

CITY OF Troutdale

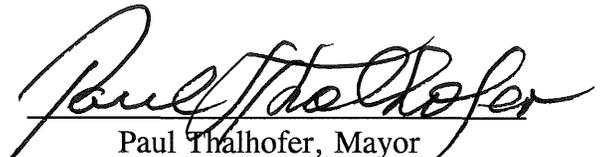
**AGENDA
TROUTDALE CITY COUNCIL
REGULAR MEETING
COUNCIL CHAMBERS
TROUTDALE CITY HALL
104 SE KIBLING AVENUE
TROUTDALE, OR 97060-2099**

7:00 P.M. -- July 14, 1998

- (I) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes: Regular Session June 9, 1998.
 - 2.2 Business Licenses: Month of June, 1998
 - 2.3 Approve: Liquor License for Troutdale Chevron
 - 2.4 RESOLUTION: A Resolution regarding the election of City Council positions with terms expiring the first regular Council Meeting of 1999.
 - 2.5 RESOLUTION: A Resolution authorizing the Mayor and City Recorder to sign supplement No. 11 to an agreement with Multnomah County for road maintenance.
 - 2.6 AUTHORIZATION: Intergovernmental Agreement with the City of Gresham for confined spaces rescue services.
 - 2.7 AUTHORIZATION: Amendment to City of Gresham Intergovernmental Agreement for Fire and Emergency Services.
 - 2.8 RESOLUTION: A resolution approving the Collective Bargaining Agreement with AFSCME represented employees and extending the salary schedule adjustments to non-represented employees.
- (A) 3. APPOINTMENT: Lloyd Woods - Planning Commission Mayor Thalhofer
- (I) 4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 5. PUBLIC HEARING/ORDINANCE ADOPTION (Introduced 6/23/98): An Ordinance amending the Comp. Plan Map and Zoning District Map for a .23 acre parcel annexed to the City. Sanderson

- (A) 6. PUBLIC HEARING/ORDINANCE ADOPTION (Introduced 6/23/98): An Ordinance amending the Troutdale Development Code Chapter 9, Off-Street Parking and Loading. Sanderson
- (A) 7. REQUEST: A request by adjacent property owners to purchase City owned property identified as Tract E, Eldon Snider Estates Farms. Faith
- (A) 8. REQUEST: A request by Yoshida Group to purchase City Property in front of Troutdale Station Antique & Gift Shop. Faith
- (A) 9. DISCUSSION: A discussion concerning a proposed mutual agreement and order for waste water discharge. Galloway
- (I) 10. DEPARTMENT REPORTS:

10.1	Finance	Gazewood
10.2	Public Safety	Berrest
10.3	Community Development	Faith
10.4	Public Works	Galloway
10.5	City Attorney	Sercombe
10.6	Executive	Kvarsten
- (I) 11. COUNCIL CONCERNS AND INITIATIVES
- (A) 12. ADJOURNMENT.


 Paul Thalhofer, Mayor
 Dated: 7-9-98

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

July 14, 1998 - 7:00 P.M.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

City Recorder Martinez called the roll.

PRESENT: Thalsofer, Ripma, Thompson, Kight, Regelein, Daoust

STAFF: Kvarsten, Allen, Berrest, Faith, Galloway, Gazewood, Martinez, Sanderson

GUESTS: Ken McManus, Max Maydew, Joanne Beasley, Jerry Miller, Neil Miller, Shirley Bloom, Oscar Bloom, Jean Parks, Ken Parks, Deamitrie Jones, Ana Jones, David Bennett, Doug Jones, Michael Greenslade, Junki Yoshida, Linda Yoshida, Sherri Aeschlimar, Gail Thurber, Leroy DeWitt III, Nancy Inglehart, Donald Inglehart, David Baumann, Sheryl Maydew, Susan Miller, Mark Griffith, Kristina Yoshida, Lloyd Woods, Merry Nera, Kurt Jensen

Kvarsten requested that items 2.8 and 7 be removed from the agenda for consideration at a later date.

Mayor Thalsofer approved Kvarsten's request.

2. CONSENT AGENDA:

- 2.1 Accept Minutes: Regular Session June 9, 1998.
- 2.2 Business Licenses: Month of June, 1998
- 2.3 Approve: Liquor License for Troutdale Chevron
- 2.4 **RESOLUTION:** A Resolution regarding the election of City Council positions with terms expiring the first regular Council Meeting of 1999.

