meeting with a staff report and resolution. As identified in the information there would three sections road that would be transferred to the city, Dunbar, Harlow Place and a section of N.W. Graham.

Schmunk stated this is part of the work that has been going on for a long time with the roads, we are working towards interjurisdictional cooperation and this is just one step.

Council directed staff to come back at the next meeting with a resolution.

9. PRESENTATION: A Status Report Concerning the Proposed Mt. Hood Parkway.

Mayor Thalsofer called this item.

Galloway stated, at the last council meeting there was discussion on the activity surrounding the preparation of the EIS for the Mt. Hood Parkway, concern was expressed on the way the contractor working for ODOT was gathering data needed for EIS. At your request Dave

Simpson and Jodi Fischer of ODOT are here tonight to update you on the project.

Mayor Thalhoffer set guidelines for the presentation, - presentation, council questions, citizens questions. This is an emotional issue but lets stay within these guidelines and keep this a productive meeting. The city of Troutdale has made our position clear in 1987 that we are adamantly opposed to a parkway going through the city as is outlined in this plan, we have not changed our position.

Simpson stated that three options are being studied, Troutdale route, Hogan route, and no build, we do not favor one over the other at this point. We will continue to study all three because we do not have any reasonable justification to through it out, that is the reason for the EIS. The position of the city has always been clear, and that will have a large effect on the decision process, but we still need to study the route to stay within the federal guidelines. We have spent about six years studying the two alternatives, we have to look at all of the issues, effects on residents, environmental, habitat & wildlife, etc. There are about twelve reports that make up the EIS and this is what generates the types of questions that the consultant asks. We hope to have the EIS complete in about a year and at that time we will put it out for public review, and after a couple of months start holding public hearings to gather formal testimony to base our decisions on. We will develop our recommendation and take it back to the all of the jurisdictions' councils and commissions and at that point all of those bodies will have to agree on one single alternative. If we can not all agree on one thing we will go to additional efforts and if we still don't all agree it could mean that we don't ever build anything. We are hoping that our decision will be finalized about July of 1996.

Mayor Thalhoffer stated that the first time you were here you said if the city objected than it would not be built, is that still true.

Simpson stated, I would say so. I have heard that there is some legislation that says if the regional government, in this case METRO, thinks that it is the best alternative than the local government will have to go along with it, but I can't see ODOT doing something like that, spending this kind of money to build something that the community doesn't want. While given this it may seem ridicules to study this route, but legally we can not through it out at this point. If the councils opinion is the same at the public hearings than I would say that it probably would not be built, but I am not the final authority.

Councilor Kight asked if ODOT has built inspire of what the community wanted before?

Simpson stated, not that I am aware of, I have been with them since 1982, maybe before.

Councilor Ripma voiced concerns about the way the survey was handled in Troutdale, they were rude, not informed about the route, etc., is this the usual way it is done?

Simpson stated, this was a new consultant, they were rushed and inexperienced, the method was a little more blunt than usual. I understood that they handed out maps and other information with my name and number on it. We will probably be sending a follow up letter to the people that were contacted.

Councilor Thompson, asked if Metro says go on the Troutdale route, now the city no longer has veto power?

Simpson stated, ODOT is still the lead agency on the project and I don't see us building if the community is not in favor of it.

Councilor Thompson stated that this is contributing to waste in government, if it is not going to be built than why keep studying it?

Simpson stated that if we don't than we could pick another route do all of the work involved and it could all be wasted because we did not study other alternatives, we are required to study the two routes by law. The rules are clear, you can not through a route out at this point because a political objection. We will end up in court if we don't follow these regulations. I agree with you as a person but as the lead on the project I must follow the regulations. Originally we planned on building by now but the new date is 2001.

Councilor Kight asked how much has been spent to date? and how much is this current study costing?

Simpson stated about 1.1 million to date, the EIS will cost about 1.4 million to be completely finished. In the past the preliminary engineering on a project is about 1-5% of the total cost of the project, on this project we are at about 1% now which is good, normally about 10% is normal now.

Councilor Burger-Kimber voiced concerns about the city not being notified about the material that was being distributed, no chance to review or comment to our citizens. Could we include our position with your follow up letter?

Simpson stated, not sure if that would be some sort of conflict or something, but I agree with you, you should have been notified.

Christian asked if the city could get a copy of the mailing list that is used so the city could send a letter to the same people?

Simpson stated that he will look into it, there shouldn't be a problem.

Fischer stated that what ever we send out next time we will sit down with the staff to avoid this type of situation again, we were all surprised by this.
Council discussed this issue.

Mayor Thalhoffer stated that the city will fight this all of the way.

