

CITY OF Troutdale

AGENDA

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

7:00 P.M. -- NOVEMBER 10, 1998

- (A) **1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**
- (A) **2. CONSENT AGENDA:**
 - 2.1 APPROVE MINUTES:** Regular Meeting of September 22, 1998
 - 2.2 APPROVE BUSINESS LICENSES:** Month of October 1998
 - 2.3 APPROVE LIQUOR LICENSE** - Approve liquor license for GodFathers Pizza, The Brass Rail, Burns Bros Truck Stop, McMenamins Edgefield Brewery, McMenamins The Black Rabbit Restaurant & Bar, Flying J Travel Plaza, Tad's Chicken & Dumplings, Plaid Pantries Inc., Winks Café, Safeway Inc.
 - 2.4 RESOLUTION:** A Resolution recognizing the completion of the public improvements associated with the Royal Oaks Subdivision and accepting them into the City's Fixed Asset System.
 - 2.5 RESOLUTION:** A Resolution recognizing the completion of public infrastructure improvements associated with the SE Sandy Avenue pedestrian and storm drainage project and accepting them into the City's Fixed Asset System.
 - 2.6 RESOLUTION:** A Resolution providing for budget transfers and making appropriation changes for Fiscal Year 1998-99
 - 2.7 RESOLUTION:** A Resolution of the City of Troutdale, Multnomah County, Oregon Authorizing Negotiation of a Lease - Purchase Agreement, related documents and Issuance of Full Faith and Credit Obligations.
 - 2.8 MOTION:** A motion appointing Steve Owen, Fairview City Councilor as area representative to the Port of Portland Airport Noise Advisory Committee.
- (A) **3. PROCLAMATION:** Proclamation for Census 2000.
- (I) **4. PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.
- (I) **5. PRESENTATION:** A presentation by Metro on Growth Management Issues.

Ray Valone

104 SE Kibling • Troutdale, OR 97060-2099 • (503) 665-5175 • FAX (503) 667-6403
TTD/TEX Telephone Only (503) 666-7470

- (A) 6. **PUBLIC HEARING / ORDINANCE (Introduced 9-8-98):** An Ordinance amending Troutdale's Comprehensive Land Use Plan relating to general goals and objectives and goals 2, 9, 10, and 12. **Faith**
- (I) 7. **REPORT:** A report concerning the results of the November 3rd Sewer Bond vote. **Galloway**
- (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 | Kvarsten |
- (I) 9. **COUNCIL CONCERNS AND INITIATIVES:**
- (A) 10. **ADJOURNMENT**


 Paul Thalhofer, Mayor

Dated: 11-4-98

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

November 10, 1998 7:00pm

I. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Meeting was called to order at 7:03 p.m. by Mayor Thalhoffer. Mayor Thalhoffer called on Councilor Regelein to lead us in the Pledge of Allegiance.

Mayor Thalhoffer asked for the roll to be called.

City Recorder Stickney called the roll.

PRESENT: Thalhoffer, Smith, Thompson, Kight, Regelein, Daoust.

STAFF: Allen, Berrest, Faith, Galloway, Gazewood, Kvarsten, Sanderson, Stickney.

GUESTS: Summer Hart, Jackie Quinn, Tim McLaren, Nicole Neibert, Amy Nevills, Alicia Games, Josh Gibby, Jeff Brunetto, John Domer, Malia Pulido-Sheets, Brian Barnhart, Dusty Hunte, Scott Marino, Abby Stumpf, Paul Culpepper, Carla Culpepper, Gordon Nicholson, Richard & Melissa Nelson, Mellissa Joseph, Crystal Johnson, Ray Valone, Mary Weber, Kevin Simons, Beau Bramon, David Steel, Jim Anderson, Tom Nielsen, Don Curtis.

Mayor Thalhoffer asked are there any agenda updates?

Kvarsten replied you have before you a memo from the City Recorder which hi-lights three changes; item 2.3 liquor license approval - adding Texaco; the second change is item 2.7 - there is a revised resolution with some minor changes; the third item is an addition to the consent agenda - item 2.9 a Resolution declaring certain personal property as surplus and authorizing disposal.

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- 2.9 RESOLUTION:** A Resolution declaring certain personal property as surplus and authorizing disposal.

Mayor Thalhoffer called this item and read the consent agenda.

MOTION: Councilor Thompson moved adoption of the consent agenda with changes and additions noted. Councilor Kight seconded the motion.

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

3. PROCLAMATION: Proclamation for Census 2000.

Mayor Thalhoffer called this item and read the Proclamation.

