

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. -- NOVEMBER 14, 1995

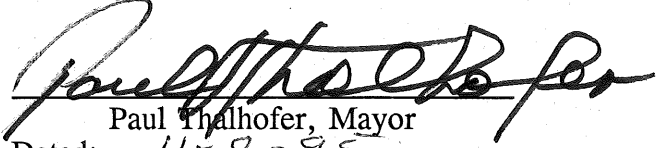
- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes - Regular Sessions - August 8, 22, and Special Session September 5, 1995
 - 2.2 Business Licenses - Month of October, 1995
 - 2.3 Approve Liquor Licenses - Tads Chicken & Dumplings, Edgefield Brewery, Edgefield Distillery, The Black Rabbit Restaurant and Bar, Plaid Pantry, Burns Bros. Truck Stop.
- (A) 3. APPOINTMENTS:
 - 3.1 Downtown Square Design/Downtown Task Force.
 - 3.2 East Metro Arts and Culture Council.
- (I) 4. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (I) 5. PRESENTATION: Development of a Correctional Facility in Multnomah County.
Commissioner Sharron Kelley
- (A) 6. PUBLIC HEARING/ORDINANCE INTRODUCED 10/24/95: An Ordinance Amending the Zoning District Map Attaching a Planned Development Overlay to Tax Lots 4200, 4300, & 2800 Section 36, T1N, R3E, WM. - Hampton Ridge Planned Development. Barker
- (A) 7. PUBLIC HEARING/ORDINANCE INTRODUCED 10/24/95: An Ordinance Amending the Zoning District Map Attaching an Aggregate Resource Overlay to Tax Lot 33, Section 26, T1N, R3E, WM, for Removal of Top Soil. Barker
- (A) 8. PUBLIC HEARING/ORDINANCE INTRODUCED 10/24/95: An Ordinance Adopting the Parks, Recreation, and Greenways Plan. Faith
- (A) 9. DISCUSSION: A Discussion to Consider Deferring Improvements to S.W. Kendall Ave. (Between W. Columbia River Highway and 2nd Street) and to S.W. 2nd Street (Between Buxton and Kendall). Galloway

(I) 10. DEPARTMENT REPORTS: September and October.

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: 11-8-95

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

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

I. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

City Recorder Martinez called the roll.

PRESENT: Thalhofers, Smith, Ripma, Kight, Lloyd, Burger-Kimber

STAFF: Barker, Berrest, Faith, Galloway, Gazewood, Kvarsten, Lantz, Martinez, Sercombe

PRESS: Jackie Scott - Oregonian
John Henderer - Outlook

GUESTS: Dan Oldham, Sharron Kelley, Sam K. Cox, Floyd & Lillian Watson, Cathy Allegri, Don McGinnis, Gerald Klinger, Ann Klinger, Peter Drake, Sarah Hachett, Carol Hanson, Jim Delanty, Mike & Lu Mills, Mike Nelson, Jeff Bachrach, Don Oakley, Maria Oakley, Lou Nederhisier, Frank Windust Jr., Greg Handy, Neil Handy

2. CONSENT AGENDA:

- 2.1 Accept Minutes - Regular Sessions 8/8, 8/22, & Special Session 9/5/95
- 2.2 Approve Business Licenses - Month of October, 1995
- 2.3 Approve Liquor Licenses - Tads Chicken & Dumplings, Edgefield Brewery, Edgefield Distillery, The Black Rabbit Restaurant and Bar, Plaid Pantry, Burns Bros. Truck Stop.

Mayor Thalhofers called this item and read the consent agenda.

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

YEAS: 6
NAYS: 0
ABSTAINED: 0

3. **APPOINTMENTS:**
3.1 Downtown Square Design/Downtown Task Force
3.2 East Metro Arts and Culture Council

Mayor Thalhoffer called this item.

Lantz stated that the architect for the Downtown Square project has requested a committee to work with to discuss issues related to the project. The Parks Advisory and staff recommendation is to use the Downtown Task Force for this purpose, the Task Force has agreed to serve in this capacity.

MOTION: Councilor Ripma moved to appoint the Downtown Task Force to work with the architect on the design of the Downtown Square. Councilor Lloyd seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Kvarsten stated that in July the East Metro Arts Task Force presented a report to the council that recommended a couple of things, the council asked them to come back at a later date and make recommendations for appointments to that group as well as consider a possible donation to the same group. The recommendations are to appoint Rip Caswell, Ali Peret, Peter Slaney, and Teresa Kasner to the EMACC as well as contribute \$1,000. to the same group.

