

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. -- May 25, 1999

- (A) **1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**
- (A) **2. CONSENT AGENDA:**
2.1 Resolution: A Resolution recognizing the completion of the public improvements associated with the Spectro Subdivision and accepting them into the City's Fixed Asset System.
- (I) **3. PUBLIC COMMENT:** Please restrict comments to non-agenda items at this time.
- (A) **4. APPOINTMENT:** Appointment of Mt. Hood Cable Regulatory Committee Representative.
- (I) **5. REPORT:** An update on the Water Pollution Control Facility pre-design report.
Galloway / Nicholson CH2M Hill Project Mgr.
- (A) **6. PUBLIC HEARING:** A Public Hearing and decision regarding the replacement of the existing Solid Waste Franchise Agreement. *Morrow*
- (A) **7. PUBLIC HEARING / RESOLUTIONS:** A Public Hearing to consider the following Resolutions:
7.1 A Resolution adjusting the Rate and Capital Improvement Plan for Water Systems Development Charges and rescinding Resolution No. 1373
7.2 A Resolution adjusting the Rate and Capital Improvement Plan for Sanitary Sewer System Development Charges and rescinding Resolution No. 1374.
7.3 A Resolution adjusting the Rate and Capital Improvement Plan for Transportation System Development Charges and rescinding Resolution No. 1375.
7.4 A Resolution adjusting the Rate and Capital Improvement Plan for Storm Water System Development Charges and rescinding Resolution No. 1376. *Galloway*
- (A) **8. DISCUSSION:** A decision regarding re-routing of Tri-met Bus Line 24 in downtown Troutdale.
Young Park, Tri-Met Capital Projects Mgr.
- (A) **9. PUBLIC HEARING / ORDINANCE (Introduced 5/11/99):** An Ordinance amending Troutdale Development Code Chapter 3, Zoning Districts, Chapter 7, Land Division, and Chapter 8, Site Orientation and Design Standards. *Sanderson*

(I) **10. COUNCIL CONCERNS AND INITIATIVES**

(A) **11. ADJOURNMENT**


Paul Thalhofer, Mayor

Dated: 5-18-99

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

May 25, 1999 7:00pm

Meeting was called to order at 7:02 p.m. by Mayor Thalhofer.

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Mayor Thalhofer lead us in the Pledge of Allegiance.

PRESENT: Thalhofer, Smith, Thompson, Kight, Rabe, Daoust, Ripma.

STAFF: Faith, Galloway, Morrow, Kvarsten, Allen, Stickney

GUESTS: Norm Thomas, Ken Gimpel, Loraine Domine, Terry Smoke

Mayor Thalhofer asked are there any agenda updates?

Kvarsten replied we have no changes to offer this evening.

2. CONSENT AGENDA:

- 2.1 Resolution:** A Resolution recognizing the completion of the public improvements associated with the Spectro Subdivision and accepting them into the City's Fixed Asset System

Mayor Thalhofer called this item and read the consent agenda.

MOTION: Councilor Thompson moved adoption of the consent agenda. Councilor Kight seconded the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

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

No public comment received.

4. APPOINTMENT: Appointment of Mt. Hood Cable Regulatory Committee Representative.

Mayor Thalhofer called this item and stated I am recommending the re-appointment of Norm Thomas.

MOTION: Councilor Ripma moved to re-appoint Norm Thomas to the Mt. Hood Cable Regulatory Committee. Seconded by Councilor Thompson.

YEAS: 7
NAYS: 0
ABSTAINED: 0

5. REPORT: An update on the Water Pollution Control Facility pre-design report.

Mayor Thalhoffer called this item.

Galloway stated with me tonight is Gordon Nicholson of CH2M Hill. We wanted to come before you this evening to give you an interim status report on where we are with the pre-design report for the Water Pollution Control Facility. Galloway reviewed the staff report contained in the packet.

Mayor Thalhoffer stated I am concerned about these allowances. When we first started this process we were figuring on 25,000 people, now were down to under 20,000 people and now we are designing it to accommodate 20,000 with a lot of wiggle room or flexibility and now we are scaling it back down again. Could you go over that again.

Galloway replied in the first go-around we wanted to make sure we had plenty of capacity, so we used the high end of the scale on virtually everything. As we took a look at, and needed to reduce costs, we thought we had went too high on most of those values. The previous values that I mentioned on land use, we made the assumption that 100% of the available land would be developed, Metro estimates only 80%, the revised value says 90% of the acreage would be developed. In household density, the current figure we are receiving is 2.97 persons per household and they indicate the trend to go down and the future projection as I understand it is a figure of 2.68 persons per household, so for our revised value we are taking half way between those numbers.

