

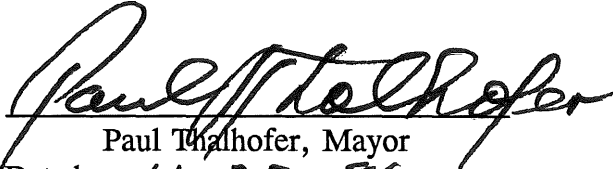
CITY OF Troutdale

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

7:00 P.M. -- November 26, 1996

- (A) 1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE
- (A) 2. CONSENT AGENDA:
 - 2.1 Accept Minutes: Regular Session - November 12, 1996
 - 2.2 Approve Liquor License: Wink's Cafe; Rainbow's End Cafe
 - 2.3 RESOLUTION: A Resolution Recognizing the Completion of the Public Works Facilities in the Sedona Park Subdivision and Accepting them into the City's Fixed Asset System.
 - 2.4 RESOLUTION: A Resolution Granting a Temporary Construction Easement and a Permanent Utility and Access Easement, on NE Harlow Place, to the Oregon Department of Transportation.
- (I) 3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.
- (I) 4. PRESENTATION: Annual State of the County Presentation M/C Chair Stein
- (A) 5. PUBLIC HEARING/ORDINANCE (Introduced 11/12/96): An Ordinance Repealing Chapter 2.24 (Contract Review Board) of the Troutdale Municipal Code; Adopting a New Chapter 2.24 of the Troutdale Municipal Code (Public Contracts); and Providing for an Effective Date. Galloway
- (A) 6. PUBLIC HEARING/ORDINANCE (Introduced 11/12/96): An Ordinance Prohibiting the Extra-Territorial Extension of Public Works Services and Amending Section 12.01.110 of the Troutdale Municipal Code. Galloway
- (A) 7. PUBLIC HEARING: Appeal of Planning Commission's Decision to Uphold the Community Development Director's Interpretation of the Troutdale Development Code Section 3.172, Uses Permitted in the GI Zone, Airport and Related Uses. Faith

- (I) 8. REPORT: A Report Concerning the Results of a Survey Pertaining to Sewage Treatment Plant and Downtown Development Alternatives. Galloway
- (I) 9. COUNCIL CONCERNS AND INITIATIVES
- (A) 10. ADJOURNMENT.


Paul Thalhofer, Mayor
Dated: 11-20-96

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

November 26, 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 Thompson to lead the Pledge of Allegiance.

City Recorder Martinez called the roll.

PRESENT: Thalhofler, Smith, Ripma (7:17), Thompson, Kight, Regelein, Burger-Kimber

STAFF: Kvarsten, Berrest, Faith, Galloway, Gazewood, Martinez, Nelson,

GUESTS: Don Curtis, Teresa Troutd, Doug Daoust, Steve Abel, Susie Lahsene, Mary Hopkins

Mayor Thalhofler stated he would like to hear Item 4 first, the council agreed.

4. PRESENTATION: Annual State of the County Presentation.

Mayor Thalhofler called this item.

Beverly Stein, M/C Chair, spoke to the Council regarding the long term vision of the County with the impacts of Measure #47, involving Public Safety & Crime, Schools, Social Services, not looking at across the board cuts to cover about 32 - 40 million dollar loss due to impact of #47, what they continue to do will be done well.

Council raised questions and concerns regarding Jail siting on Edgefield Property.

Stein stated she would look into the Council's concerns.

2. **CONSENT AGENDA:**
- 2.1 Accept Minutes: Regular Session - November 12, 1996
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 - 2.3 **RESOLUTION:** A Resolution Recognizing the Completion of the Public Works Facilities in the Sedona Park Subdivision and Accepting them into the City's Fixed Asset System.
 - 2.4 **RESOLUTION:** A Resolution Granting a temporary Construction Easement and a Permanent Utility and Access Easement, on NE Harlow Place, to the Oregon Department of Transportation.

Mayor Thalhoffer called this item and read the consent agenda.

MOTION: Councilor Thompson moved to approve the Consent Agenda. Councilor Regelein seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

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

Mayor Thalhoffer called this item.

Councilor Elect Daoust thanked the Mayor for the opportunity to attend the League of Oregon Cities Conference, it was very informative, suggested more Council members attend in the future.

Mayor Thalhoffer stated that he attended also, was elected to the Board of Directors of the Mayor's Association.

5. **PUBLIC HEARING/ORDINANCE (Introduced 11/12/96):** An Ordinance Repealing Chapter 2.24 (Contract Review Board) of the Troutdale Municipal Code; Adopting a New Chapter 2.24 of the Troutdale Municipal Code (Public Contracts); and Providing for an effective Date.

Mayor Thalhofler called this item, recessed the Council Meeting and opened the Public Hearing at 7:41 p.m.

Galloway reviewed the staff report contained in the packet.

Mayor Thalhofler closed the Public Hearing and reconvened the Council Meeting at 7:43 p.m.