Nancy Conrath, Director of EMACC informed the council on the selection process.

MOTION: Councilor Lloyd moved to appoint Rip Caswell, Ali Peret, Peter Slaney, and Teresa Kasner, to the East Metro Arts and Culture Council. Councilor Burger-Kimber seconded the motion.

YEAS: 6
NAYS: 0
ABSTAINED: 0

MOTION: Councilor Burger-Kimber moved to donate \$1,000. from this years budget to the EMACC. Councilor Kight seconded the motion.

Councilor Ripma asked if there is a budget that shows how the funds will be used?

Conrath stated that the money will be used to pay for mailing, office supplies, etc., next year will need larger amount to pay for part time staff, and other improvements.

Councilor Ripma asked that they report back with some sort of financial report.

Conrath introduced Kathy Alegri who will be working with the committee.

Mayor Thalsofer requested that they come to the budget committee with these types of requests.

YEAS: 6
NAYS: 0
ABSTAINED: 0

4. PUBLIC COMMENT:

Mayor Thalsofer called this.

Don McGinnis, 151 SW 257th, voiced concerns regarding the street lights that are burned out or damaged along Historic Columbia River Highway in the downtown area.

Councilor Ripma stated that the parts are on back order.

5. PRESENTATION: Development of a Correctional Facility in Multnomah County.

Mayor Thalsofer called this item.

Sharron Kelley, Multnomah County Commissioner, briefed the council on S.B. 1145. The bill requires that as of January 1, 1997, all criminals that have been sentenced to one year or less will remain in their counties. This will be 1532 new people per year in this county, we will need 700 more beds. Clackamas & Washington county combined will only need 70 to 90 beds. There is 59 million dollars to be divided between all of the counties in the state, we all have to submit applications and compete for the money to assist in meeting the demands of the bill. The deadline for applications is December 22, 1995, with a decision in January, 1996. Informed the council on existing problems with addicts and mentally ill people who have been convicted of crimes and must be incarcerated. Asking you to partner with the county to deal with this issue, apologize for the late notice but could not discuss the Troutdale site with you until we knew what we needed, and we did not reach a decision until

last week.

Dan Oldham, Multnomah County Sheriff's Office, stated that all jurisdictions suffer from the same problem, not enough money and too many bad guys. No conclusions have been made on siting of a facility to deal with this bill. If we have to spend the state money on property for the facility we will have no money to build the facility. So we are looking at existing facilities and property first.

Council voiced concerns regarding, the need for the county to look at other available property rather than the Troutdale site, criminals being released into this area, the Troutdale facility is already in a bad location near McMenamins and the proposed Edgefield Station, county should look at selling the prime property to buy less desirable, not informing the city of this issue sooner, city must be involved in application process and communications with the state.

County officials stated that no decisions on siting have been made all options are available but running out of time and not a lot of money, did have meeting with Mayor, City Administrator and Chief, to let them know this is coming, will supply city with information that has been or will be sent to state, will work with city on county's application for funds.

Mike Nelson, GSL Homes - President, voiced concerns regarding Edgefield Property as new Jail site or expanding current facility, when originally built area was extremely different than it is today, we were told it was just going to be a holding facility, that is what we passed on to the people we do business with. We are developing Cherry Ridge and are developing pathways to McMenamins and the proposed Golf Course. Will fight all of the way if the current facility is expanded or a new facility is built. As member of Edgefield Station Task Force know that if another facility is built it will scare away potential developers. We urge the county to re-think their position, I heard tonight that the county will be working with the city and that is a very good idea. Would buy the property if possible.

Jeff Bachrach, 1727 NW Hoyt - Portland, reinforced the statements made by Nelson.

Council discussed the public comments.

Don Oakly, Cascade Communities - President, stated that looking at this from a developer's point of view, this may be the best facility the county has but it is not because of the land it is on, it is the structure. This is not the best use of the land, without the jail on it and the proper zoning the land may be valued in the neighborhood of 60 to 65 thousand dollars, selling this property without the jail would pay for another less desirable site and have money left over.

Council discussed these comments.

Mayor Thalhofler called for a break at 9:06 p.m. and reconvened the meeting at 9:19 p.m.