Mayor Thalhoffer asked under land use did you take into consideration commercial?

Galloway replied yes.

Mayor Thalhoffer stated we don't want to have to go back to this in the near future and say that we did not expand it enough and have to go back to the tax payers and ask for more money.

Nicholson stated let me translate those two issues that Jim talked about, both the land use and the household density. If you roll those two together and say what does it mean here, using just Metro's figures they would project to 19,150 residents. Adding the contingencies that we have talked about that adds an allowance of 1800 individuals so it is about a 10% safety factor above what Metro has indicated.

Councilor Kight asked do we require a lot of pre-treatment by commercial facilities?

Galloway replied anyone that is going to be putting out more than one hundred parts per million of fats, oils and greases is required to do pre-treatment. Industrial users, the brewery for example, they are required to do pre-treatment. To answer your question both commercial and industrial do have to do certain things to lighten the load that they are putting into the system.

Councilor Kight stated in the future we are going to be receiving additional guest rooms in the form of motels, what happens if we doubled our capacity in hotel and motel rooms?

Galloway replied that would not put a significant load on us. The danger we would have with our system would be having industrial type uses, like a significantly sized brewery or some type of food processing plant, those are the type of things that would typically put a significant load on us and you would have to tell them that they would have to pre-treat before they could discharge.

Councilor Rabe asked going back to the cost control measure and the issue of taking the old maintenance building apart and moving it to the new site. How old is the current building?

Galloway replied it was build in 1992.

Councilor Rabe asked so that was a substantial cost savings being able to dismantle this one and re-assemble it at the new location, and it will integrate well without compromising the design?

Nicholson replied well you can see where we have located it on the site plan to the north, so we feel it will work out well.

Councilor Rabe asked on the FAA issue, do you anticipate any substantial additional cost to defer those birds if that is what there issue is?

Galloway replied they have a menu of things that they have indicated that can be used to mitigate the situation. If you were to take the most extreme mitigation measure, the cost would probably be so great that we could not afford it. For instance cover the whole lagoon or put it all underground, those kinds of things are what I would call the extreme mitigation measure. On the other extreme is some type of wiring or netting something like that over the water to deter birds. The ball is in our court to develop a plan on how we propose to do it. The court will review it and forward it to USDA who is acting in an advisory capacity for the FAA who will comment on it and then the FAA will communicate with us.

Councilor Rabe asked can we impose an pre-treatment condition upon an existing business and on a new commercial development?

Galloway replied I believe we have that authority.

Councilor Daoust asked when it comes to the demolition of the existing treatment facility, was the cost of that demolition included in the previous values?

Galloway replied our original estimate we thought we could get the demolition done within the \$18 million dollars.

Councilor Daoust asked now it is not included?

Galloway replied that is correct.

Councilor Daoust asked what is that additional cost that we would have to incur later for the demolition of the existing site.

Galloway replied that the figure that is being used is about \$200,000 to \$300,000.

Nicholson stated the way that would translate out would be a lower price for the sale of that property.

Councilor Daoust stated so when we down sized to this revised treatment plant, that's \$300,000 that was already kind of taken out, so it looks like we down sized quite a bit more than that dollar wise.

Galloway replied the change from a 3.2 to a 3.0 million gallons per day plant, was a savings of about 1/4 million and something on the same sort of magnitude by deleting the demolition of the existing plant.

Councilor Daoust asked could another way of looking at this twenty percent revised value, to help us see it correctly, is you took what might be normal growth, normal industry, normal Edgefield Property development and basically added an above normal prediction of twenty percent on top of what we would predict as normal growth in the City.

Nicholson replied normal per Metro.

Councilor Daoust asked in your opinion, since you have analyzed this in other cities, is our analysis commensurate with what other cities would look at when they predict for the future?

Nicholson replied yes it is. In fact many of the municipalities are just going with a Metro equivalent.

Mayor Thalhoffer asked do we have the ability to expand later if we needed to?

Nicholson replied that is correct.

6. PUBLIC HEARING: A Public Hearing and decision regarding the replacement of the existing Solid Waste Franchise Agreement

Mayor Thalhoffer called this item and closed the City Council meeting and opened the Public Hearing at 7:40pm.

Morrow reviewed the staff report contained in the packet. Staff has recently received a letter dated May 13th from Curt Jensen, President of the Troutdale Area Chamber of Commerce. The letter commends Waste Management for their support and sponsorship of many of Troutdale's events and wanted to let us know that Waste Management of Oregon has been a significant partner in a lot of the Troutdale community events.

Councilor Daoust asked has the City received any complaints?

