

CITY OF TROUTDALE

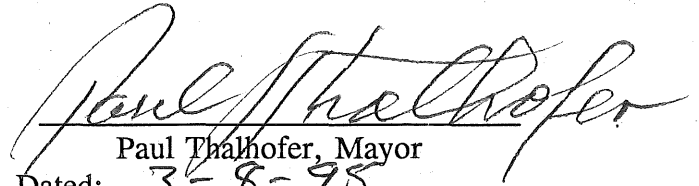
AGENDA

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

7:00 P.M. -- MARCH 14, 1995

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
2.1 Accept Minutes - Special Sessions - 12/6 & 12/7/94, Regular Session - 12/13/94
2.2 Business Licenses - Month of February, 1995
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 4. PUBLIC HEARING: Process for Selection of City Administrator, Duties of City Administrator, and, Standards for Selection of City Administrator. Sercombe
- (A) 5. ORDINANCE/INTRODUCED 2/28/95: An Ordinance Amending Chapters 1, 7, 8, & 9 of the Troutdale Development Code Relating to Transportation Planning Rule Requirements (OAR Chapter 660-12). Faith
- (A) 6. ORDINANCE/INTRODUCED 2/28/95: An Ordinance Amending Chapter 10 of the Troutdale Development Code Relating to Provisions and Standards for Signs. Faith
- (A) 7. DISCUSSION: Concessionaire Contract for Columbia Park. Faith
- (I) 8. DEPARTMENT REPORTS:
8.1 Finance Gazewood
8.2 Public Safety Berrest
8.3 Community Development Faith
8.4 Public Works Galloway
8.5 City Attorney Sercombe
8.6 Executive Christian
- (I) 9. COUNCIL CONCERNS AND INITIATIVES

(A) 10 ADJOURNMENT.


Paul Thalhofer, Mayor
Dated: 3-8-98

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

March 14, 1995 - 7:00 P.M.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

City Recorder Martinez called the roll.

PRESENT: Thalhofer, Smith, Ripma, Thompson, Kight, Lloyd, Burger-Kimber

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

2. CONSENT AGENDA:

2.1 Accept Minutes - 12/6/94, 12/7/94 & 12/13/94.

2.2 Business Licenses - Month of February, 1995.

Mayor Thalhofer called this item.

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

YEAS: 7
NAYS: 0
ABSTAINED: 0

3. PUBLIC COMMENT:

Mayor Thalhofer called this item.

There was no public comment.

Councilor Lloyd presented Councilor Ripma, Historical Society President, with a picture showing the depot and a trolley car on the tracks, circa 1906.

4. PUBLIC HEARING: Process for Selection of City Administrator, Duties of City Administrator, and Standards for Selection of City Administrator.

Mayor Thalhofer called this item, recessed the council meeting and opened the public hearing at 7:04 p.m.

Sercombe stated this item is to allow public input into the selection process of a new city administrator. State law requires public input before the council can meet in executive session.

Christian stated, I have reviewed the code and it is a good reflection of the job, there is a conflict in the personnel rules, but the code does prevail. The rules will need to be amended after the union negotiations are finished, we can not do anything until then.

Mayor Thalhofer outlined the process, Mayor and City Administrator have prepared an add that should be coming out this week in the Oregonian, Seattle Times, League of Oregon Cities Newsletter, and the Washington equivalents, the deadline will be April 30th. The applications are going to the City Recorder and are being kept confidential. The council will meet to review the applications and develop a list and then perhaps a short list, maybe visit the city of the final applicants. We may need to discuss the possibility of having to pay to bring someone in for the interviews.

The council discussed this issue and decided to use the code as a preliminary job description, and adjusted the closing deadline to be Monday, May 1, 1995.

Mayor Thalhofer closed the public hearing and reconvened the council meeting at 7:23 p.m.

5. ORDINANCE/INTRODUCED 2/28/95: An Ordinance Amending Chapters 1, 7, 8, & 9, of the Troutdale Development Code Relating to Transportation Planning Rule Requirements (OAR Chapter 660-12).

Mayor Thalhofer called this item, recessed the council meeting and opened the public hearing at 7:24 p.m.

Councilor Lloyd stated he represents, in his business, the owner of the Troutdale Thriftway, this is probably being very cautious but I would like to disclose it, this will not effect my

decision on this issue.

