

CITY OF TROUTDALE

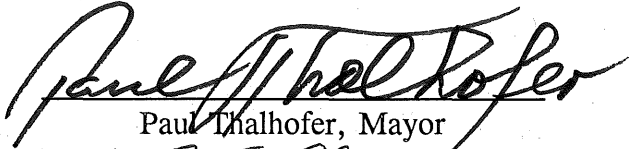
AGENDA

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

7:00 P.M. -- March 12, 1996

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes - Regular Sessions - 1/23 & 2/13/96
 - 2.2 Business Licenses - Month of February 1996
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (A) 4. PRESENTATION: Mt. Hood Cable Regulatory Commission FY 1996-97 Proposed Budget and Status Report of the Paragon/Time Warner Franchise Renewal. Cable Commission Representative
- (A) 5. DISCUSSION: A Discussion of, and Response to, a Proposal by Multnomah County to Re-name Cherry Park Road to Glisan Street Between 242nd Avenue and 257th Avenue. Galloway
- (I) 6. REPORT: A Report on the South Grove of Trees Within Hampton Point Subdivision. Faith
- (A) 7. REPORT: Harlow House Master Plan. Lantz
- (A) 8. RESOLUTION: A Resolution Authorizing the Mayor to Enter into a Lease Agreement to Place a Tele-Communication Antenna on the Stark Street Water Tower. Galloway
- (A) 9. RESOLUTION: A Resolution Adopting Construction Standards for Public Works Facilities and Rescinding Resolution No. 1156. Galloway
- (A) 10. RESOLUTION: A Resolution Declaring Certain Personal Property as Surplus and Authorizing Disposal. Lantz

- (A) 11. RESOLUTION: A Resolution Approving an Exchange of Properties and Easements between the City of Troutdale and George and Judith Lingelbach and James and Margaret Ferris. Faith
- (A) 12. DISCUSSION: A Discussion of a Request by Troutdale Station to Exchange Properties with the City of Troutdale. Faith
- (I) 13. DEPARTMENT REPORTS:
- | | | |
|------|-----------------------|----------|
| 13.1 | Finance | Gazewood |
| 13.2 | Public Safety | Berrest |
| 13.3 | Community Development | Faith |
| 13.4 | Public Works | Galloway |
| 13.5 | City Attorney | Sercombe |
| 13.6 | Executive | Kvarsten |
- (I) 14. COUNCIL CONCERNS AND INITIATIVES
- (A) 15. ADJOURNMENT.


 Paul Thalhofer, Mayor
 Dated: 3-5-96

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

MARCH 12, 1996 - 7:00 P.M.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

City Recorder Martinez called the roll.

PRESENT: Thalhofler, Ripma (7:16), Thompson, Kight, Lloyd, Burger-Kimber

STAFF: Faith, Galloway, Gazewood, Kvarsten, Lantz, Martinez, Newton, Sercombe

GUESTS: Barbara Rutherford Crest, Anne Mitchell, Mary Beth Henry, Mel Nilsen, Sandra Waldren, Kevin Martin, Chris Thomas, Don de Blanc, Gilbert Armentá, Peter Wescott, Heather Kesten

2. CONSENT AGENDA:

2.1 Accept Minutes - Regular Session 1/23 & 2/13/96

2.2 Approve Business Licenses - Month of February 1996

Mayor Thalhofler called this item and read the consent agenda.

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

YEAS: 5
NAYS: 0
ABSTAINED: 0

3. PUBLIC COMMENT:

Mayor Thalhfer called this.

There was no public comment.

4. PRESENTATION: Mt. Hood Cable Regulatory Commission FY 1996-97 Proposed Budget and Status Report of the Paragon/Time Warner Franchise

Mayor Thalhfer called this.

Barbara Rutherford Crest, Mary Beth Henry and Ann Mitchell reviewed the Mt. Hood Cable Regulatory Commission FY 1996-97 Proposed Budget as contained in the packet, and updated the Council on the transfer of the Franchise.

MOTION: Lloyd moved to approve the budget. Councilor Thompson seconded the motion.