Simpson stated that he believes that Metro is supporting the Hogan route.

Councilor Kight & Thompson voiced concerns on the problems this is creating for the citizens, this is placing a cloud on their property, prepare documentation on the positions of Troutdale & Metro, Etc.

Fischer stated that it would be looked into, usually ODOT builds in more rural areas and this is not such a problem.

Councilor Burger-Kimber asked what will happen if the EIS picks the Troutdale route?

Simpson stated that the EIS doesn't choose one route over the other, if just studies the impacts the route would have.

The recommendations and involvement of the TAC and CAC were discussed, Councilor Ripma felt that both committees voted to drop this route in 1989. Simpson felt that the TAC voted to continue studying it.

Councilor Ripma asked for a name of someone who has the authority to stop the studying of the route.

Simpson stated that there is no one who can authorize that unless the hole project is cancelled. Bruce Warren, the region manager, would have the authority to drop the entire project, but he would not drop this route because he knows that would open us up for a law suit.

Tom Davis, 505 SW 27th Way, became American citizen on March 25th, very proud of that,

the council has told you that they don't want you to do this & the people in Gresham have told you they do want you to do something, and ODOT just keeps doing what they want, and as an American citizen that is appealing. Why are we just now finding out about this, why not before we bought the home. Not many people here have been notified.

Simpson stated ODOT has been distributing information throughout the project to every mail box in the area.

Fischer stated that no matter how much information we send out it is never enough, this area is growing so fast, we have sent 7 newsletters and 2 tabloids to every mail box with a Troutdale, Gresham, Fairview, or Wood Village zip code. If your are like me than you probably dismissed them as junk mail. I am open for suggestions in this area.

Davis asked about the Greenway and Cemetery, where my son is buried, what is going to happen with them if this goes through?.

Simpson stated that is part of what the EIS is looking at.

Davis asked what market value of the property means, does that guarantee that we will get the same interest rates?

Simpson stated that he is not sure, they may have to pay more based on the fact that it is an economic effect, I have heard that they have to make sure that the property owner has no net loss.

Davis asked what is the number for Bruce Warren?

Simpson stated the Main Region number is 731-8200 & the Right of Way number is 229-6588.

Fischer stated that ODOT is getting a bad rap over this, citizens drive what we do, they say do something and we study it. A group of folks in this area started this hole thing, they asked us to study this area because they felt if something was not done then this area would turn into the next Beaverton. If you look at the growth in this area something needs to be done.

Max Maydew, asked, on page 3 of this newsletter it says that it will not be built without local consensus, what does that mean?

Simpson stated, it means that we have to make our selection based on what we feel we heard at the public hearings, and if we get that wrong I doubt that we will get a resolution of support from the jurisdiction, and that is very important to us.

Maydew, asked, if Troutdale doesn't support this route does that mean the whole project is dead?

Simpson, stated we would work a little longer to see if there is anything we could do, and if not we may have to cancel the project. If there is no consensus there is a very good possibility that we will go with the no build option. The five groups that need to agree are Troutdale, Gresham Wood Village, M/C and Metro.

Dave Cauldwell, 520 SE 15th, representing the Friends of Beaver Creek, stated, we support the council's position because of the Impact on Beaver Creek.

Simpson stated, environmental impacts are one of our major concerns, CH2M Hill will be studying those impacts.

Leslie Daoust 2725 SW Hope Circle, stated, I hope you are listening to us, we are not changing our minds, common sense say's it should be on Hogan to serve everyone better. Everyone is here tonight telling you the same thing.

Simpson stated, we hear you but you also need to attend the public hearings that will be held.

Nancy Poleum 4014 SE 30th Court, asked why the council has not notified the people who are moving into these homes that are right in the proposed route, why don't you disclose this to us?

Councilor Thompson stated, the developers can build where ever they want, there is no mechanism to stop the development.

Poleum stated that it would be the right and just thing to do for the council to notify the prospective buyers.

Councilor Thompson stated that as far as we are concerned it is not going to be built, we didn't think it was even going to get this far.

Poleum stated that is sticking your head in the sand, you should've notified us.

Councilor Ripma stated that the owners of the property would be very upset if we were to do that. This is not going to happen.

Council discussed notifying prospective property owners and the impacts it would have on the people selling the property.

Henry Wilson 324 SW 24th Court, councilor Kights' suggestion about a packet of letters is excellent, what about a legal opinion from the city attorney regarding the force of the council and the citizens with regard to the opposition of Metro overriding us. What if we file a class action law suit will that get anybody's attention?

Simpson stated, I don't know, we are trying to avoid a law suit by what we are doing, we have to follow all of the rules and regulations. We were asked by the jurisdictions to study a connection from I-84 to Highway 26, that is are main interest in this project, nothing more, we are not pushing this.