6. PUBLIC HEARING/ORDINANCE INTRODUCED 10/24/95: An Ordinance Amending the Zoning District Map Attaching a Planned Development Overlay to Tax Lots 4200, 4300, & 2800 Section 36, TIN, R3E, WM. - Hampton Ridge Planned Development.

Mayor Thalhofler called this item, recessed the council meeting and opened the public hearing at 9:22 p.m.

Barker stated that this is a request by Cascade Communities for Planned Development Overlay and reviewed the staff report included in the council packet, an ordinance has been prepared that incorporates the findings of fact from the PC and their recommendations.

Don Oakly, Cascade Communities, reviewed the project for council and stated that he is open to providing speed humps or not whichever the city prefers will coordinate with public works and would work out an agreement that will address the maintenance of the private streets.

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

Oakley stated that he suggests that parking be allowed only on the opposite the driveways, this suggestion is incorporated into the CC&R's.

Mayor Thalhofler closed the public hearing and reconvened the council meeting at 9:38 p.m.

MOTION: Councilor Ripma moved adoption of the ordinance. Councilor Kight seconded the motion.

Councilor Burger-Kimber clarified a comment made at the last meeting regarding the public areas with the trees, supports the trees and areas was just looking at other areas where those types of areas a maintained by the development rather than the city.

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

7. PUBLIC HEARING/ORDINANCE INTRODUCED 10/24/95: An Ordinance Amending the Zoning District Map Attaching an Aggregate Resource Overlay to Tax Lot 33, Section 26, TIN, R3E, WM, for Removal of Top Soil.

Mayor Thalhofler called this item, recessed the public hearing, and opened the public hearing

at 9:43 p.m.

Barker stated that this is a request by Gerald Klinger to remove between 50 to 70 thousand cubic yards of top soil from a site on SW Halsey St. Barker stated that several issues were raised at the last meeting and she has attempted to address those issues in the staff report. Barker reviewed the staff report contained in the packet with council.

Councilor Kight asked how often are inspections of the site done?

Barker stated that the inspections vary on the type of site, weather, and other conditions.

Councilor Kight asked how much will the city be collecting for those inspections?

Barker stated the city collects fees for the permits but not for inspections?

Councilor Kight asked if a building design has been submitted?

Barker stated no.

Councilor Kight voiced concerns regarding erosion.

Barker stated that the applicant is required to meet erosion control requirements.

Mayor Thalsofer asked if the applicant was will to meet the requirement of option 2.

Barker stated that she discussed the options with the applicant and he has indicate he would be willing to meet those requirements.

Council discussed options for requirements of a letter of credit from the applicant.

Sercombe stated that if the property is sold requirements could be made before hand that the city hold the letter of credit until the new owner makes acceptable arrangements with the city.

Councilor Ripma asked for clarification on the Halsey Street landscaping requirements?

Barker stated that the applicant would be required to make the same improvement along Halsey that any other business would make, curbs, driveway cuts, and landscape buffer strip approved by the site design committee.

Gerald Klinger, 1027 NW 1st Street - Gresham, stated that his family has owned the property since 1952, and believe it or not the intent is to develop the property. You are holding me up by putting demands on me that are incredible, it would be a different story if

I was doing something illegal. I have met all of the requirements. Staff, and the Department of Geology and Mining say that this is a good project, I don't know where you are coming from. If you don't want it developed that is fine, but if you do it can't be developed without getting the dirt off, I was going to use some of the money from the dirt to develop it. You need to be realistic, if I were to come to you with a developer with millions of dollars you would approve it without a second question.

Mayor Thalsofer asked if option 2 acceptable.

Klinger stated yes but you keep adding to it, more bonds and letters of credit.

Mayor Thalsofer asked if a one year term would be acceptable?

Klinger stated that would be fine.

Councilor Ripma asked if he was aware that exposing the soil in Troutdale could lead to adverse conditions?

Klinger asked how long Councilor Ripma has lived in Troutdale?

Councilor Ripma replied since 1989.

Klinger stated that he has farmed that property since the 50's, I am very aware of what happens with the soil in this part of the country.

Councilor Ripma stated then don't you think we need to be very careful with this type of request?

Klinger stated that all of the problems that could occur have been addressed originally.

Don McGinnis, 151 SW 257th, stated that he is appalled, the land is central business district and he wants to put something on it that is central business district, and you have concerns, but you allow a storage facility. There were mining projects to me and nothing happened. Councilor Kight asked on T.V. Mr. Klinger if he could guarantee completing the project in one year, what kind of question is that. Staff has provided a full proof plan, how can you beat what is proposed. A few years ago the staff was accused of being anti-development, which they weren't, now it seems like council is.