Faith stated, this matter came before you at the last meeting. The purpose of the proposed amendments is to comply with the requirements of the Transportation Planning Rule, which is trying to make new development more bicycle and transit friendly. At the last meeting I reported to you there are a set of revisions being considered by LCDC, who originally adopted the TPR, which I also reported to you that I did not think they would effect anything that is being brought to you. Since that time I have received an updated set of language that is being considered and now believe that if they are adopted they could effect the proposed amendments that are before you tonight, particularly as the pertain building orientation. They are proposing that it be convenient access, as opposed to preferential access for pedestrians and transit. They are proposing to add definitions for at or near transit stops. They are clarifying and defining these issues. Our proposed amendments would still be valid but it is up to you if want to wait to until action is taken by LCDC on the proposed revisions on the TPR, they are scheduled to have their first hearing on this April 13th.

Mayor Thalhofer asked if a delay would be detrimental to the city?

Faith stated, it would not be detrimental but it is important to point out that the deadline was May 8, 1994, we are clearly past that, there are no penalties set.

Councilor Kight asked when will the LCDC amendments be finalized?

Faith stated he has heard there will be at least two hearings so if they are adopted it will be late June or early July.

Councilor Kight asked is there any new construction that would be impacted, that is on board now?

Faith stated it really doesn't matter, even if we have not amended our own codes we are still obligated to meet the intent of the TPR when we approve any new development, to some extent we are already applying some of these standards, the minimum, we just don't have them locked into our code.

Councilor Kight asked, are our proposed amendments more stringent than what LCDC is looking at?

Faith stated, as related to building orientations they are.

Council discussed this issue.

Councilor Kight asked, are we premature in doing this considering they are looking at these issues?

Faith stated we are not premature at all, we are behind as far as the deadline set. What we have propose in way of amendments to the code presently meet the minimum standards, or at least the general intent of the TPR as it now stands, and we would also meet the standard if these revisions are adopted by LCDC.

Councilor Burger-Kimber asked where the 10% figure for bike parking came from?

Faith stated, we looked at several municipal development codes and used some of there standards.

Councilor Burger-Kimber asked if there has been any feed back from cities that are using these rules?

Faith stated that none of the cities, we looked at, have very long track records with this issue, the ones that have adopted amendments to their codes have done it fairly recent.

Council discussed building orientation.

Mayor Thalhofer voiced concerns regarding access ways.

Faith clarified the use of access ways, would only be required it the block perimeter is over 1,500 feet.

Councilor Burger-Kimber raised concerns with there not being enough flexibility in the proposed amendments.

Faith stated that staff would have to apply the amendments, like the set back, in all instances where it would work, but in some cases it will not, and then the applicant could apply for a variance to be able to adapt to the site being developed.

Councilor Burger-Kimber raised concerns with the variance process being a time consuming process.

Barker stated that the amendments proposed are quite a bit more lenient then the model, and various other cities that have amended their codes, Gresham requires building to be set right next to the sidewalk.

Councilor Burger-Kimber asked how staff felt about having ranges of say a set back of 20 to

40 ft.?

Faith stated something like that would be workable.

Christian stated that the development community is interested in predictability, they don't want to have to use their discretion, judgement, or interpretation of a city's requirements. They want clear cut predictable requirements.

Mayor Thalhofler closed the public hearing and reopened the council meeting at 8:25 p.m.

Mayor Thalhofler stated, I see no need to not wait until LCDC has completed their work. I hate to put to many requirements on building or anything, it tends to run up costs. It has been this long I don't think another month or two will hurt, I would like to set this over until LCDC has completed their hearings.

MOTION: Councilor Burger-Kimber moved to set this item over until LCDC has completed their review of the proposed amendments. Mayor Thalhofler seconded the motion.

Councilor Ripma stated this is an excellent proposal, it wouldn't violate the current rules or any of the proposed rules, we could wait forever until LCDC finalizes their rules. Their changes are very undesirable and will be opposed, hopefully the council will oppose them. There is no opposition here tonight and that tells me something. We should go ahead with these and if they turn out to be to onerous they could be amended. We need to consider if this is a good or bad thing for the citizens of Troutdale, these are the exact changes that Troutdale would benefit from. The questions that will arise should not alarm us, staff can deal with them and I am sure they will let us know how they work or if changes need to be made.