Chuck Michelle 2744 SW Clara Court, we have been harmed badly economically by this cloud over our property, it is worth nothing at this point as I see it. The only way to make us whole at this point is to force the issue, it must be stopped, so of the property owners can't wait until this is resolved, some are retiring and were planning on selling their property to support them through retirement. I don't plan on moving but some of the people are and you have taken their rights away from them. The letters are good, the legal document is good, but this needs to be cleared up before 1996 or it will be irreparable damage. The council needs to get this route off of the plan so we can go on with our lives. It is going to happen in time but some of us do not have the luxury of that time.

Mayor Thalhofer stated we will do everything we can.

Jeff Knox 2808 Corbeth Lane, just for clarification before everybody calls their local title insurance company, I work for one of those companies. The title insurance industry is not obligated to disclose something that is not of public record, it can be discussed but it is not happening the title insurance does not cover that. I believe that on the Sellers Disclosure Statement, the seller must affirm that there is a governmental survey that may affect my property.

Councilor Thompson asked how long has that been part of the law?

Knox stated, I believe it was just recent, January 1, 1994.

Gail Ashenburner, 1245 SE Evans, stated ODOT should keep the Troutdale Route in the plan but stop any further research on it, just note in the plan that Troutdale opposed it and stop.

Kevin Urall, 2127 Fox Ct., asked about the homes that would not be disturbed but are right next to the freeway, it will drop the property value, will we be made economically whole? What kind of effect will McIntires' initiative have on the Hogan Route?

Simpson stated, it probably won't have any effect because it will have to stand up in court if it passes and I am not sure that it will. The effect that the roadway has on the adjacent property owners will be looked at, but if the property is still buildable then there are alternatives like noise walls, etc. but it does not have to be purchased.

Julie Ramset 321 SW 28th Court, it is hard to believe that this has been going on for six years and this is the first I have heard of it, I am a new resident but it is hard to believe the council at some point has not used some of its' power to interview in this. You should have done something years ago to have answers for the citizens that are sitting here.

The council discussed the issue and stated that from day one they did not want the parkway and will be doing everything in its' power to stop it, and are sorry for the problems this has caused. Will keep the citizens informed of the upcoming public hearings on this matter.

The council took a break at 9:25 p.m. and reconvened at 9:37 p.m.

10. PRESENTATION: Troutdale Chamber of Commerce Up-date.

Mayor Thalsofer called this item.

Stan Hymel 1646 SE Beaver Creek, Chamber Vice President, The visitor center has seen over 2,300 visitors from fifty different states and 17 countries, with average time of 5 minutes spent with each visitor, have given local directions and information to over 163 people and sent out over 80 requests for information on the area, etc.

Councilor Lloyd stated that reason for the update is that it is called for in the service agreement, the chamber has been very active.

11. PUBLIC HEARING: A Public Hearing on an Appeal of a Planning Commission Decision - Tentative Plat File #94-047, Sedona Park.

Mayor Thalsofer recessed the council meeting and opened the public hearing at 9:43 and read the legal process to be followed and stated that it will be a denovo hearing.

Councilor Kight stated that he had spoke with Patti Polly and Ray Ragalien.

Councilor Burger-Kimber stated that she had spoke with Bob Sturgess and Dave Salesky.

Councilor Ripma stated that he spoke with Bob Sturgess.

None of the councilors felt that the Ex-Parte Contact would influence their decision on this matter.

Barker stated that at the Planning Commission Hearing three property owners testified, five testified total, and two have submitted an appeal to that P.C. decision. The appeal was based on four specific criteria, 1. Lift Station vs. Gravity Sewer Connection, 2. Half Street Improvements, 3. Two points of access for emergency vehicles, 4. Zoning of the property. The Council decided to hold this hearing denovo, to enable all effected property owners to testify. The criteria to be used for making a decision is based on the Comprehensive Plan, The Capitol Improvement Program, Compliance with the Public Hearing Procedures, and Compliance with the requirements of Chapter 3 which is the Zoning District Standards, and Chapter 7 which is Land Division Standards, and the Public Deliberation Process. This is a 9 acre site on Sturgess Drive and 257th. To the South is Columbia Crest Subdivision, North is the M/C Correctional Facility, and the rest is Multi-Commercial, across the street is zoned R-4 with two MfG. Home parks, and Duplexes. Sedona Park zoning is R-4, minimum of 4,000 sf lots, the developer proposes lot sizes of 5,787 sf average, they meet all requirements. Based on the evaluation of this proposal it is in conformance with the Troutdale Development Code. It also in conformance with the general intent and policy of the Comprehensive Land use Plan. It has no flood planes or wetlands, no significant environmental concerns. It is located on what will be a collector street, 4,000 to 10,000 cars per day at full build out of the city. This proposed use is the lowest density of the options available. We tried to bring this into conformance with the new Transportation Planning rule, Goal 12, as much as possible, we will be adopting our standards soon. We did require an adjustment of the access point so as not to impede access to 257th. One of the concerns raised was that R-4 zoning allowed to small of lots. Sturgess and Salesky raised a concern over the lift station that will need to be maintained by the city, they would like to see a