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

Mayor Thalhoffer called this item and asked the Reynolds High School students to introduce themselves.

Don Curtis stated Troutdale has changed greatly in the last three years, especially in downtown. About three years ago we began creating a partnership with the business people in downtown Troutdale. The partnership included the Mayor and City Council, Planning Commission and the few business people that were in downtown. We saw some things that we thought could take place and started holding meetings and talking about what could happen. One of the first things that happened in downtown was Mayor Square. Thanks to the Planning Commission and the foresight of the Mayor and City Council, Mayor Square is now a reality. Mayor Square is being used by a lot of people and the fountain is beautiful, there is still a lot more work to be done. We still need trees, benches and lighting. The Chamber has been selling bricks to raise money to help in the effort. There are some statues to be put in there that Caswell Gallery has consented to sell at a very good cost. We want to give credit and a big thank you to Dick Weyhrich of Tube Specialties and his sons Mark and Gary who sometime back expressed a desire to purchase a statue or statues for Mayor Square. They have donated the sum of \$7,500 for the purchase of a statue or statues. My purpose for being here tonight, as the former chairman of the Downtown Task Force and the Mayor Square Task Force, is to thank them for their donation.

5. PRESENTATION A presentation by Metro on Growth Management Issues.

Mayor Thalhoffer read this item and asked Ray Valone to come forward.

Ray Valone stated I would like to give you a brief overview of what Metro's growth management department is doing currently. The first item I would like to go over is Goal 5. Statewide Goal 5 requires that all cities and counties inventory and protect fish and wildlife habitat. Metro will be carrying out some Goal 5 inventory and work on a regional basis upon the recommendations of the local jurisdictions and requirements of the recently adopted stream and Flood Plain Protection Plan. A technical advisory committee has been formed to look at this. The second item I would like to cover is affordable housing. Based on regional goals and objectives that were adopted and the regional frame work plan, Metro is looking at affordable housing issues in conjunction with another technical advisory committee which consists of local government representatives, building industry representatives, business and financial community, housing advocates and private housing representatives. This technical advisory committee is in the final stages of finalizing a work plan. They will work on defining fair share, what regional housing needs are, developing a fair share allocation formula, and doing implementation strategies on a housing plan. These recommendations will be reviewed by the Metropolitan Policy Advisory Committee before they go on to the Metro Council. By June of 1999, they hope to have a recommendation of fair share targets, and by December of 1999 they will recommend adoption of an affordable housing strategy plan to the Metro Council. The last item is the Urban Growth Management Functional Plan and compliance issue. The Functional Plan was adopted in December of 1996 and became effective in February 1997. It is intended as an early implementation for the 2040 growth concept. As such it includes recommendations and requirements for promoting a balanced transportation system and more efficient use of our land, as well as some code changes to achieve minimum residential densities and improve parking practices. At the time, we as a region agreed it was necessary to start the process sooner rather than later because of the lost opportunities that were occurring. The cities and counties had two years from the February 1997 date to comply with this. Metro staff received the City of Troutdale's compliance plan this past August and we have done a preliminary review of that plan and found that it actually does a very good job of adjusting to most all requirements. It is actually farther ahead then most plans in the region. Based on the request contained in the plan regarding the dwelling unit target, our interpretation is that the City would need to apply for an exception to this target. The City's request is to amend the dwelling unit target from 3,789 units to 2,553 units, which is about a 33% reduction. As part of the exception process the City would need to provide documentation to support the request. As an alternative the City could also make a case that your plan is in substantial compliance with the functional plan by using the dwelling unit target number that city staff calculated Troutdale could do at the present time under existing zoning based on 80% build out. The figure that staff arrived at was 3,260 and that is about 86% of the functional plan target. Under this scenario, and given the City amends the plan and code to implement the remaining requirements that we have given back to staff, Metro staff would recommend to executive officer Mike Burton that the City would be in substantial compliance with the Functional Plan. If any time extension is needed to adopt code changes we would also recommend that one be granted to the City. The executive officer would then forward the recommendation to Metro Council.

Councilor Kight stated let me reference to the State Land Use Planning Goal 5 under resources for fish and wildlife protection. As you know in Troutdale we have both Beaver Creek and the Sandy River. We have experienced young fish coming up the river and they don't stay very long and they end up dying. Part of that is because of the pesticides and chemicals used in farming. I noticed in your comments

you plan on filling those gaps because it runs into several communities, East Multnomah County as well as Troutdale. What enforcement component would you have to force those people to come into compliance that are in fact polluting Beaver Creek and other tributaries?