- 2.5 RESOLUTION: A Resolution authorizing the Mayor and City Recorder to sign supplement No. 11 to an agreement with Multnomah County for road maintenance.
- 2.6 AUTHORIZATION: Intergovernmental Agreement with the City of Gresham for confined spaces rescue services.
- 2.7 AUTHORIZATION: Amendment to City of Gresham Intergovernmental Agreement for Fire and Emergency Services.
- 2.8 RESOLUTION: A resolution approving the Collective Bargaining Agreement with AFSCME represented employees and extending the salary schedule adjustments to non-represented employees.

Mayor Thalhoffer called this item and read the Consent Agenda.

MOTION: Councilor Ripma moved to accept the Consent Agenda. Councilor Kight seconded the motion.

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

3. APPOINTMENT: Lloyd Woods - Planning Commission

Mayor Thalhoffer stated that the Selection Committee interviewed and recommends Lloyd Woods for appointment to the Planning Commission.

MOTION: Councilor Ripma moved to appoint Lloyd Woods to the Planning Commission. Councilor Kight seconded the motion.

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

Woods introduced himself to the City Council.

4. PUBLIC COMMENT:

Mayor Thalhoffer called this item.

Ken McManus spoke in opposition to converting the MCCF into a secured Drug and Alcohol Treatment Facility. Could have an impact on the Troutdale Police, should be ran by people who know what they are doing.

Joanne Beasley spoke in opposition to converting the MCCF into a secured Drug and Alcohol Treatment Facility. Agreed that it could have an adverse affect on the Troutdale Police and City.

5. PUBLIC HEARING/ORDINANCE ADOPTION (Introduced 6/23/98): An Ordinance amending the Comp. Plan Map and zoning District Map for a .23 acre parcel annexed to the city.

Mayor Thalsofer called this item, recessed the Council Meeting and opened the public hearing at 7:15 p.m.

Kight declared ex-parte contact with Mr. Clausson, a neighbor to the affected property.

Sanderson reviewed the staff report contained in the packet.

Ana Ionesi, property owner stated that she would like to see the process go forward.

Mayor Thalsofer closed the public hearing and reconvened the Council Meeting at 7:19 p.m.

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

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

6. PUBLIC HEARING / ORDINANCE ADOPTION (Introduced 6/23/98): An Ordinance amending the Troutdale Development Code Chapter 9, Off-Street Parking and Loading.

Mayor Thalsofer called this item, recessed the Council meeting and opened the public hearing at 7:21 p.m.

Sanderson reviewed the staff report contained in the packet.

Councilor Ripma asked if there is currently any Zone "A" in the City Of Troutdale?

Sanderson stated no.

Mayor Thalsofer closed the public hearing and reconvened the City Council Meeting at 7:24 p.m.

MOTION: Councilor Thompson moved to adopt the Ordinance. Councilor Kight seconded the Motion.

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

7. REQUEST: A Request by adjacent property owners to purchase City owned property identified as Tract E, Eldon Snider Estates Farms.

Mayor Thalhoffer stated that this item has been removed from the agenda and will be considered at a later time.

8. REQUEST: A request by Yoshida Group to purchase City property in front of Troutdale Station Antique & Gift Shop.

Mayor Thalhoffer called this item.

Faith reviewed the staff report contained in the packet.

Councilor Ripma asked how the city obtained the property.

Faith stated he believed it was purchased from the County in 1972.

Councilor Ripma stated that the minutes of the meeting in 1972 where this issue was discussed show the City was anxious to pursue this property for park purposes.

Councilor Daoust asked what could be built on the Yoshida Property if the current building was destroyed by fire.

Faith explained that if it were 80% or more destroyed it would have to be built to current standards of the central business district, including orientation to the street with direct access to the sidewalk, unless various requirements could be met. It would have to be like the others in the downtown.

Max Maydew spoke in favor of selling the property, showed overheads projecting the layout of the property, and read a letter signed by several downtown business owners supporting the sale.

Councilor Ripma asked why they wanted to buy the property now, the proposed expansion does not require the use of the property.

Maydew stated that he understands that not having street access diminishes the value of the property.

Councilor Kight asked if Maydew would favor the sale if he knew that a project were to be built next to the street.

Maydew stated that he prefers it open but feels that it is vital that the property is developed.

Councilor voiced concerns regarding loss of parking if a building is built next to the street.

Kurt Jensen spoke in favor of selling the property, there will be a net gain in parking, can see no negatives in selling the property, this is an opportunity that should not be missed.