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

**YEAS: 7
NAYS: 0
ABSTAINED: 0**

6. PUBLIC HEARING/ORDINANCE (Introduced 11/12/96): An Ordinance Prohibiting the extra-Territorial extension of Public Works Services and Amending Section 12.01.110 of the Troutdale Municipal Code.

Mayor Thalhofler called this item, recessed the Council Meeting and opened the Public Hearing at 7:45 p.m.

Galloway reviewed the staff report contained in the packet and stated that the Jensens were notified of this meeting but responded that they would not be able to attend, they expressed that this action would benefit their endeavors.

Councilor Kight asked if there are any other applications of a similar nature to the Open Door Baptist Church at this time?

Galloway replied that there have been inquires from time to time but there are none currently.

Councilor Kight asked what a person would do if they had bad water and were located outside of the city, would they be able to get water?

Galloway stated they would not be able to get water from the city if this ordinance is adopted. They would have several options, drill a new well, form a type of district, or apply for annexation.

Mayor Thalhofler closed the Public Hearing and reconvened the Council Meeting at 7:48 p.m.

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

YEAS: 7

NAYS: 0

ABSTAINED: 0

7. PUBLIC HEARING: Appeal of Planning Commission's Decision to uphold the Community Development Director's Interpretation of the Troutdale Development Code Section 3.172, Uses Permitted in the GI Zone, Airport and Related Uses.

Mayor Thalhofer called this item, recessed the Council Meeting, and opened the Public Hearing at 7:50 p.m.

Faith reviewed the staff report contained in the packet.

Councilor Kight asked if there are developers waiting for the outcome of this, would this open "Pandora's Box"?

Faith stated that there are other property owners or developers who would be interested in the outcome of this issue.

Councilor Kight asked if there had been a traffic study done for this development?

Mayor Thalhofer cautioned the Council not to stray from the subject at hand.

Councilor Ripma asked if this is the applicants only option?

Faith stated that there is a re-zone pending the outcome of this issue.

Councilor Ripma asked why they are pursuing this avenue?

Mayor Thalhofer again cautioned the Council to stay on the issue at hand, not to address other specifics.

Council discussed the issue of what could be addressed during this procedure.

Councilor Ripma asked what the practical difference is between the zone change and this appeal?

Faith stated that if the a zone change is granted then the use is permitted in the new zone, the appeal is based on the Planning Commissions interpretation of the code for the current

zoning, that the proposed project is not allowed.

Councilor Ripma asked if a zone change would affect the entire airport area?

Faith stated it would only affect the portion that the zone change is requested for.

Councilor Burger-Kimber voiced concerns that Faith's decision was based so strongly on history of the code, asked if his decision was made because of any political pressure?

Faith stated that the history of the code was important to learn what the originators meaning was. His decision was not affected by anything other than his own judgement of what the code meant.

Council discussed the meaning of airport supportive services.

Steve Abel, Attorney representing Port of Portland, stated that this is an important piece of property to the Port, it is important that they are able to use this property in a way that is supportive to the airport activities. We believe that under the code the proposed uses are ones that are permitted outright. We are here to get certainty of what uses are permitted under the code, the Council is the only one who can give us that answer. We wanted to put both matters, the zone change and this matter, before you tonight. We want to show you tonight how we believe this project is airport supportive, we are not here to bully anyone into saying it is one way or the other, there is a disagreement between staff and the Port and we just want clarification.

Mary Hopkins, Port of Portland Planner, stated what we are talking about is a development that will not only be supportive of the airport and aviation uses but also the City of Troutdale and the general public. The types of uses we are contemplating are a suites type hotel, a family style restaurant, and a car rental service. The airport is not currently served with these services and is cut off from the services on S. Frontage road by I-84.

Hopkins displayed and explained maps, (Troutdale Zoning Map, Airport Facility, Site Plan and Circulation System, Site Zone Map) and explained that there are four basic reasons why the proposed development is airport supportive, 1. It is on airport property; 2. A percent of the business for these uses will be from the airport; 3. It provides desirable commercial support uses likely to contribute to the growth and development of the airport business; 4. It will provide a revenue stream for airport improvements that otherwise will not be available.

Councilor Ripma asked where the planes go when they land?

John Newall, Airport Manager, stated that basically all of the services, fuel, maintenance, etc, are all located on the N. side of the airfield.

Councilor Regelein asked if the majority of the traffic is on the N. side of the airport?

Newall stated that is correct if they are there for services, there are about 20 vacant tie downs on the N. side and 50 vacant on the S. side.

Councilor Regelein asked how often the tie downs on the S. side are used?

Newall replied that they are used for mostly transient type use.

Hopkins stated they would be used for the proposed development.

Councilor Regelein stated that the actual terminal on the S. side is not what is understood to be a "Terminal", most of the traffic is on the N. side.

Newall stated that is correct.

Hopkins agreed that is the way it is currently but not if the proposed development is approved.