Valone stated you are correct, we are looking at regional resources. Since it is the beginning of this process, it is my understanding that they will inventory and then take a look at potential recommendations for protection measures and then probably come up with a way to implement that through a strategy plan. In that would probably be any type of enforcement measures, so we actually do not know at this point.

Councilor Kight stated jumping ahead to the housing component where we have 80% density, right now we are at 84% anyway, so we are exceeding that target. The numbers given by Metro for our target capacity for housing was 2,553. You now have us at 3,789. The number of 2,553 is the number we have accepted which happens to be in fact your number as based upon the expansion of the urban growth boundary which I assume you are still planning on doing, is that correct?

Valone replied a couple years ago Metro staff did an analysis of what we could hold within the boundary. What we came up with at the staff level was a recommendation that the boundary would probably have to be expanded by about four or five thousand acres. That 2,553 number and all the numbers at that time were based on that, when we took that to MPAC, there was enough interest on that committee to say, we think we can do better at the local jurisdictions, we would like to try to do it with no expansion of the boundary. Metro staff was sent back to recalculate the numbers given there would be no boundary expansion. The Functional Plan was adopted based on no expansion so the higher target numbers became legislative. We are still working under those target numbers. At this point it is not a staff decision to lower the numbers, it would have to be a policy decision and would have to go through the Policy Advisory Committee and the Metro Council. At this point the higher number is still the target that we are aspiring to.

Councilor Kight stated that was before the expansion of the urban growth boundary. So the trigger for the lower number, if I understand you correctly, is the expansion of the urban growth boundary. Once that happens then the lower number is more accurate.

Weber stated the lower number really was based on the expansion of the urban growth boundary. Those numbers really don't count anymore because one, they are not the legislative numbers, and the Council determined that the need is different as well as time has passed. The new number is putting the bar high because we know we are going to fall short, folks can vary a little from the requirements of the Functional Plan and that includes the target numbers when you take the plan as a whole and if they meet the intent of what we are trying to do with the growth management strategies then they substantially comply. That is an offer that we have here for you, that as a package with the 13% or 14% reduction of the target that currently exists that we have some leeways. The Functional Plan, in the administrative section states, if a jurisdiction says that they can't do a piece of this work for some reason, or they choose not to do the parking requirement at all, there is an exception process to opt out of a portion of the plan.

Councilor Kight stated basically you are saying that it is a moving target, the higher number of 3,789 is an arbitrary number.

Valone stated when it was developed there was no intent or plans for expansion. The last couple of years it has developed that there is intent for expansion.

Weber stated whether or not Troutdale can get close to its targets or meet its targets, or if Gresham can do it, next year when council has to do the other half or whatever is left, those numbers that you have given us will be part of their decision.

Councilor Kight stated so we could be in compliance and still have the lower number of 2,553?

Weber stated you would have to ask for an exception.

Councilor Daoust stated we can take the prize behind door number one and basically go with substantial compliance. You had mentioned a housing density of 3200 or something like that, where does that number come from?

Valone replied one of the requirements of the Functional Plan was to look at what the capacity is under current zoning for the City. Given that 80% of that would develop, what is the capacity for dwelling units. It is an exercise that staff did and they came up with a number of 3,260 to the year 2017 under current zoning.

Councilor Daoust stated the prize behind door number two would then be going through an exception process where we would apply for an exception to the 3,789 down to the lower number of 2,553 and have to go through public hearings.

Valone replied it would go through MPAC and they would make a recommendation to Metro Council.

Mayor Thalhofer stated I am bothered by this 3,789 figure, I understand what you said but it does not make sense to me. The urban growth boundary needs to be expanded about 4,000 acres, is that correct?

Valone replied we are not sure of the acres yet. We need about 32,000 dwelling units in the next two years, so whatever the yield is.

Mayor Thalhofer stated I have a hunch that the boundary will be expanded again.

Valone stated under state law, now that we have identified that we need 32,000 dwelling units, we have to expand it within two years.

Mayor Thalhofer stated my point is, it is being expanded maybe by more than 4,000 acres and yet we have this higher figure. Here in Troutdale, apparently unlike other jurisdictions, we are very concerned about getting to many people in this small area. We are trying very hard to keep our subdivisions livable and keep the lot sizes in the 6,000 to 8,000 square feet ranges. We are concerned about our allocation based upon the zero expansion of the urban growth boundary when in fact it is going to expand. I have not heard a real good answer as to why we have to go for that larger number.

Weber replied I am not sure we can answer that to your satisfaction.