Councilor Kight asked since Jensen is in the mortgage business has he seen easements used in this type of circumstance.

Jensen stated yes but he has also seen it prohibit deals also.

Councilor Thompson stated that he felt this is an issue of control of the property.

Jensen stated that someone would not typically make this type of investment with out having control over the access to the property.

Council discussed how the proposed project would affect parking and it was determined that there would be a net gain of four spaces.

David Bennett spoke in favor of selling the property, stated that parking is not the issue it will have to be dealt with if this deal goes through or not.

Junki Yoshida stated that he came to the Council in good spirit in support of his wife's project and I hear that a councilor is saying that if this project goes through then tri-met will stop serving the downtown, that is not true, we let tri-met use the land now and could stop if that was our wish. This should not be made into a political issue.

Councilor Ripma clarified that this is not a political issue to him, he never favors selling City property.

Yoshida stated that is not fair he should come with an open mind.

Councilor Ripma asked if Yoshida would be willing to sell the turn-a-round to the City.

Yoshida stated that he would be happy to sit down and discuss it but not now, that is not the issue.

Mayor Thalhoffer asked if Yoshida could stop tri-met from using the turn-a-round now.

Yoshida stated he could.

Councilor Regelein asked if Yoshida had any intention of building anything other than what is proposed.

Yoshida stated what is proposed is what they intend to build.

Mike Greenslade spoke in favor of the project, stated parking is a separate issue, makes sense to sell the land and put it to use and increase the tax base, no one is opposed except a couple councilors.

Councilor Ripma stated that once it is sold the City can not get it back, we all love the proposal and it does not require this land, need to control the view of the bluff and depot.

Dave Baumann spoke in favor of selling the property, you can't see the depot now until you are there, that would not change. It will draw people to this side of town and to the depot once they get down here, don't understand the point in not giving them unobstructed use and access to their land.

Councilor Ripma stated that the City agreed to sell the property with a restriction that would not allow them to build on it, but they were not agreeable to that.

Baumann stated that it is his understanding that unrestricted purchase is essential for financing.

Lana Gustofsan stated that she does not favor or oppose the sale but feels the project could go forward with an unrestricted easement.

Councilor Ripma read a letter from Sharon Nesbitt opposing the sale of the property.

Christina Yoshida stated that there is no good use for this land to anyone other than the Yoshida's the City can't use it for a park it wouldn't be safe. There has been no opposition by the public and the Council is supposed to represent the people.

Councilor Ripma stated that he represents the entire City and feels that only those concerned show up.

Mayor Thalhoffer stated that during the break the City Attorney would be in contact with Councilor Smith by telephone and summarize the testimony for her, then the Council will decide the issue, the City Attorney will relay Councilor Smith's vote.

Mayor Thalhoffer called for a break at 9:13 p.m. and reconvened the meeting at 9:28 p.m.

MOTION: Councilor Ripma moved to not sell the land. Councilor Kight seconded the motion.

Councilor Ripma stated that he hopes the project is built as proposed but the sale of the land is not essential for that to happen.

Councilor Kight stated that he likes the project but it does not require the land, if a building is built at the street the City will lose the tri-met turn-a-round and parking spaces.

Mayor Thalhoffer stated that he favors the proposal but not the motion. The parking problems are already here and this project will not affect it. The sale would help provide revenue to the City. No use for the land, too small for a park or anything else. The Yoshidas could take away the parking and tri-met turn-a-round with or without the sale they own the property now.

Councilor Thompson stated that he appreciates both sides and that it comes down to the need for the property, wish the project well but there is no demonstrated need for the property for the project to go forward, favors the City holding onto the property unless a need is proven.

Councilor Regelein stated that the issues of parking and tri-met are non-issues because we could lose them anyway. The property is not good for a park and we already have many parks that we can not afford to adequately improve. I believe them when they say not owning this property devalues their property. Favor selling.

Councilor Daoust stated that he favors selling the land, parking is not an issue could lose anyway and we are gaining four spaces, could lose turn-a-round anyway. The view of the depot is not as important as getting the visitors to the downtown and they will see and visit the depot once they are here. The property is not that valuable to the City. We voted for buildings next to the street, why is it now not o.k. for this little part, we should be consistent. Have not heard one logical reason to keep the property.