Councilor Burger-Kimber voiced concerns that the last questions were not related to the interpretation of the code.

Mayor Thalhofer stated the questions were related because they are trying to determine the meaning of airport supportive.

Hopkins stated that the Port believes that the business this development will receive will be about 30% from the airport, this is based upon discussions with the Hallmark Inn which is located on Port property in Hillsboro. We have surveyed the tenants of both airports and the indicated the need and desire for passenger and pilot services at Troutdale. We believe the proposed uses are airport supportive. Revenues from this will be greater than the uses allowed currently under this interpretation of the allowed uses in a GI zone, which will benefit the airport and the City.

Hopkins drew attention to the letter in the packet clarifying and setting limitations of the interpretation on this development only.

Council discussed the ability to set limitations on a specific interpretation.

Nelson clarified that the council is to determine what airport supportive means and make a decision on if the types of uses proposed by this development would be airport supportive, and then act on the interpretation by the Planning Commission that is before you, not to set specific requirements on this project.

Mayor Thalhoffer called for a break at 9:25 p.m. and reconvened the meeting at 9:36 p.m.

Abel stated that airport supportive is in the code, the code says other uses similar in nature, that is why we are here. The code is not as restrictive as the Staff and Planning Commission have determined. The location of this project is on Airport Property and directly adjacent to the airport, with direct access through internal pedestrian and vehicle ways, this project is needed to both provide services and for financial support of the airport, these all add to the relevant reasons why this project is airport supportive. There should not be any concerns regarding "Pandora's Box" you are not going to find any other project with the same package as this one, location, services, and need. The port is concerned that if these particular services are not airport supportive, then there are probable none out there, so the code is not doing what it is designed for.

Mayor Thalhoffer closed the Public Hearing and reconvened the Council Meeting at 9:45 p.m.

Councilor Ripma stated that he supports the Staff determination, it is not that he is against the project.

Mayor Thalhoffer stated that he feels this is an airport supportive project. Restaurant is in the code, hotel and car rental is related. Almost every airport has car rentals and hotels they are related. The Hallmark inn is an example. If this is built it will increase the activity and need for more business at the airport.

Councilor Smith stated that these facilities are needed but the way the code reads they are not included, hope this will not discourage them.

Councilor Thompson stated that he is not in favor of the Planning Commission decision. The proposed project is travel related and therefor related to the airport. They fit the definition of the code.

Councilor Burger-Kimber stated that it is difficult to overturn a Staff and Planning Commission decision, I respect the PC and the work they do, but at times we have to look at things differently, the overall benefit to the community. This project is travel related and is then airport supportive. Oppose Planning Commission Decision.

Councilor Regelein stated that he supports the Planning Commission and Staff decision. These services are needed but they do not meet the code definition. The Hallmark Inn is the only hotel in the area, we have others. This is not a dead issue, they have another alternative.

Councilor Kight stated that he supports the Planning Commission decision, the code is clear.

MOTION: Councilor Ripma moved to support the Planning Commission Interpretation. Councilor Regelein seconded the motion.

YEAS: 4

NAYS: 3 (Thompson, Burger-Kimber, Thalhofer)

ABSTAINED: 0

8. **REPORT: A Report Concerning the Results of a Survey Pertaining to Sewage Treatment Plant and Downtown Development Alternatives.**

Mayor Thalhofer called this item.

Galloway reviewed the staff report contained in the packet.

Mayor Thalhofer suggested that this item and the work session scheduled for after this meeting be re-scheduled for a work session on December 3, 1996, at 6:30 p.m., due to the late hour.

The Council agreed with Mayor Thalhofer.

9. **COUNCIL CONCERNS AND INITIATIVES:**

Mayor Thalhofer called this item.

Councilor Ripma wished everyone a Happy Thanksgiving.

Mayor Thalhofer expressed good wishes for the 304th Rescue Squad which recently endured a tragedy. Also informed everyone there would be no Council Meeting on December 24, 1996.

10. **ADJOURNMENT:**

Mayor Thalhofer called this item.


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

YEAS: 7

NAYS: 0

ABSTAINED: 0

Mayor Thalhofer adjourned the meeting at 10:19 P.M.



Paul Thalhofer, Mayor
Dated: 1-16-97

ATTEST:



George Martinez, City Recorder

--PLEASE COMPLETE THE FOLLOWING--

NAME	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Rich Faith	" "	✓
Bob Grazeewood	" "	✓
Mark Berrest	Police Dept	665-5175
Don Curtis	1440 SW 12 th TRD	665-9874
Teresa Troutt	3710 SE Dorset Tract	492-2133
Doug Daoust	2725 SW Hope Cir	665-6375
Steve Abel	900 SW 5 th Ave #2300	294-9599
Susie Laksene	700 NE Multnomah Blvd	731-7517
Mary Hopkins	PO BOX 3529 PHD.	731-7519

DATE 11-26-96

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