Mayor Thalhoffer stated we do not want to do more than what we reasonable have to do with the expansion of the urban growth boundary. We represent people in our City who don't want to live right on top of each other. Yes, we could probably do more, but we don't want to do more, we want to do our fair share.

Councilor Daoust stated when we calculated the 2,553, that lower number was based on the premise that we would require 80% of the maximum lot density. Regarding the fair share of affordable housing target, how does that mesh in with the assigned housing density that we already have been talking about?

Weber replied that Metro's charter has this grocery list of things that Metro must address. One of those is affordable housing, and because of all of the priorities we did not address that early on. Right now they are not tied together.

Councilor Daoust stated so you can not really answer the question of whether it is a component of the housing density we have been assigned or in addition to.

Weber replied they do not know for sure.

6. PUBLIC HEARING / ORDINANCE (Introduced 9-8-98): An Ordinance amending Troutdale's Comprehensive Land Use Plan relating to general goals and objectives and goals 2, 9, 10, and 12.

Mayor Thalhoffer read this item, recessed the City Council Meeting and opened the Public Hearing at 7:53pm and asked Mr. Faith to come forward.

Faith reviewed the staff report contained in the packet. In the memorandum that the City Attorney prepared for you on the conflict resolution process, it mentions that basically the process is one in which the City would request a compliance interpretation, a determination from Metro that a functional plan policy or requirement should not apply to us. My position is that I feel we have in essence done that through our compliance report that was submitted to Metro in August and was referenced earlier this evening by Metro staff. In that compliance report we petitioned to Metro to have our housing capacity target figure of 3,789 reduced or amended to 2,553 because we felt that number was consistent with the expansion of the urban growth boundary which we all understand is going to be occurring. That request is now before Metro staff and as you heard this evening there recommendation to us will be, and actually has been, is to resubmit that as a formal request for an exception to a specific requirement or provision of the functional plan. If we were to do that it would go through the exception process which would take it before MPAC and they in turn would make a recommendation which would go on to the Metro Council. Another idea that was offered here this evening, at least how I understand it, would be that we accept the figure that we have been given in the adopted Metro Functional Plan of 3,789 and request that we substantially comply with that because we only fall short by about 500 dwelling units. The Metro staff will then evaluate that and respond accordingly. It does appear however, that part of what they are going to be looking at in terms of determining whether we substantially comply with the Functional Plan would be whether or not we adopt a minimum density standard. That is one of the criteria that they are going to be evaluating it against. The bottom line to this as far as staff's recommendation is that we do not feel that adoption of this minimum density standard, mainly that future residential development must be built to at least 80% of the maximum allowed density, compromises what has already been occurring in the City. We have been achieving that generally over the last five years. Our information shows we have been achieving 84% of maximum density so adopting 80% is

not compromising. It should not be a significant issue for this council. The Planning Commission has reviewed this and has conducted a public hearing and is recommending adoption of these housing policies and that they be incorporated into our Comprehensive Plan and then will be carried out with specific amendments to our Development Code to implement those. The recommendation of the Planning Commission was also to adopt the provision to allow for accessory residential units and we can build in safe guards to make those compatible with single family neighborhoods.

Councilor Daoust stated what would be the basis of our argument for applying for an exception to Metro down to the lowest number of 2,553?

Faith replied we do have to provide some documentation. In any request for an exception there are specific requirements in the Functional Plan that we have to meet. It states under Title 8 of the Functional Plan that any exception to the requirements of the allocation must be based on the following; first a demonstration of substantial evidence of the economic and feasibility to provide sanitary sewer, water, storm water or transportation facilities to an area or areas; secondly a demonstration that the city or county is unable to meet the target capacities as listed in the Functional Plan because substantial areas have prior commitments to developments at densities inconsistent with the Metro target; and third a demonstration that the dwelling unit and job capacities cannot be accommodated at densities or locations the market or assisted programs will likely build during the planning. Those are the tests we have to demonstrate in a request for an exception. In addition to that there are other things we would have to look at in requesting any exception to the calculated capacities and must show what affect they have on either the request to increase or decrease. I do not favor the idea of seeking an exception with respect to the allocation figure. I think it will be very difficult to meet this test.

Councilor Regelein stated I am back to the original recommendation of accepting it assuming that we meet the 80%.

Faith replied assuming that we adopt the ordinance with the inclusion of the 80% density standard that then becomes implemented through the Development Code amendments. At that point we would be seeking substantial compliance with the Functional Plan.

Councilor Kight asked what is the posture of Metro at this point if we were not to accept accessory dwellings in established neighborhoods if we are meeting our 80% density?