YEAS: 5

NAYS: 0

ABSTAINED: 0

5. DISCUSSION: A Discussion of, and Response to, a Proposal by Multnomah County to Re-Name Cherry Park Road to Glisan Street Between 242nd Avenue and 257th Avenue.

Mayor Thalhfer called this item.

Galloway reviewed the staff report contained in the packet.

Councilor Kight asked how the property owners on Cherry Park felt about the name change?

Galloway stated that 4 property owners would be effected, the school dist. stated that the name change would have minimal effect, the LDS Seminary indicated that they see no problem with the name change, we did not make an effort to contact the property owners, there are 2 others that we have not heard from, we did receive a letter from a concerned citizen that does not live on the road that supports the name change.

Councilor Lloyd asked what the long term plan is for the stub East of 257th?

Galloway stated that the plan is for it to continue Easterly and then turn South and connect with Hensly.

Councilor Burger-Kimber stated that she does live on Cherry Park road and would be effected, can not argue with the logic of the name change but the road has a historical significance, one of the few roads in the city. There are various things that make up a community, one of ours is the Historical Society and our history is very important, the names of our streets are part of our history.

Councilor Ripma stated that he is president of the Troutdale Historical Society and for the same reasons Councilor Burger-Kimber stated he favors leaving the name as Cherry Park Road which is Option 2 in the packet. Glisan is a Portland name, it has no significance to the City of Troutdale. We can name the stub street something else, the Historical Society provided the Community Development Department with a list of historic street names sometime ago.

Councilor Thompson stated that he favors the change, just because something is old it does not make it historic. Glisan goes through Fairview & Wood Village, it is very confusing to have two completely different pieces of a road that have the same name but are not even connected or very near each other, this makes it very confusing to try to give directions.

MOTION: Councilor Thompson moved to re-name Cherry Park Road to Glisan as proposed by the County. Councilor Kight seconded the motion.

Councilor Kight stated that this is a major East-West arterial which all of the other cities have kept the Portland names, Stark, Burnside, Powell, & Halsey. I have talked to the property owners who have told me there is confusion caused by the name, people are stopping and asking them how to get to the Post Office and other places on the other Cherry Park Road. All of the property owners except Councilor Burger-Kimber have indicated to me they would like to see the name change.

Mayor Thalhofer stated that he is opposed to the change, this is a livability issue for Troutdale; it is a historical name. Glisan is a great name for Portland, but not for Troutdale, it is not part of our identity.

YEAS: 2

NAYS: 4 (Ripma, Lloyd, Burger-Kimber, Thalhofer)

ABSTAINED: 0

MOTION: Councilor Ripma moved to leave the name the same and find another name for the stub street East of 257th. Councilor Lloyd seconded the motion.

YEAS: 4

NAYS: 2 (Thompson, Kight)

ABSTAINED: 0

Mayor Thalhoffer directed staff to provide the county with a name from the list of streets compiled by the Historical Society, for the stub street East of 257th.

6. REPORT: A Report on the South Grove of Trees Within Hampton Point Subdivision.

Mayor Thalhoffer called this item.

Faith outlined the staff report contained in the packet and stated that the recommendation is to remove all of the trees except the front two trees as recommended by the Parks Advisory Committee and the Arborist's report, then follow up by planting new trees to replace the ones removed.

Councilor Ripma stated that he was under the impression that the area surrounding the trees was to be a natural area, not a park.

Lantz stated that is correct, it will be a natural area with paths and benches, which invites the public into the areas.

Councilor Ripma stated that he recognized that staff is trying to remove possible liability but asked if the trees are in such condition that on a calm summer day that limbs will be falling and possibly injuring someone?

Lantz stated that there are many trees with multiple tops which are storm damaged from many years of bad weather conditions, and as time goes by they become more hazardous. It has been the policy to try to lessen maintenance costs and possible liability in the most cost effective way and that is the recommendation the staff is making. Since the site is now in the developer's hands the question is should we have the developer shoulder the costs or should the city take on the long term maintenance.

Council discussed the site and possible ways to save the trees, such as having each tree evaluated by an arborist and possibly use corrective pruning measures, while keeping in mind the city must minimize possible hazards.