gravity feed sewer line, and that is being looked at if it is available. The third item is half street improvements on Sturgess Drive, when Columbia Crest was built the P.C. required that the developer do full street improvements for the first 200 feet to provide a good turning point off of 257th, they were also required to participate in the cost of the signalized intersection. This developer will be required to do half street improvements, a sidewalk, half the width of the paved area over to and two feet past the crown, this will provide two complete lanes of travel.

Councilor Kight asked if parking would be allowed on the street?

Barker stated, it is a 60 foot right of way, with half street there would be no parking, but when it is completed there is a possibility of parking on one or both sides. A typical subdivision street is about 28 ft with parking on both sides and this will be 21 ft with no parking. There will be two travel lanes, it could be striped to designate the lanes. Past the paving would just be unimproved.

Councilor Ripma asked who would do the other half of the street since the other side is developed? What about full street half the way?

Barker stated that it would be added to the city's capital improvement program as part of the system improvement that benefits a wide area of Troutdale. The half street would allow for this subdivision to be complete with curbs and sidewalks all along the back of the property. The last item that was raised as an appeal issue was the fire department request for two points of access, which there are, one is off of Sturgess and the other is a stub street to the West, the fire department is satisfied with this. The applicant has submitted a report from a traffic engineer that states that one point of access is more than adequate to serve 51 homes.

Randy Clarno, Benchmark Land Co. 16325 SW Boones Ferry Rd. L.O., The properties to the East and West are similarly zoned R-4 and what we are proposing is 51 lots that meet all of the zoning standards and Comprehensive requirements. I would like to address the four concerns. First the zoning, as I have mentioned we are clearly with in the requirements of the zoning. The sanitary sewer question, initially we proposed a Lift Station that would be located near the NE portion of the site and at some point in the future when the commercial property developed the lift station would be removed, it would be considered temporary. Now that there is a line being constructed for Cherry Park subdivision we have another alternative that we are looking at, it was our goal to connect to a gravity sewer system because it would cost less than the pump station. We would need an easement from the county to connect to the sewer and they have indicated there would be no problems and are

considering our proposal at this time. We have had our engineer look at the capacity of the line and it does have sufficient capacity to serve the our development along with others. Concerning the question of access, there was considerable debate at the P.C. regarding two vs. one access point. Given the classification of this roadway which is a major collector that will carry 4 to 10 thousand vehicles per day once the area is built out and it makes its' connection to the west. The intent is to manage access to a roadway that carries that type of traffic, thus that is why Columbia Crest, to the South does not have driveway access to it, and that is why we don't have driveway access to it. Based on our traffic engineers' evaluation, he felt that it was not beneficial to have two points of access because the site does not have enough frontage to accommodate two points of access. We also looked at the access point of Edgefield which is very close to 257th and to maintain safe traffic situations, if you had an access point into Sedona Park directly across from Edgefield, which is desirable, what you would have is a lot of traffic converging at that particular point, a very short distance from 257th which would interfere with stacking vehicles making left turns. There evaluation from a traffic standpoint is that a single point of access is adequate and that the second point of access should come with the future development of the property to the West. I have met with the fire marshal on two occasions and they came to the same conclusion, it is best to have the second point of access as far away as possible and not interrupt the traffic operations on a road that is going to carry that many vehicles, it would probably create more accidents. The forth point, which pertains to the frontage improvements on Sturgess, it is a collector street, thus its' improvement is going to be wider and more substantial. The width from curb to curb is going to be more than what you would find on a local street. We understood from the beginning that we would be responsible for our half of the road and I understand that has been the cities policy and that is how it has been applied to other developments, that is why we believe this is an equitable solution for the improvement of the road. The gravel road that is their now gets very dry and dusty and causes problems to the property owners to the South, what this proposal would do is build the half street improvement and finish it off with curb and sidewalk, the gravel road would be completely eliminated, their would be a one to two foot rock shoulder to support the road bed. This project along with the Columbia Crest project have paid street SDC's, this project will pay 80 to 90 thousand dollars that go to improve roadways that have a broad area of benefit and this roadway clearly has that. We have spent a lot of time developing this project and I believe we are putting our best foot forward.