Faith replied my understanding is I think Metro is going to be very firm about the 80% density standard but is willing to be more flexible and open minded about the provision for accessory residential units primarily because, in the total picture, accessory residential units amount to a very insignificant number of units.

Councilor Kight stated we are experiencing development where we have seen mixed use, not only single family homes, but also row houses and apartment complexes all within the same development. We are already seeing that the market will take care of it. As Mary Weber pointed out the demand is already there.

Mayor Thalhofer stated I do not object to the 80% because we are already exceeding that. The accessory dwellings concern me. I thought I read in here where you could require them in certain areas and not in others, but what I am hearing you say is you have to allow them throughout the City.

Faith replied the language in the Functional Plan says that we are not to prohibit the construction of at least one accessory residential unit on a single family parcel in all zoning districts where a detached single family dwelling unit is permitted. I think we could modify that and seek an exception to that provision. Again, I think Metro is going to be much more flexible on the accessory residential unit provision. Because of our mixed use zones we may not want to allow it in some areas.

Councilor Kight stated that Councilor Ripma is a member of MPAC I think it is vital that we have his input relative to council action on this issue. Since he is out of town I would like to suggest that we table this issue until his return.

Mayor Thalhofer asked what is the urgency of this matter?

Faith replied we are trying to move forward in compliance with the Functional Plan. What you have before you is amendments to the Comprehensive Plan, but the real urgency is in the amendments to the Development Code. We are trying to meet the February 19, 1999 deadline.

Councilor Regelein stated basically staff has put in the recommendation and amendments that we suggested at the prior meeting, I don't see any reason to put this off.

Councilor Daoust asked if we were to request that exception, would we do that before adopting these amendments or should we adopt the amendments?

Allen replied what specifically would you be wanting an exception to?

Councilor Daoust replied the housing density that's been assigned to the City.

Allen stated if you don't request an exception until after you have adopted a policy that is inconsistent with Metro's requirements then there are other remedies that come into place and less emphasis put on mediation and a less formal type of enforcement action.

Weber stated we are not recommending that the council act on any exception request until the jurisdiction has done all of its work. Your City Attorney is correct, there is less that we can do if you take no action.

Councilor Kight stated you said there is less that you can do, what do you mean by that?

Weber replied our triggers are in the context of land use action, so if you choose not to take a land use action it's harder for us to enforce it then if you were to take a land use action.

Councilor Kight stated that is good advice. I think we heard delay. The City shouldn't make a commitment until we are on firm ground.

Weber stated I don't know if it is good advice it is just reality. You will be working in an arena where you will be dealing with twenty-six peers that are doing the same thing.

Councilor Kight stated I am opposed to taking a developed subdivision where people have gone in and bought a home and all of a sudden you change the ground rules and change the zoning on them and you require accessory dwellings. Basically it takes a house and turns it into a duplex. Each bedroom has a

capacity of two people, so in a four bedroom home you could potentially have eight people in that single family home. Now with accessory dwelling you could take it up to ten people. That turns it into a multi family home in an area where people have purchased single family homes. I think that is deceitful on the part of the City to adopt those kind of zoning changes after someone has made that type of investment.

Weber replied I understand your concerns.

Councilor Kight stated we all have different ways of describing livability. Livability to me means when I buy into a single family subdivision that is what I expect, I don't expect it to change. One of the ways things change is if there is any opposition it has to come from the neighbors. The neighbor may say I need it for my elderly Mother, then the Mother moves in and six months later she ends up in a retirement home and they turn around and turn it into a rental.

Councilor Daoust stated that staff has projected that it will only add seventy-five additional units for these attached dwellings. It is not that big of a deal especially if we have standards for these accessory units. Is the 80% minimum density and or the accessory dwelling units what you call so called triggers that would allow Metro to take action to LUBA?

Weber stated that minimum densities are extraordinarily important to our ability to manage growth in the region and to use what land we have more efficiently, so that is nothing we do with a LUBA appeal.

Mayor Thalhofler stated in a perfect world the people who really wanted an accessory dwelling could somehow petition to get one, but to just leave it open for anyone to have an accessory dwelling would ultimately become another house or another dwelling unit on that block. That creates higher densities in that neighborhood due to the accessory dwellings. I understand that there are not many of them projected to be in areas, but it seems like it could be a way for people to make money renting them out. That is what I am concerned about. Do they have to prove in any way that this is built for a certain person for a certain purpose?

Faith replied you could require that but once it is built it can change.

Weber stated that there is a laundry list of things you require. Some jurisdiction are looking at limiting what it looks like and the impact on the neighborhood visually by the size.