Councilor Ripma stated that all of your concerns are why we should be careful.

McGinnis stated that even the state says this is a simple short term project which we anticipate no problems.

Councilor Ripma clarified that the storage facility did not come before council.

Jackie Kleinstub, 3117 SW Paladine, stated that has had a passing participation in both this project and the storage facility, and understand your concerns. In 25 years of project management I don't think I have seen anything this thorough, your staff has done an admirable job, you should have confidence in them. Comments have been made that the applicant should have a design for what he plans to do when done, but how will he know what the market is in five years. The climate now is making it very hard for the little guy to develop a piece of property.

Councilor Kight asked what Kleinstub's relationship is to the applicant?

Kleinstub stated that she designed the storage facility and I helped Mr. Klinger with his application to the state.

Mayor Thalsofer closed the public hearing and reconvened the council meeting at 10:32 p.m.

MOTION: Councilor Ripma moved to adopted the ordinance using option two with the following amendments, Section 27 should be amended to reflect one year, and Section 5 should be amended to reflect on year. Councilor Lloyd seconded the motion.

Councilor Kight asked Sercombe if he felt that there are enough precautions to protect the city.

Sercombe stated that it is really not a legal question.

Councilor Kight asked the same question of staff.

Barker stated that she felt that he would meet all of the requirements, yes.

Councilor Ripma stated that he believes that staff did a good job and this does what we failed to do before.

Councilor Burger-Kimber stated that there is no doubt that staff did a good job but that is what they are here for, we make the policy decisions which is what this is a zone change, need to prevent what happened in the past.

Mayor Thalsofer stated that this now has enough safe guards to prevent what has happened in the past.

YEAS: 5
NAYS: 1 (Burger-Kimber)

ABSTAINED: 0

8. PUBLIC HEARING/ORDINANCE INTRODUCED 10/25/95: An Ordinance Adopting the Parks, Recreation and Greenways Plan.

Mayor Thalhoffer called this item, recessed the council meeting, and opened the public hearing at 10:41.

Faith stated that this would be the guide for the future for the parks and recreation in the city and reviewed the staff report in the packet.

Mayor Thalhoffer closed the public hearing and reconvened the council meeting at 10:43 p.m.

MOTION: Councilor Ripma moved to adopt the ordinance. Councilor Burger-Kimber seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

Councilor Kight was absent for the vote.

9. DISCUSSION: A Discussion to Consider Deferring Improvements to S.W. Kendall Ave. (Between W. Columbia River Highway and 2nd Street) and to S.W. 2nd Street (Between Buxton and Kendall).

Mayor Thalhoffer called this item.

Galloway reviewed the staff report contained in the council packet.

Mayor Thalhoffer asked if a traffic study, as requested in the letter from the Handy's contained in the packet, would be beneficial.

Galloway felt that it would produce very little useful information with out knowing what is planned for the area, it would have to be to general to be useful.

Neil Handy, 146 W Columbia, stated that there should be a need for the improvements before the money is spent, the traffic flow does not suggest that they should be improved.

Councilor Smith voiced concerns that if the roads were in any shape to drive on they would be used, now they are being used as a parking lot.

Councilor Burger-Kimber voiced concerns that the Handy's were opposed to the improvements because they would prefer that the roads be vacated.

Lou Nederheiser, Owner of property on SW 2nd, stated why stop now all of the other streets have been improved. Have seen development on Airport Way spring up when it was developed. To allow only one way into the Windust Property would be a shame.

Frank Windust, 37938 SE Richert Road - Corbett, stated that he has developers interested but they must have access on Kendall. If the streets are vacated it will be a windfall for the Handy's.

The Council discussed the comments made by Windust and the type of development proposed on the property.

MOTION: Councilor Ripma moved to direct staff to proceed with option one, improve both 2nd and Kendall as provided for in the budget.

Councilor Ripma stated that he feels that the streets will have to be developed and we provided for it in the budget and this will finally put this issue to rest.

Councilor Lloyd stated that he feels that this will enhance the developability of all of the surrounding properties and since all of the other property owners favor this I feel it needs to be done.

Mayor Thalhofer stated that he feels that the Handy's want the property vacated.

Greg Handy's stated that he did not appreciate all of the comments about what we think, and apparently you have not been listening, the decision about the vacation was settled some time ago, we do not feel the money should be spent unless there is a plan.