Councilor Lloyd asked what the difference in cost would be in full street improvements just to the west of the access point to Sedona Park vs. half street improvements all of the way?

Clarno stated just as a rough estimate it would be about the same, I can say that because it

was looked at by the P.C. It does not give the development a finished look, there would be no sidewalk past the access, no landscaping, and it would not take care of the gravel road problem, we have also agreed to provide on type of fence all the way down Sturgess.

Council discussed the street improvements.

Councilor Ripma asked if a lot would be lost if two access points were required?

Clarno stated that if we were to provide another access point on Sturgess and maintain the stub to the West we would very likely lose a lot.

Dave Salesky 1180 S.W. McGinnis, one of the appellants along with Robert Sturgess, our points of contention are, the lift station, the road width, the lot size, and the street access. As a resident of the Columbia Crest Subdivision I am very concerned about the road width especially with the construction that is going on to the West in the Cherry Ridge Park. In the last few weeks we have been seeing dump trucks going down Sturgess road and it will continue. To the North of Columbia Crest there is a very large ditch which is now collecting water and in the summer it makes a nice breeding ground for mosquitoes, we would like to see this road paved all of the way back, two lanes if possible, with two points of access simply for the aspect of fire safety. Over the last few weeks we have had 80 mph winds and this town has been bone dry for a while. Winds and fire do not mix. The lots in Sedona Park are all zoned R-4, a very tight packing of houses, not as high of density that you could go up to, but a tight packing, if one catches on fire and with a 50 mph wind you are looking at all of them going, and if the one access is blocked, the stub street is not going to be adequate for that at any time in the future. You would be backing 10 cars up with one access but not with two, this is going to be a very high traffic area, it should be fully paved and developed as soon as possible.

Council discussed the issue of having two accesses, and an emergency lane.

Bob Sturgess 1601 SW Sturgess Dr., stated that they propose to put 18 feet of gravel along the my East property line to the stub st. and I say no way, that is not acceptable. I bought the property 1954 and have maintained that 16ft wide road since then. I gave the city the road when they put in the development to the South. At that time I was told they would pave to Edgefield plus another 50 ft or so, which they did, and when the development came in on the Fuji place they would pave the rest of the way, the city engineer and Don Oakley both told me that. Neither of these pieces of property would have developed if I had not given the city the road and I think it is incumbent upon the city to see that it is paved to my corner.

About there being 5,000 cars a day going through there I have got news for you, my property is not for sale, it is not going to be for sale as long as I or my family live there. I allow the construction crews through there to work on the sewer, but I can stop them at any time. As far as the lift station they can come through my property with an easement and have gravity feed. There was a fire in the Fuji barn years ago with a 35 mile an hour wind, they didn't fight it right, and it took of down through the brush within 20 ft. of my home onto the county farm property clear over to 242nd and it took 33 fire departments until 3am the following morning to put the fire out. With these houses this close together and a fire starts on the East side on a windy day it isn't going to stop at just one house unless the fire department does a heck of a job. If you approve this I would say you are leaving yourself open for a big law suit, because you have been warned.

Councilor Ripma asked, once the sewer is done that will alleviate the problem that Mr. Salesky was concerned about with dust, is that correct?

Sturgess stated that is true, they should be done fairly soon.

Councilor Ripma asked if the appellants would be satisfied with full street improvements to the West side of the proposed access?

Salesky stated that ideally we would like full street improvements all the way back, there is an open ditch that runs all along the South side of the road, and I don't see how you can have this finished look that Clarno is talking about without finishing both sides of the road.

Councilor Ripma stated we are in a position to have the developer finish his half, normally we would have had the developer of Columbia Crest finish the other half but they shared in the cost of the signalization of the intersection as a trade off. This developer has indicated he may be willing to do both sides just past the entrance.

Councilor Ripma asked what it would cost the city to finish the street if the developer were to make full street improvements just past the access point and half street improvements the rest of the way?

Galloway stated it would be in the range of \$50,000 to \$70,000.

Councilor Ripma asked if it would be to the city's advantage to do it at the same time the developer is doing his part?

Galloway stated that there probably be some benefit to the city by doing it jointly, there is sufficient unappropriated monies in the street improvement fund if the council decides to do it. It is not currently on our capital improvement plan because at the time when the plan was developed this project was not identified.

Councilor Thompson asked, we would probably not do this until the street went through and if we were to do this now the only one that would benefit in reality would be Mr. Sturgess, is that correct?

Galloway stated it would not be given a very high priority unless the council directed so. It could and probably would delay other projects on the CIP if we were to do it now.