Mayor Thalhoffer explained that a break would be taken and the City Attorney would again contact Councilor Smith and summarize the Councilors comments and obtain her comments and vote. Mayor Thalhoffer called for a break at 9:58 p.m. and reconvened the meeting at 10:13 p.m.

City Attorney Allen stated that Councilor Smith did not favor selling the land because it is not needed for the proposed expansion.

YEAS: 4
NAYS: 3 (Thalhoffer, Regelein, Daoust)
ABSTAINED: 0

9. **DISCUSSION:** A discussion concerning a proposed mutual agreement and order for waste water discharge.

Mayor Thalhoffer called this item.

Galloway reviewed the staff report contained in the packet.

Councilor Ripma asked if this is along the lines of what the City of Portland did.

Galloway stated he is not certain but suspects it is.

Councilor Ripma asked if there are monetary fines if we do not comply with DEQ.

Galloway stated there are.

Councilor Kight asked if other options, such as shipping the waste to Portland or Gresham, were investigated.

Galloway stated that it would cost several millions to try shipping the waste to another City, and they are not really willing to accept it.

Councilor Kight asked what options we have if we can't meet the restrictions.

Galloway stated that there may be a possibility of staff working for an extension of time or possibly a moratorium but that would be up to the Council.

MOTION: Councilor Ripma moved to approve the proposed mutual agreement and order for waste water discharge.

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

10. DEPARTMENT REPORTS

Mayor Thalhofer called this item.

Gazewood drew attention to his report.

Faith drew attention to a grant received by the Community Development Department.

11. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalhofer called this item and stated that he went on a very eventful ride along with Officer Brightbill and encouraged the other Councilors to take advantage of the program, and reminded everyone of the Summerfest.

12. ADJOURNMENT:

Mayor Thalhofer called this item.

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

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

Mayor Thalhofer adjourned the meeting at 10:48 P.M.


Paul Thalhofer, Mayor
Dated: 9-11-98

ATTEST:


George Martinez, City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

July 14, 1998
CITY COUNCIL

PLEASE COMPLETE THE FOLLOWING

NAME <input type="checkbox"/> (please print) <input type="checkbox"/>	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Mark Berrest	Police Dept	" "
Rich Faith	City Hall	" "
Alan McManus	4152 SE JENNIFER CT	665-0521
Sheryl Sanderson	CH	665-5175
MAX MAYDEW	2206 SW FOX CT	666-6783
Mark Beasley	1843 SW Montmore Way	666-5733
JOANNE BEASLEY	" "	" "
JERRY MILLER	1872 SW MONTMORE WAY	492-4329
NEEL MILLER	1872 SW MONTMORE WAY	492-4329
SHIRLEY BLOOM	1747 SW MONTMORE WAY	674-9385
OSCAR BLOOM	1747 S.W. MONTMORE WAY	674-9385
Jean Parks	1769 SW Montmore Way	667-9549
KEN PARKS	1769 SW MONTMORE WAY	667 9549
Demetrius & Ana Jones	2870 NE Hogan B436	695-2674
David Bennett	302 NW 257th WAY	667-3680

--PLEASE COMPLETE THE FOLLOWING--

NAME <small>(please print)</small>	ADDRESS	PHONE #
Doug Jones	3201 NE 223rd #63 FARVIEW	492-3904
Michael S. Greenstade	1515 SE 20 th Way Troutdale	666-0516
JUNKY FORN	29330 SE STARK TR	689 7443
Linda Yoshida	29330 SE Stark St, Troutdale	669-3943
Sheri Aschleman	703 SW Coastview Way Troutdale	665-1796
Sail Thurbon	P.O. Box 504, Troutdale OR	667-4622
Sergey A. Wier III	105 SE 4 th St Troutdale OR	492-9492
NANCY INGLEHART	864 SE 10 th Cr. Troutdale, OR	666-2008
Donald Inglehart	864 SE. 10 th Circle	666-2008
DAVID BAUMANN	938 SE Roberts	666-4425
Sheryl (Marilyn)	2206 SW Fox Ct.	666-6783
Susan Miller Susan Miller	1746 SW Bella Vista Pl, Gresham	667-3319
Mark Griffith	839 NE Hacienda Ct Gresham	667-0979
Kristina Yoshida	4174 SE 29 th St Gresham	663-9061
Lloyd Woods	2220 SE Beaver Creek Lane	665-9114
MERRY NERA	1854 S.W. MONTMORE WAY	492-3639
KURT ZANSON	P.O. Box 256, CURBSIDE	695-5605