Mayor Thalhofer stated that the staff and DTTF have made recommendations and feels they should be given there due consideration.

Councilor Burger-Kimber stated that she felt that the DTTF and Staff recommendations were to just kind of ease things through and not make any problems, the majority wants the improvements so that is what I will support.

Councilor Smith stated that staff and DTTF are advisory only, these streets are needed and I support option 1.

YEAS: 5
NAYS: 1 (Thalhofer)
ABSTAINED: 0

10. DEPARTMENT REPORTS: September and October

Mayor Thalsofer called this item.

Gazewood drew attention to the Hotel/Motel Taxes.

Councilor Lloyd asked if the General Fund Revenues are on track with the budget?

Gazewood stated that they are higher than expected.

Councilor Lloyd asked why the Columbia Gorge R.V. Park Hotel/Motel taxes is so low thought it was part of the conditions that the occupancy was on a temporary basis.

Mayor Thalsofer directed staff to look into that issue.

Councilor Kight reminded staff to follow up on Business Licenses for rental properties.

Berrest stated that he had nothing to add.

Mayor Thalsofer stated that we were fortunate that we had no drowning in the Sandy River this year and a lot of the credit should go to the beach patrol.

Councilor Kight asked for an update on how many vehicles have been towed and reclaimed or not under the towing ordinance.

Berrest stated that he would prepare a report.

Council discussed the procedures for notifying city personnel after hours in emergencies.

Galloway drew attention to the Regional Water Supply Plan information in his report.

Council discussed this issue and directed Galloway to schedule a meeting on this issue.

11. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalsofer called this item and

Councilor Burger-Kimber voiced concerns regarding a waterline easement on her property and the fact that it may cause some trees which she feels may be historic to be cut down now that development is occurring next to her property, she will be addressing the council at a latter date on this issue.

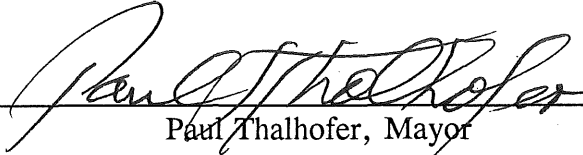
12. ADJOURNMENT:

Mayor Thalhofer called this item.

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

YEAS: 6
NAYS: 0
ABSTAINED: 0

Mayor Thalhofer adjourned the meeting at 12:16 P.M.



Paul Thalhofer, Mayor

Dated: 1-11-96

ATTEST:



George Martínez, City Recorder

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

November 14, 1995
REGULAR CITY COUNCIL MEETING

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE #
DAN Oldham	MC Sheriff's Office	251-2519
Sharon Kelly	Unsub Co	248-5213
Bob Graewood	City Hall	665-5175
Mark Berrest	Police Dept.	665-5175
Sam R Cox	1703 SE Woodway Mondays	665 9086
Jackie Scott	The Oregonian	294-5943
Sue Sober	City of Troutdale	665-5175
John Henderer	Outlook	665-2181
Rich Faith	City Hall	
Jim Galloway	City Hall	665-5175
Valerie Jantz	" "	" "
Floyd & William Watson	2009 SW Stella Way	492-3771
Cathy Alessi	1111 Metro Arts Council	667-9207
DON McGinnis	151 SW 257 th	665-4107
GERALD KLINGER	1027 N.W. 1 st GRESHAM	
Ann Kingin		
PETER DRAKE	2204 SE LIBWELLYN	666-8942
Sarah Hackett	League of Oregon Cities	588-6550
Carol Hanson	2200 SW Stella Way-TR	666-2411
VIM DELANTY	2126 SW CERISE WAY-TR	666-4777

PLEASE COMPLETE THE FOLLOWING

NAME	ADDRESS	PHONE #
MIKE + LY MILLS	17626 NE WASC0	256-4400
MIKE NELSON	2164 SW PARR PL ^{POX}	224-2554
JEFF BACHRACH	1727 NW Hoyt. P+H	222-4402
DON OAKLEY	700 N. HAYDEN Is. Dr. PRO	289-9011
MARIA OAKLEY	" "	"
LOU NEDERHISER	P.O. BOX 581 SANDX	668-5243
FRANK WINDUST JR.	3795 SR RICKERT CORBERT	695-5132
GREG HANDY	1105 S.W. HALSEG	666-4441
NEIL HANDY	146 W. Columbia Hwy	645-4752

DATE _____

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