Council discussed the hazards of the ditch on the South side of Sturgess Dr. that runs from the Sturgess property to about half way to Edgefield.

Councilor Burger-Kimber asked if Sturgess was given any promises regarding street improvements by the city when he dedicated the road?

Sturgess stated he was given verbal promises by Don Oakly that he would finish it off.

Councilor Burger-Kimber voiced concerns about stub streets becoming parking lots, gathering litter, and becoming a place for kids to loiter.

Sturgess stated that he is not planing to develop his property at any time that he can see in the future.

Councilor Ripma asked if there is anything short of finishing the road that would satisfy appellants?, we really can not make the developer do this, and it shouldn't be stuck on the city at this time.

Sturgess stated if the developer would go full width all the way down to the Western most entrance, even if you make them put in two, from there on down the half street improvements at least 28 ft.

Mark Rockwell, Benchmark Land Company, stated, I think we can reach a point of compromise, I believe we will have some benefit from the first 200 ft that we already paved and so I would offer to extend the paving full street to the western edge of our access point, that will be a good, fair, economic trade off. I believe that this half street for all intensive

purposes is the width of a full street this is a collector street, it is not the type of road that you would ask a small subdivision to pick up the entire burden of. We are willing to put in half street improvements, two full traffic lanes, from the Western edge of our access point all the way to the Sturgess property, as discussed the only people that will benefit from that is the Sturgess property, he has indicated that he does not plan on selling it for a very long time, so it will not be a city wide benefit until that road goes through, if ever. I feel very strongly about the two access points, you folks will have to live with it in the years to come I won't, you would be hard pressed to find a fire marshall that would tell you that he could serve that subdivision better with two access points than the way it is proposed. I have never heard of a emergency vehicle not being able to make it into a subdivision because of some four car pile up that has the road blocked. By adding a second access point you defeat your long term traffic status of taking a collector street and really hashing it up, when in years to come you will only want one, because that is what a collector street is all about, limiting the access points to provide through traffic. We could build to access points and we would not have to lose a lot, we could just make them a little smaller, we can do that but I don't think it is in the city's best interest, we spent months working with this design, it was look at by traffic engineers. The lift station is not the preferred option, we are trying to connect to the line in the Cherry Ridge Subdivision, which is to be on line months before we need to tie in, and we are working toward that end, but we request that the lift station be left in the plan as a fall back option only, as a last resort if we can not get the easement from the county, they have indicated there will be no problems. The gravity flow would be to our advantage.

Councilor Thompson asked if in an emergency Mr. Sturgess would allow entry from his property by the stub street if the access was blocked?

Sturgess indicated he would in an emergency.

John Woelfle 1167 SW Mitchell Ct., stated, I was one of the original people at the P.C. hearing protesting this subdivision mainly for the points brought forth. The four property owners that abut the South side of Sturgess lose in this compromise you are talking about, they will not get any improvements, I am one of them. The half street improvements will not even eliminate much of the gravel road that is there because of the proposed alignment. The ditch is right behind my house and my fence is falling into it, the only thing holding it up is the cars that fall in the ditch. Who is going to maintain the half street that is not improved? This new developer benefited by the signal that was placed by the developer of Columbia Crest, so now he should have to pay for all of the improvements. That stub street is never going to connect, why not have to accesses now and 50 years if it is a bad idea then close that street and put a house there.

Mayor Thalhoffer asked how far back should the full street be put in?

Woelfle stated it should be all the way to the Sturgess property.

Councilor Burger-Kimber suggested having a pedestrian way in lieu of a second access, that could be used for emergency vehicles also.

MOTION: Councilor Lloyd moved to close the public hearing. Councilor Thompson seconded the motion.

**YEAS: 7
NAYS: 0
ABSTAINED: 0**

Mayor Thalhoffer closed the public hearing and reconvened the council meeting at 11:45 pm.

Mayor Thalhoffer stated he was in favor of the city filling the ditch, having the developer provide full street improvements all the way to the Sturgess property, two access roads with one across from Edgefield and the other further down, the sewer situation has pretty much resolved itself with the first choice being the gravity feed and the back up being the lift station, the zoning issue we can not really address at this point, it is R-4 and this is permitted.

Councilor Thompson stated he felt the developer should be required to pave the whole street just to the West of their access and half street the rest of the way. The city should fill the ditch and maintain the property. The one entrance is sufficient with a stub for emergencies. The sewer issues is resolved as proposed with the lift station being a back up. The zoning is not a proper issue for this hearing.