Lantz stated that having individual evaluations and corrective pruning done is a viable option that would cost around \$4,000. to \$7,000., but this would be new direction by the council and not the same direction council has given in the past on similar issues.

Don Oakly, President of Cascade Communities and Developer of the property in question, stated that he has approached this in good faith from the beginning, it was our understanding that one of the city's goals was to preserve these trees, which was one of our goals also, it added to the design of the project, would be disappointed if the solution is to cut the trees down. Would like to find the middle ground between cutting the trees down and having an unsafe area. Personally would favor the knowledge of 60 mile an hour winds for the last 30

years over the opinion of a scientist. I have invested a lot in these trees by not having 5 additional lots. If the answer is to prune the trees or make some repairs I would be willing to do that, if we spend money on the trees lets spend it on doing the repair work not on additional studies. In addition to the \$8,000. I have already committed to the city for maintenance of \$1,000. a year for 8 years, I would also commit up to \$10,000. for pruning or correcting problems with the trees.

MOTION: Councilor Ripma moved to adopt Option "C" from the packet. Councilor Thompson seconded the motion.

Councilor Ripma stated that this should not establish a precedent for staff, this situation is unique. Commend staff on the work and recommendations to try to protect the City.

Mayor Thalsofer commended the staff and developer.

Councilor Burger-Kimber stated that she supports the motion and reminded everyone this is a unique area it is seen by thousands of people driving by on a daily basis.

Councilor Kight stated that he hopes the pruning will not be so severe that it destroys the look of the tree.

Kevin Hillary, Arborist with Whole Tree Works, stated that the trees are healthy, there is a difference between healthy and structural stability, they have the ability to overcome the predetermined failure points that have been discussed tonight. The trees grew as a grove and removing the damaged trees in question would severely impact the two best trees nearest 257th. Biggest problem is that it is so late in the development, standards should be developed for tree preservation, have developed them for other jurisdictions. Some ways to limit liability is a small fence around the drip line to keep people out of the area, also a fence around the trees before development is started to prevent construction equipment from causing damage.

Councilor Kight asked Hillary to give a copy of standards he has developed to the City Administrator?

Hillary stated he would.

YEAS: 6
NAYS: 0
ABSTAINED: 0

Mayor Thalsofer called for a break at 8:51 p.m. and reconvened the meeting at 9:01 p.m.

7. REPORT: Harlow House Master Plan.

Mayor Thalsofer called this item.

Lantz presented the Harlow House Master Plan as contained in the packet.

Councilor Kight asked how much would this cost and how long will it take to complete?

Lantz stated that the plan is the first step, it will be done over a period of time of several years so it is hard to place an accurate dollar figure at this time.

Councilor Ripma stated that the Historical Society highly endorses this plan.

MOTION: Councilor Thompson moved to adopt the plan. Councilor Kight seconded the motion.

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

8. RESOLUTION: A Resolution Authorizing the Mayor to enter into a Lease Agreement to Place a Tele-Communication Antenna on the Stark Street Water Tower

Mayor Thalsofer called this item.

Galloway reviewed the staff report contained in the packet.

Councilor Kight asked if the City Attorney has reviewed the lease agreement?

Galloway stated that the City Attorney has recommended some changes that have been forwarded to the firm and we are in the process of amending the document, that is why the resolution states that the Mayor may enter into an agreement substantially as shown.

Councilor Kight asked if additional panels would be added?

Galloway stated that they plan to start with 9 and eventually have 12 total.

Peter Westcot and Kevin Martin, of Sprint, displayed an antenna panel and explained the how they would be attached to the water tower.

Councilor Ripma asked what the antennas are for?

Westcot stated for phone service very similar to cellular but a little different technology it

will not be compatible with current cellular, there was recently an auction to allow for two more licenses into the market using this technology.

Councilor Ripma stated that he has a friend in Lake Oswego that is working on the same type of agreement, with the same company I believe, part of their agreement as compensation was free phones and air time, plus \$1,000. per month. Are you amenable to doing something like that?

Westcot stated that it is company policy to not offer phones in our lease agreements. One of the problems is that the system is not going to be up until the end of the year. I don't believe the Lake Oswego agreement you are talking about is ours.