Faith stated that the provision in the Functional Plan says that the local governments can enact reasonable regulations on accessory units but shall not prohibit rental occupancy.

Mayor Thalhofler asked could we come up with some kind of accessory dwelling piece of this that is different then what we have now? If we were to pass the ordinance now, what restrictions do we have on accessory dwellings?

Faith replied the ordinance that is being proposed includes a policy statement that says; where a detached single family development is permitted, allow an accessory residential unit as a second dwelling either within or added to a detached single family dwelling. The specifics of how that is carried out would rest in the standards that we would draft for the Development Code. At the September 22nd meeting we did present a draft of what that might look like, which is attached as exhibit "C" of my staff report, which

is an example accessory residential unit standards. This is merely to indicate possibilities of what we could apply as standards to accessory residential units so they would fit in and be compatible with a single family unit.

Faith asked if this council adopted this ordinance and eliminated this policy, then would Metro take the position that we are in conflict with the Functional Plan and would be forced to file a LUBA appeal?

Weber replied no.

Faith asked then what ramifications are there if we acted tonight by adopting this with the elimination of that policy statement?

Weber replied we would ask staff to redraft the compliance plan, your work plan. If the council were to stay with the current capacity of 3, 260, adopted minimum densities, I would personally recommend to the executive officer that you fall within substantial compliance. I can't tell you what the executive officer is going to do, you are the first out of the gate, MPAC would probably have to chat about it.

Councilor Kight stated your bottom line is to reach the 80% density, is that right?

Weber replied it is not let's make a deal here.

Councilor Kight stated the bottom line is you are looking for the 80% density, and you don't necessarily care how you get there. We could take out the accessory dwellings and not allow it anywhere in the City as long as we reach the 80% density. We could in fact even take the lower number of 2,553, which Ms. Weber mentioned earlier in her statements, was in fact a moving number, it goes up and down based on what happens in the region, am I right?

Weber replied if what comes officially to Metro is, we are going to adopt 80%, and we want you to change your number down to 2,553.

Councilor Kight stated I am not saying change it necessarily, that is Metro's number. The 2,553 is your number based on the expansion of the growth boundary, is that correct?

Weber replied the adopted number in the Functional Plan, your target is the higher number. It is the only one I can work from. I am getting a little uncomfortable.

Councilor Kight stated I think we are working towards the same thing, we are just saying it in different ways. What we are looking at ultimately is the goal of 80%. If this Council adopts the 80% density for this City, removes the language for the accessory dwelling and at the same time takes the number somewhere between 2,553 and 3,260. The number is not cut in stone, I am not asking you to make that policy decision. But could we not appeal for the lower number?

Weber stated we do not have a provision in the Functional Plan that says change the numbers. For right now we have to deal with it.

Councilor Kight stated I agree with you but I don't want Troutdale to accept the higher number or a higher density than other areas within the Portland Metropolitan area.

Allen stated one word of caution, with all due respect to Ms. Weber and I am sure she will stick by her recommendation that the City is in substantial compliance, don't think that there are any guarantees. If that recommendation from her goes back to Metro, they could decide that is not enough and go ahead and take action.

Councilor Kight asked could we then appeal?

Weber replied it would then go to mediation.

Mayor Thalhoffer stated I would like to see staff come back with an ordinance that completely leaves out the accessory dwelling units and just comes back with the minimum density.

Faith stated we have that with the ordinance as shown in exhibit "D" with the elimination of the policy on page 33.

Councilor Daoust stated I wouldn't mind at all tonight proposing adoption of the amendments minus the accessory dwelling language. Since the 80% density standard seems to be a requirement of Metro to help determine whether we are in compliance or not and there is some flexibility in the accessory dwelling requirements, I will feel comfortable adopting these amendments as staff has mentioned that we can do minus the accessory dwelling language.

Tim McClaren stated that I like the idea of having the lower number of housing units and having some space between houses.

Mayor Thalhoffer closed the Public Hearing and reconvened the City Council Meeting at 8:37 pm.

MOTION: Councilor Daoust moved that the Council adopt the amendments given to us which would include the 80% density standard but minus the amendment on page 33 where it talks about permitting accessory dwellings. Seconded by Councilor Regelein.

Councilor Kight stated you are not making reference to any particular number for density.

Faith replied on page 30, exhibit "B" which is the original version presented on September 8th. On page 30 in the amendment to the narrative talking about housing stock, we have incorporated a statement that says, based on Metro's regional housing allocation the City is expected to provide an additional 3,789 dwelling units by the year 2017. It is not a policy it is simply a statement in the narrative.

Mayor Thalhoffer asked by passing the motion does it pass that figure?