Morrow replied over the past couple of years that Waste Management has provided our service there was about twenty-four complaints.

Councilor Daoust asked could you summarize what the twenty-four complaints were about?

Morrow replied some of the complaints were with regards to the garbage not being picked up that day, a lot of them were resolved through contacting Waste Management customer service representative. Some were regarding a customer saying that they received poor service from the Waste Management customer service representative.

Councilor Daoust asked so these were resolved by Waste Management?

Morrow replied yes. If I did receive a complaint I would contact Susan Barret, at Waste Management and work with her to contact the citizen and work through it and if it wasn't resolved to call me back and I have never received a call back.

Councilor Rabe asked were any of the complaints made by commercial customers?

Morrow replied the only thing I ever received from a commercial customer was in regards to being locked into a franchise.

Mayor Thalhoffer asked if there was anyone who would like to speak to us on this issue?

No public testimony was received.

Mayor Thalhoffer closed the public hearing and reconvened the City Council Meeting at 7:50pm.

MOTION: Councilor Ripma moved to approve Option #1. Seconded by Councilor Kight.

Councilor Ripma stated just so it is clear to everyone, option #1 is retaining Waste

Management and renewing their franchise. In view of the good service record in the city and good rates and minimal complaints they deserve the renewal.

Councilor Kight stated I would like to also add that this particular company is involved in the SummerFest and a lot of events in the city.

Mayor Thalhoffer stated when we changed over from the local garbage collector who had been in this business for years in Troutdale and gave us home town service, when the new company came in people were kind of suspicious that maybe they wouldn't do as good a job as Ege did. They have done a good job, but we will probably always compare them to the Ege's.

Councilor Rabe stated I am in favor of the motion. I have had excellent service.

Councilor Daoust stated I support the motion. I have heard three complaints. One had to do with the trucks blocking the road, where the truck had a flat tire and was blocking a driveway and the resident couldn't get to work on time. As long as there is a resolution process where people can call.

Councilor Smith stated I am for them. One reason is their rates are going down not up. I am real happy about the recycling program. The pick up service they have for appliances is wonderful.

Councilor Thompson stated I am also in favor of the motion.

YEAS: 7
NAYS: 0
ABSTAINED: 0

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| <p>7. PUBLIC HEARING / RESOLUTIONS: A Public Hearing to consider the following Resolutions:</p> <ul style="list-style-type: none">7.1 A Resolution adjusting the Rate and Capital Improvement Plan for Water Systems Development Charges and rescinding Resolution No. 13737.2 A Resolution adjusting the Rate and Capital Improvement Plan for Sanitary Sewer System Development Charges and rescinding Resolution No. 1374.7.3 A Resolution adjusting the Rate and Capital Improvement Plan for Transportation System Development Charges and rescinding Resolution No. 1375.7.4 A Resolution adjusting the Rate and Capital Improvement Plan for Storm Water System Development Charges and rescinding Resolution No. 1376. |
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Mayor Thalhoffer called this item and closed the City Council meeting and opened the Public Hearing at 7:55pm.

Galloway reviewed the staff report contained in the packet.

Councilor Kight asked I noticed that Sherwood has a significant increase in SDC's, did you talk to any of these jurisdictions and did they let you know why, particularly Sherwood, they are so high?

Galloway replied no. In most cases we just called them and asked them to send us there rate schedule and

they mailed it to us.

Councilor Kight asked is there a maximum level to which we can increase the SDC's?

Galloway replied yes there is. We have to have a methodology which we have adopted and have been consistent with for a number of years of how we go about that calculation.

Councilor Kight asked there really is no ceiling legally, you have to justify it with new growth?

Galloway replied that is correct. There is nothing in law that says that you shall not charge more than x amount. That doesn't mean we can just make up a number and charge anything we want to.

Councilor Rabe asked is the methodology for each of these SDC's an accepted formula or was it derived by the city and staff?

Galloway replied in each of the four SDC's that you have before you tonight, water, sanitary sewer, transportation and storm sewer, the methodologies were redeveloped in the early 90's. The City, at that time, hired an independent consulting firm to do the initial development. Those were not all the done by the same firm so we had different looking documents. So over the years staff has tried to put them into a similar format so it is easier to read them.

Councilor Daoust asked part of the methodology and coming up with the rates is the capital improvement plans for each area. I noticed Hensley Road has construction of water lines and sewer lines. Doesn't Hensley Road have these currently?

Galloway replied the project that is showing here is the extension of Hensley, basically to complete it to Troutdale Road.

Mayor Thalhofer asked if there was anyone who would like to speak to us on this issue?

No public testimony received.