Councilor Ripma asked how many sites would be in Troutdale?

Westcot stated that it depends on typography, maybe another down by the river.

Mayor Thalhoffer voiced concerns over proliferation of cell sites in the area by several different companies.

Council discussed this issue and different compensation options.

Westcot stated that they are willing to negotiate but preferably not in an open session.

MOTION: Councilor Ripma moved to adopt the resolution with in addition to the lease payments 7 phones & 200 hours per month of use by the city.
Councilor Thompson seconded the motion.

Councilor Ripma stated that he is convinced that \$500. per month is a reasonable amount, but this is a good deal for Sprint and it is cheaper for them to provide us with some phone service rather than cash, but I don't want to accept the first offer that is made.

Westcot stated that he is getting signals from other members of the company in the audience that providing phones is not consistent with company policy, perhaps additional rent.

Councilor Ripma amended his motion to authorize the Mayor to enter into negotiations with Majorco, with the lease to provide in addition to the lease payments 7 phones & 200 hours per month of use by the City, or other considerations.

Councilor Thompson seconded the amendment.

YEAS: 6

NAYS: 0
ABSTAINED: 0

9. **RESOLUTION: A Resolution Adopting Construction Standards for Public Works Facilities and Rescinding Resolution No. 1156.**

Mayor Thalsofer called this item.

Galloway reviewed the staff report contained in the packet and recommended adoption.

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

YEAS: 6
NAYS: 0
ABSTAINED: 0

10. **RESOLUTION: A Resolution Declaring Certain Personal Property as Surplus and Authorizing Disposal.**

Mayor Thalsofer called this item.

Lantz reviewed the staff report contained in the packet and recommended adoption.

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

YEAS: 6
NAYS: 0
ABSTAINED: 0

11. **RESOLUTION: A Resolution Approving an Exchange of Properties and Easements between the City of Troutdale and George and Judith Lingelbach and James and Margaret Ferris.**

Mayor Thalsofer called this item.

Faith review the staff report contained in the packet and stated that the City Attorney has advised that if any action is taken it should include a title search to ensure there are no encumbrances on the property.

Councilor Ripma voiced concerns regarding loss of the Tri-Met turn around and adding a clause to the Easement preserving it.

Faith clarified that the turn around is on the Lingelbach property and preserving the use of the turn around would be more appropriately handled between the Lingelbach's and Tri-Met.

George Lingelbach, Owner of Troutdale Station, stated that when they purchased the property there was a prior agreement between the City and Bennett that never came about, now we are trying to follow through with it. It makes sense, we have been crossing each others property and this will just make it official. We have a two year agreement with Tri-Met which is revokable.

Councilor Ripma asked if it is planned to close off the turn around for the buses?

Lingelbach stated no not at this time, but the next item on the agenda may change the area under discussion.

Council discussed this issue and asked Faith to present Item 12.

12. DISCUSSION: A Discussion of a Request by Troutdale Station to Exchange Properties with the City of Troutdale.

Faith presented the staff report contained in the packet.

Councilor Ripma voiced concerns regarding loss of the bus turn around.

Councilor Burger-Kimber stated that it is the property owners prerogative.

Linglebach stated that they have been talking with Tri-Met and they are looking at other options like using the city blocks to turn around or going down to the Glenn Otto Park, there is the possibility for the bus to go through our lot and behind the proposed development. The property swap issue was brought to us by the city and the engineers for the Maydew project. We were planning on building an additional building to the west of our current site but if the swap is made we would probably put the building along Columbia, it is not for sure that we will even build, we will watch and see what happens with the Maydew project and if there is a need for more office space or something we would evaluate it at that time. This seems to make sense it would make all of the development fit better.

Council discussed this issue.

MOTION: Councilor Lloyd moved to adopt Item #11 on the condition that a title search be done to ensure that there are no encumbrances on the property. Councilor Burger-Kimber seconded the motion.

MOTION TO AMEND: Councilor Ripma moved to amend the motion to include "subject to preservation of the a bus turn around somewhere

on the property". Councilor Kight seconded the motion.

Councilor Ripma stated that Lingelbach stated that the bus may be able to use his property in some way, it would not stop him from building.