Faith replied yes, unless you want that stricken from the amendments.

AMENDMENT: Councilor Daoust moved to amend his motion by striking the sentence: Based on Metro's regional housing allocation, the City is expected to provide an additional 3,789 dwelling units by the year 2017. Seconded by Councilor Regelein.

Allen stated originally when this ordinance came before you I think it was introduced to you and then

tabled, and it is now being brought back off the table and now being reintroduced and given that we are substantially modifying the content of the ordinance we probably need to have two readings on this proposal.

Mayor Thalhoffer stated I agree, we will not vote on this tonight and we will set it over to the next meeting.

WITHDRAW MOTION: Councilor Daoust stated I withdraw my motion.

7. REPORT: A report concerning the results of the November 3rd Sewer Bond vote.

Mayor Thalhoffer read the item and asked Mr. Galloway to come forward.

Galloway reviewed the staff report contained in the packet.

Councilor Smith asked we are at 1.4 capacity and you say 1.6 is full capacity, with the completion date of roughly 2002, what is that going to do for our building? Are we going to have to call a moratorium on building?

Galloway stated I do not believe so. The Mutual Agreement of Order we are entering into with DEQ allows us to have greater permit limits on a number of the items that we discharge from the treatment plant. I think we are in good shape to get through the construction period.

8. Department Reports:

Mayor Thalhoffer called this item.

Gazewood stated on page 2 we see the effects of the declining interest rates. They are basically 13 to 15 points below the previous year which reflects in the summary reports the reduction of interest allocated on the total fund balances that the City has invested. On page 4 summary is a schedule that reflects the general fund revenue for the first four months of the fiscal year with comparison to the prior year. Overall for the four month period the general fund revenues are up slightly by \$20,000 with the reduction in the beginning balance of \$250,000 means a net reduction of \$237,000. Page 5 reflects the overall impact of the building program in the City at the present time. Schedule B on page 6 compares three years, we have seen a drop in building growth.

Galloway stated on page 3 of my report in the last paragraph it talks about the expansion of the public work shop. I want to point out to you one of the comments that has to do with the possible addition of backup power to the shop area. That was not part of the initial scope of the project. We have asked for pricing on adding the back-up power, it is not cheap. The necessary site work to adapt that is in the \$35,000 range with another \$45,000 for a natural gas powered generator. I think it would be beneficial to the City to have that capability and as far as a funding mechanism we do have that amount of money appropriated in this years budget for the painting of the water reservoir near Stark and 242nd, and should we want to go forward with that back-up power we could defer that painting project into the next fiscal year and use the funds appropriated for that to provide the back-up power which is what I would recommend.

Councilor Kight asked that is an \$80,000 expenditure , how often do we have power interruption at that

particular location?

Galloway stated it is certainly not a very frequent thing, probably once or twice a year at the most. Some of the benefits it will provide, it does give us the ability to monitor reservoir levels and to operate the wells from that location as opposed to having to send crews around and do everything on a manual basis, assuming we have power at the wells. It also allows us to operate shop equipment so we can do the maintenance on water equipment and vehicles.

Councilor Kight asked would it power the entire building?

Galloway replied it would power the entire building, it would not power the adjacent well number 4.

Councilor Kight asked how would that be powered?

Galloway replied it would not. Because of the particular elevation involved, if the wells at the higher elevations were in operation we would have the ability to provide water to that zone. Well 4 primarily serves things north of the freeway.

Councilor Kight asked how would you get water to the industrial area?

Galloway replied wells in other portions of the City would be able to feed that primarily because of there higher elevation.

Councilor Kight asked is there a more moderate way to provide auxiliary power to the public works building other than an \$80,000 generator?

Galloway replied I don't know of a very good one. We could probably save a few thousand dollars by going with a diesel power rather than gas. I think we were looking on greater reliability, and we were looking at the noise factor with concerns to the neighbors.

Mayor Thalhoffer stated I think we should be prepared. I think it is an expenditure that we need to make.

9. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalhoffer stated I would like to congratulate the people who were elected to office, Councilor Smith and Councilor Thompson and newly elected Councilor Paul Rabe. I would like to express my appreciation for the fine service that Councilor Regelein has given us. I was particularly pleased that we were able to pass for the third time the sewer treatment plant relocation bond measure. I want to thank those visionary voters for allowing us to relocate the sewer treatment plant from out of the downtown area.

Councilor Daoust stated I found out recently that Tracy Callan's job has been expanded to community service manager. I think that is a very welcome expansion of job duties. The Chamber of Commerce had a very successful auction last Friday Night. Reynolds High School is putting on the Wizard of Oz play, by chance selection, the young child playing the Mayor of Munchkin City is Brandon Mauck, who is the Grandson of our late Mayor Sam Cox.