Councilor Lloyd stated, I agree with Councilor Ripma. I step back and ask myself what type of town would I like to live in, what would I like Troutdale to be? I would like it to be a small little community village type town. We have gone way past that and we can't go backwards, but, I know that the ability to walk freely and to have pedestrian friendly shopping centers, etc., will help create that village type atmosphere. I am going to favor this ordinance because I think it helps preserve this lifestyle that we have talked about as a city goal. I also think we can get carried away with this being a major issue, it is workable, there is a procedure for a variance where people can seek relief. Overall it is very reasonable.

Councilor Burger-Kimber stated, I agree, but, this will affect allot of the property in Troutdale. The theory I am very supportive of, but there needs to be more flexibility.

The variance procedure is costly and time consuming and this can discourage some very good development. There are a couple of things we need change to be a little more flexible. Why not address them now instead of down the road.

Councilor Smith stated, I think we need to hold off until we know what is going to happen so we don't end up putting the cart before the horse.

Mayor Thalsofer stated, passing ordinances with the intent of changing them down the road is not a good practice, we should just wait.

Councilor Thompson stated, I am concerned about this primarily because of the building orientation issue. I think sometimes we write requirements into law that we latter regret. I drive by the new Knects store in Gresham and it looks terrible. Maybe these should be preferred alternatives instead of requirements. I like the pathways and everything else except the building orientation.

Councilor Kight voiced concerns with buildings like the Knects store.

Councilor Ripma stated, if we don't impose some sort of rule like this we will end up looking like Burnside in Gresham. That is the normal pattern of suburban development. Huge parking lots lining the streets with the buildings in the back. One of my goals in getting involved in Troutdale was to prevent Troutdale looking like Gresham. We need to take this step, it won't upset the developers, it will clarify what they have to do.

Councilor Burger-Kimber stated, if we really want to address this tonight, than we should look at making a couple of amendments to the ordinance tonight.

YEAS: 3
NAYS: 4 (Ripma, Kight, Lloyd, Burger-Kimber)
ABSTAINED: 0

Mayor Thalsofer called for a ten minute break at 8:53 p.m. and reconvened the meeting at 9:03 p.m.

Councilor Burger-Kimber asked if there should be clarification on the bikeway definition, should it include non-motorized?

Faith stated that should be regulated through signage, so that it is viable to say motorcyclists.

Councilor Burger-Kimber stated, it would be more enforceable if it were in the code.

Council discussed the difference between bike lane and bike path and different types of uses.

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

MOTION: Councilor Burger-Kimber moved to amend chapter 1.020 - General Definitions, Bikeways, add to the end of the first sentence "compatible with bicycle use." Councilor Thompson seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

MOTION: Councilor Ripma moved to amend page 12, section 1, change "50 feet" to "20 feet" and section 2, should read "Office buildings shall be built a maximum 50 feet from the sidewalk edge." Councilor Lloyd seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

MOTION: Councilor Ripma moved to amend page 10, Fencing, Delete the wording of section E and substitute "Fences along access ways shall conform to the Troutdale Development Code." Councilor Kight seconded the motion.

Councilor Burger-Kimber raised concerns over deleting the requirements regarding landscaping. There should be some viability for safety purposes.

Councilor discussed this issue.

Councilor Ripma withdrew the motion.

MOTION: Councilor Ripma moved to amend page 10, E Fencing, Should read as follows, "Fences along access ways shall conform to the Troutdale Development Code. Landscaping along access ways shall not exceed 50% opacity at maturity." Councilor Kight seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

MOTION: Councilor Kight moved to amend page 15, Delete section C. Councilor Ripma seconded the motion.

Councilor Ripma stated this would not change the bicycle parking spaces requirement it will just delete the covering.

Councilor Burger-Kimber stated she approved of the covered spaces, most people don't intend to ride in the rain, but it can happen. When you are shopping and you have packages on your bike it is good to have a place to put your bike under cover, even if the sun is shining when you go inside, it may be raining when you come out.

Council discussed this issue.

YEAS: 6
NAYS: 1 (Burger-Kimber)
ABSTAINED: 0

Mayor Thalsofer voiced concerns regarding the requirement of having the equivalent of 10% of vehicle parking spaces set aside for bicycle parking.