Councilor Ripma stated he would like to see the developer should do full street improvements just to the west of his entrance and half street the rest of the way. The city should fill the ditch and consider finishing the street sooner than originally planned. One access is o.k. I feel the emergency issue is addressed. The sewer issue has been resolved. We can't address the zoning issue.

Councilor Lloyd stated that he would encourage Councilor Thompson to put his recommendation into a motion.

Councilor Smith stated that she felt there should be a second entrance for emergency vehicles, what if the land at the entrance to the stub street couldn't stand the weight of a fire truck.

Councilor Burger-Kimber felt there should be a pedestrian access way that could act as a secondary emergency access and eliminate the stub street. The developer should put in full street improvements just to the west of the entrance and half street the rest of the way to the Sturgess property. The city should clean up the ditch and maintain the property.

MOTION: Councilor Ripma moved to adopt the Planning Commission findings 1 - 15 that were included in the Council Packet with three changes to address the following, #11 to allow for a pump station or a gravity sewer, # 15 the Gresham Fire Department has recommended but not required two points of access, #12 full street improvements to the West edge of the entrance road with half street improvements the rest of the way. Councilor Thompson seconded the motion.

YEAS: 6

NAYS: 1 (Thalhofer)

ABSTAINED: 0

MOTION: Councilor Ripma moved to approve the development with the conditions of approval as set forth # 1 - 14 as adopted by the Planning Commission on Oct. 20 1994, with the following changes, #6 if a lift station is necessary, etc., add a #15 Sanitary sewer should be connected to the sewer main which extends from the Cherry Ridge Development to Halsey st. provided the line has adequate capacity and the applicant can obtain the required easements, if this can not be achieved than a lift station will be acceptable. #16 The developer improve Sturgess Dr. the full width to the West edge of entrance road and half street improvements the remaining distance to the West edge of the property, with the city filling the ditch on the South side of Sturgess Dr. Councilor Thompson seconded the motion.

Councilor Burger-Kimber asked to poll the council on a pedestrian way to be used as a secondary access for emergency vehicles.

Thalhofer - No

Smith - Need two accesses

Ripma - No
Thompson - No
Kight - No
Lloyd - No
Burger-Kimber - Yes

YEAS: 5
NAYS: 2 (Smith, Thalhofner)
ABSTAINED: 0

Councilor Thompson excused himself from the meeting.

12. PUBLIC HEARING/ORDINANCE: An Ordinance Amending the Troutdale Municipal Code Chapter 2.52, Disposition of Personal Property.

Mayor Thalhofner called this item, recessed the council meeting and opened the public hearing at 12:15 p.m.

Berrest stated this would allow the city to absorb property that would be useful to the departments.

Mayor Thalhofner closed the public hearing and reconvened the council meeting at 12:17 p.m.

MOTION: Councilor Ripma moved to adopt the ordinance. Councilor Kight seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

13. PUBLIC HEARING/ORDINANCE: An Ordinance Amending the Troutdale Municipal Code, Chapter 8.12, Burglary and Robbery Alarms, and Declaring an Emergency.

Mayor Thalhofner called this item, recessed the council meeting and opened the public hearing at 12:19.

There was no public present to testify and the council felt it was to late to give this item the consideration needed.

Mayor Thalhofler closed the public hearing at 12:21p.m. and asked that the item be placed on the next agenda.

14. RESOLUTION: A Resolution Authorizing the Police Department to Enter into an Agreement with the Multnomah County Sheriff's Office for a joint Special Investigation.

Mayor Thalhofler called this item.

Berrest stated this agreement would allow the city to place one officer with M/C on an special investigations unit for narcotics. The term of the agreement will be for 18 months. We will be gaining very valuable experience through this officer participating in this program that the officer can bring back to the department.

Councilor Kight asked if this would take an officer off of the street?

Berrest stated that it would in a way but some of the investigation duties are being given back to the officers themselves so it would free up the investigators position that is currently vacant.

MOTION: Councilor Ripma moved to approve the resolution. Councilor Kight seconded the motion.

**YEAS: 6
NAYS: 0
ABSTAINED: 0**

15. DEPARTMENT REPORTS:

Mayor Thalhofler asked for this item to be placed on the next agenda.

16. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalsofer asked to skip this item unless there was something that had to be addressed.

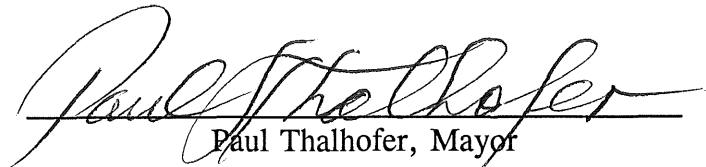
17. ADJOURNMENT:

Mayor Thalsofer called this item.