Councilor Regelein stated I would like to congratulate the winners of the election. I would like to recognize all of the candidates both previously mentioned along with Max Maydew, Rob Klever, Clint Christopher and Al Hayward all who ran respectful and honorable campaigns. I would like to give special recognition to my friend Paul Rabe who will be replacing me in January, I wish him all the best. I am sad and disappointed in the way the campaign came out in that, not by the candidates but by a small group of overzealous supporters that felt necessary to drag elections in Troutdale to an all time low. Those few people felt it necessary to malign the names of a number of exceptional citizens in Troutdale, Max and Sherly Maydew, Linda and Junki Yoshida, Leslie Daoust and others. Those people have contributed immeasurably to making Troutdale the remarkable City that it is today and no way deserved the attacks that were made on them. I find the use of "Sound Off" in the Outlook to be one of the more contemptuous tools, a column that allows people to call in say the most outrageous thing without fear of reprisal. This is a column for people without the conviction to stand behind their statements by identifying themselves. I hope the Outlook will consider removing this column from its paper. With all my heart I hope that beginning in January a healing process will begin so that Troutdale can continue to reach its potential as a City unique among the cities of Oregon.

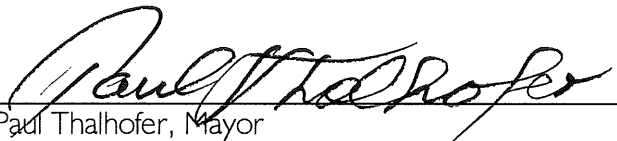
Councilor Thompson stated thank you to the voters for re-electing me and for passing the sewer treatment plant bond.

10. ADJOURNMENT

MOTION: Councilor Smith moved to adjourn the meeting. Councilor Kight seconded the motion.

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

Meeting was adjourned at 9:20 p.m.


Paul Thalhoffer, Mayor

Dated: 1/14/99

ATTEST:


Debbie Stickney, Acting City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

**November 10, 1998
CITY COUNCIL REGULAR MEETING**

PLEASE COMPLETE THE FOLLOWING

NAME <small>(please print)</small>	ADDRESS	PHONE #
Summer Hart	14634 N.E. San Rafael	257-5954
Jackie Quinn	375 Creekside Terrace	669-7455
Tim McLasen	1532 S.E. Chapman Ave	666-6591
Nicole Neibert	17800 N.E. Davis	667-4266
Amy Nevills	14227 NE Weidler	253-2434
Alicia Barnes	116611 NE Russell #65	261-1835
Jeff Jeff Josh Gibby	2069 SW Sunrise Circle	667-9378
Jeff Brunetto	423 S.E. 10th St.	674-6839
John Damer	1135 High St Gladston, OR 97027	657-9262
Malia Polido Sheets	514 SE 18th St	492-6992
Brian Barnhart	_____	
Dusty Hunt	Box _____	618-9068
Scott Marino	_____	661-3390
Abby Stumpf	_____	661-7201

--PLEASE COMPLETE THE FOLLOWING--

NAME <small>(please print)</small>	ADDRESS	PHONE #
Paul Culpepper		661-0840
Carla Culpepper	1437 SE 26CT, Tr	661-0840
Gordon Nicholson	PDY	286-4556
Richard & Melissa Nelson	TROUTDALE OR	
Melissa Joseph	TROUTDALE OR 97060	665-6678
Crystal Johnson	16748 SE Oak Ridge, Or 97233	254-8726
PAT VALONE	METRO 600 NE Grand, P.L.A.	797-1808
MARY WEBER	Metro - 600 NE Grand, Portland	797-1735
KEVIN SIMONS	2384 NE 166 CT	256-5674
Brian Braman	1348 NE 186th	618-0297
David Steel	13414 NE Schley	261-1395
Jim Anderson	1526 SW Meteor Pl.	666-1521
Tom Nielsen	Parametrix, Portland OR	

DATE _____

PAGE # _____

CITY OF TROUTDALE PUBLIC COMMENT SIGN-IN SHEET

November 10, 1998
CITY COUNCIL MEETING

PLEASE COMPLETE THE FOLLOWING

PRINT NAME <i>(please print)</i>	ADDRESS	PHONE #
Dan Curchi	1440 Se 12 th	666-9874
Ray Valone	METS 600 NE GRAND AVE. PLS	797-1808
Tim McLaren	1332 SE Chapman	666-6591