Council discussed this issue.

MOTION: Councilor Thompson moved to amend page 14, section A, replace 10% with 5%. Councilor Ripma seconded the motion.

YEAS: 5
NAYS: 2 (Smith, Burger-Kimber)
ABSTAINED: 0

MOTION: Councilor Thompson moved to amend page 11, section A1, should read, "Where practicable buildings shall be oriented on the property in a transit friendly way." and the rest of the paragraph will remain the same. Councilor Kight seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

MOTION: Councilor Lloyd moved to amend page 11, delete sections 2 & 3.

Motion died for lack of second.

Councilor Thompson called for the question on the main motion as amended.

YEAS: 5
NAYS: 2 (Lloyd, Thalsofer)
ABSTAINED: 0

6. ORDINANCE/INTRODUCED 2/28/95: An Ordinance Amending Chapter 10 of the Troutdale Development Code Relating Provisions to and Standards for Signs.

Mayor Thalsofer call this item and asked that it be set over until the next meeting unless there was a need to address it tonight.

Faith stated it could wait until the next meeting.

7. DISCUSSION: Concessionaire Contract for Columbia Park.

Mayor Thalsofer called this item and asked if it could be set over also.

Faith stated it had been set over from last month and the city is getting inquires regarding this issue.

Mayor Thalsofer stated this item would be addressed tonight.

Faith stated there have been several inquires regarding setting up a concession stand at Columbia Park. The Parks Advisory Board feels if there is going to be a stand at the park then it should be done as an open bid process. We are bringing this to you for guidance. We want to know how the proceeds should be earmarked, for Columbia Park, or for the General Fund. What criteria should we be looking at, we have given you some suggestions in the packet. Staff recommendation is to authorize a concession stand at Columbia Park to be selected through a open bid process using the criteria in the packet.

Councilor Burger-Kimber raised concerns about the criteria being in the form of questions, no real criteria.

Councilor Kight stated, the funds should go into the general fund, if it doesn't then all of the other parks will want a concession stand.

Councilor Lloyd suggested going with gross proceeds not net.

Councilor Thompson stated the proceeds should go to Columbia Park until it is completed and then the proceeds could go to the general fund.

Councilor Burger-Kimber agreed with Councilor Thompson.

Council discussed this issue and directed staff to send the criteria back to the PAC for refinement and then come back to council for direction.

8. DEPARTMENT REPORTS:

Mayor Thalsofer called this item.

Berrest stated he had nothing to add.

Mayor Thalsofer asked how the traffic issues, speeding, are going in Troutdale?

Berrest stated he has had no complaints at his office recently.

Councilor Kight asked if any vehicles have been towed under the new ordinance?

Berrest stated there have been vehicles towed.

Gazewood stated he had nothing to add.

Faith stated he had nothing to add.

Galloway stated he had nothing to add.

Christian stated, Councilor Smith has arranged to have a tour of the city facilities and if anyone else is interested let us know. As of noon we are still \$102,000. 00 short of balancing the budget but we are working on it.

Sercombe stated, I will be distributing two memos to the council that arise from the January 10, meeting regarding the Mt. Hood Parkway, they are in response to questions raised that night. One of the memos is under attorney client privilege it is confidential.

9. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalsofer called this item.

Councilor Burger-Kimber stated, I am the representative to the M/C Animal Control Advisory Committee, I have been on the committee for two years and my term is up. I would like to continue to serve on the committee but need the authorization of the council.

MOTION: Councilor Thompson moved to reappoint Councilor Burger-Kimber to the M/C Animal Control Advisory Committee. Councilor Ripma seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

Mayor Thalhofer stated he is trying to keep the meetings running as smooth as possible and to adjourn in a timely fashion.

Councilor Ripma voiced concerns about the map on the council chambers wall showing the proposed route of the Mt. Hood Parkway.

Galloway stated that a number of citizens have been coming in requesting to see it and this is the only wall large enough to display it.


10. ADJOURNMENT:

Mayor Thalhofer called this item.

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

YEAS: 7
NAYS: 0
ABSTAINED: 0

Mayor Thalhofer adjourned the meeting at 10:38 P.M.


Paul Thalhofer, Mayor

Dated: 5-10-95

ATTEST:


George Martinez, City Recorder