MOTION: Councilor Lloyd moved to adjourn. Councilor Ripma seconded the motion.

**YEAS: 6
NAYS: 0
ABSTAINED: 0**

Mayor Thalsofer adjourned the meeting at 12:24 P.M.


Paul Thalsofer, Mayor

Dated: 3-30-95

ATTEST:


George Martinez, City Recorder

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 1/10/95 TYPE Regular

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Jim Galloway	104 SE Dilling	665-5175
Bob Gazevard	City Hall	665-5145
Sherrill & Mike Martin	Troutdale 123 SE 34 th circle	665-6498
Ed & Mary Schum L	104 SE 404. St	666-7706
Richard C. Brown	3660 SE EVANS	886-6038
Mark Lee	1480 SW 12th ST	492-1601
LYNDA DAVIS	505 SW 27 th WAY	669-8640
Thomas DAVIS	505 SW 27 th WAY	669-8640
Linda McKenney	449 SW 27 th way	661-2882
Kristi McKenney	449 SW 27 th way	661-2882

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 1/10/95 TYPE Regular

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
PAUL L. HANDY	1704 SW HENDREY RD	667-2786
KEVIN EDGAR	207 SW FOX CT	666-5799
JEFF WATKINS	2740 SW Corbett	661-4110
V.A. ROLL	2719 S.W. CLARA CT.	669 8323
HANS MAINBERGER	232 SW 28th Ave.	492-0451
Bob Spikes	23745 NE Holladay Trout.	665-5551
DAVID NUFFER	1021 SE 27TH ST. TROUTDALE	661-9671
AARON NUFFER	1021 SE 27th St Troutd	661-9671
Nate Robinson	1717 S.W. McGinnis Ct Troutdale	666-4206
Michael Behavin	1125 NE 17th Portland OD.	665-7193

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 4/10/95 TYPE Regular

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
<i>[Signature]</i>	1180 SW McGUIRE	665-5329
R. M. STURGES	1601 SW STURGES DR.	666-9601
MAX MAYDEW	2206 SW FOX	666-6783
W. D. TULLY	2018 SW HENSLEY	667-1790
Diannie Bayher	1189 S.W. 17th Ct.	492-1071
Julie Ramseth	321 SW 28th Ct	665-5354
Julie Sorensen	516 SE 13th	666-8465
JEFF KNOX	2808 SW CORBETH LN.	665-6698
SAM SEWARD	2772 SW Corbeth Ln.	666-1519

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 1/10/95 TYPE Regular

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
JOHN BARTER SR	2201 SW STELLA WAY	661-6390
Brenda Barter	6201 SW Stella Way	661-6380
CHRIS MACURA	1949 SE PALMOUST*65	665-6390
JOHN MERZ	2802 S.W. BURLINGAME	665-7850
LARRY MCGUIRE	2720 SW BURLINGAME	667-9295
Jamie McGuire	2720 SW Burlingame	667-4295
Joyce Peterson	2812 SW Clara Ct	666-3209
Donald Peterson	2812 SW Clara Ct	666-3209
Charles & Michel	2744 SW Clara Ct.	661-3119
Patti Michel	2744 SW Clara Ct	661-3119

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 1/10/95 TYPE _____

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Mariann Farley	438 SW 30th St	661-3196
Brent & Rosemary Kusi	1226 Kibling St	661-3837
Dick Cabrel	520 S.E. 15th St, Troutdale	667-9118
Carlynn R Taylor	742 Jackson Park Rd	667-4960
Angela McMarkin	2664 S.E. EVANS AVE.	661-3096
Bob McMarkin	2664 SE EVANS	661-3096
Lestie L. Sykes	1918 SW 22nd St - 7B	669-7627
William R Paugh	2322 S.W. Indian Market	661-3177
Annun S. Holden	1180 SW Autumn Way	665-7762
Bob S. Holden	1180 SW Autumn Way	665-7762

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

MEETING DATE 1-10-95 TYPE Regular

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE#
Rose Janis	1140 S.W. Autumn way	667-4608
KAROLA SMITH	Troutdale 1174 SW 12 th Ct	
S. Haleston	1164 SW 12 th Ct	
Cochrell	Troutdale 2337 SW 50 th Ct	669-1321
Mark Hofer	Troutdale 1256 SW 12 th St	
Rilo Saave	Crenshaw Blvd	
Stoan Goehard	107 maple blud	669-3232
Tim Hofer	407 NE 18 th Portl	
John Nelson	111 SW Fifth Ave. Ste 3200 Portland OR 97204	228-3200
John WOELFLE	1167 SW MITCHELL CT. TROUTDALE	666-4574