Councilor Lloyd stated that he does not support the amendment because there is already a two year agreement in effect, and anything we do will become an encumbrance on his property which we will have to undo in the future. I think as a matter of economics Mr. Lingelbach would prefer to have all of the buses dump people out in front of his business.

Linglebach stated that he is working with the City and Tri-Met now but there is a 90 day clause to revoke, which Tri-Met agreed to because they don't really feel it is a viable turn around.

Councilor Burger-Kimber stated that the turn around is an issue between the property owner and Tri-Met, we should not put encumbrances on the property.

Councilor Ripma voiced concerns to preserve the bus turn around.

Mayor Thalhoffer stated that he is opposed to the motion to amend because it is an issue between the property owner and Tri-Met.

MOTION TO AMEND:

YEAS: 2 (Ripma, Kight)
NAYS: 4
ABSTAINED: 0

ORIGINAL MOTION:

YEAS: 6
NAYS: 0
ABSTAINED: 0

Councilor Lloyd stated that he is not prepared to act on #12 tonight but would be willing to look at it within the context of what the Maydew's are doing when we get further along.

Councilor Ripma asked if there is a time frame involved in this issue?

Faith stated that the timing is somewhat important in regards to incorporating into the construction of the parking lot, ideally we would want it all to occur at the same time, for bid and construction purposes.

Council discussed this issue and directed Faith report back to the council in two weeks with

more information regarding; updated drawings with changes consistent with #11, additional cost to the city if the lot is constructed as proposed with the property exchange, square footage of the properties to be exchanged, and invite the Maydew's to attend the next meeting to comment.

13. DEPARTMENT REPORTS:

Mayor Thalhofer called this item.

Councilor Kight commended the Police Department on their work during the flooding.

The council directed Faith to look into developing an ordinance regarding regulation of communications towers.

12. COUNCIL CONCERNS AND INITIATIVES:

Mayor Thalhofer called this item.

There were no council concerns or initiatives.

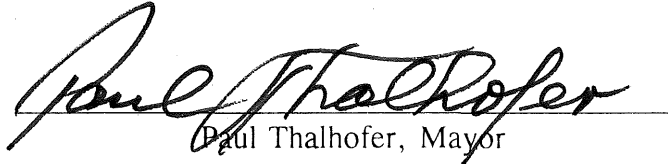
13. ADJOURNMENT:

Mayor Thalhofer called this item.

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

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

Mayor Thalhofer adjourned the meeting at 11:04 P.M.


Paul Thalhofer, Mayor

Dated: 4-16-96

ATTEST:


George Martinez, City Recorder

CITY OF TROUTDALE

PUBLIC ATTENDANCE RECORD

March 12, 1996
REGULAR CITY COUNCIL MEETING

PLEASE COMPLETE THE FOLLOWING

PRINT NAME	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Rich Faith	City Hall	" "
Bob Gazewood	✓ ✓	✓ ✓
Barbara Ruthertord Crest	3925 NE 37th Ave, PDX	281-0475
Anne Mitchell	3349 NE Tillamook PDX	335-8569
May Beth Henry (MHCRC)	1211 SW 5th Ave, PDX 97204	823-5385
MEL N. L. G. E. D.	622 S. W. 27th Pkwy Troutdale	
Sandra Walden	3827 SE Tenino Pkwy PDX 97202	
KEVIN MARTIN	SPRINT SPECTRUM 7770 SW MOHAWK Tualatin	612-1028
Chris Thomas	Sprint Spectrum 97062 7770 MOHAWK SE Tualatin 97062	612-1001
Don deBLANC	Sprint Spectrum 7770 SW MOHAWK Tualatin, OR 97062	612-1047
GILBERT ARMENTA	SPRINT SPECTRUM 7770 MOHAWK #F TUALATIN OR,	612-1056
Peter Wescoff	Vento Communications Inc 7160 Halesford Sw, Tigard, OR	598-1880
HEATHER KESTEN	VENTO COMMUNICATIONS INC 7160 SW Halesford Rd Tigard	598-1880
Valerie Lutz	City Parks + Facilities	665 5175