Mayor Thalhofer closed the Public Hearing and reconvened the City Council Meeting at 8:08pm.

MOTION: Councilor Ripma moved the approval of the Resolutions, item 7.1, 7.2, 7.3 and 7.4 as set out in the packet. Seconded by Councilor Kight.

Councilor Kight stated I think a 3.7 percent increase is very conservative on our part. We try to consider the developers and people building in Troutdale and not try to add any additional cost. At the same time not ship that cost over to current property owners.

Mayor Thalhofer stated I am also in favor of the motion because it is a very slight increase and I wish we could do it for the schools.

Councilor Daoust stated I support the motion. I noticed that our parks SDC was the lowest of the ten cities that were surveyed. I was wondering when we were going to review park SDC's.

Faith stated we just adjusted the SDC rate for parks within the last year from \$345 to \$790.

Councilor Daoust asked if the policy is to review it yearly, I guess that was my question.

Kvarsten stated it was last looked at less then a year ago. As with any SDC's there would have to be a change with the methodology or the capital improvement plan, in this case the Parks Master Plan, or a decision by Council to charge an SDC closer to the maximum allowed.

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

Mayor Thalhoffer called for a break at 8:17pm.

8. DISCUSSION: A decision regarding re-routing of Tri-Met Bus Line 24 in downtown Troutdale.

Mayor Thalhoffer called this item and asked Mr. Galloway to come forward.

Galloway stated that with me this evening are two representatives from Tri-Met, Phil Selinger and Young Park. I think most folks are aware that bus line 24, provides service to downtown Troutdale seven days a week. For a number of years the bus would turn around and layover on the parking area on private property north of City Hall. Fairly recently Tri-Met and the property owner were not able to reach agreement for the continued use of that property, so Tri-Met has gone to an interim temporary situation where the bus will layover on 2nd Street between Kendal and Buxton.

Phil Selinger stated I am the director of project planning at Tri-Met. I wanted to provide some background. Of course our priority in providing transit service is to the public. Troutdale is served by three routes, line 24 is the one we are talking about tonight it does serve the center of Troutdale. That line has been using the old depot site, which is partially owned by the City and by the Yoshida Group. We have appreciated over these many years, using that turn-around. For that bus to make that turn-around it has been using private property as well as the public site. We were approached not long ago by the Yoshida Group basically reconsidering what has been basically an easement, it was indicated that they were not entirely happy with that arrangement. They first indicated that they were interested in our leaving the site and then later on in the discussion they were considering a compensation for past and future use of the site up to five years into the future. We considered that suggestion, but we're a little concerned about the five year limitation. What we would like to find is a long term solution and that is why we are here tonight. We recognize the need to have a good relationship with whoever we are adjacent to where our buses layover and where we have bus stops. We have contacted City staff and explored some other options. As we look at this from Tri-Mets standpoint we do have to look at this with a cost effective point of view. We do not have budget dollars for a major expenditure to accommodate this turn-around, but we can make arrangements for immediate accommodations. When we look at Troutdale it is very constrained by only having a couple of streets that are parallel to Columbia Hwy. When we look at what we can do with our busses, we are talking about a forty foot bus, we are not looking at just what a bus could do in the exceptional case, but what a bus can do in the normal case. At this point we would like your help in finding a workable solution. I am going to turn this over to Young to go over the options.

Young Park reviewed the exhibits contained in the packet. Line 24 provides frequent service on the weekdays, about every 15 minutes during the peak periods through downtown Troutdale, 257th to Kendal. Each weekday we provide about 90 passengers getting on and off. Line 80 which terminates at the Factory Stores also provides service to Troutdale, that service is only on weekdays. We currently have a temporary solution and that is option 2. What that does is continue on Columbia Hwy., turns right on Kendall to 2nd and the bus layover is on 2nd. By doing this two stops are eliminated. This is a workable solution, however,

we do need a restroom facility. The more desirable option that we would like would be an option that continues on eastbound on Columbia Hwy. and turns right on Harlow and the bus would layover on 2nd. Since this is the end of the line there is a recovery time, that is built into the schedule. Layover recovery varies depending on the time of the day from anywhere between zero minutes to the maximum of about twenty-eight minutes. The Harlow option provides a layover for a maximum of two buses. We have looked at some other options, one is where we would continue down Columbia River Hwy. and turn-around at the Glenn Otto Park. What that option would do is put a strain on our schedule. When we have twenty-eight minutes of recovery time it is probably something we could do, but when we have zero minutes recovery time then we would have to have another bus out here to keep that schedule. So there is a cost involved with anything we extend further down. We also have seen some operational constraints with turning the bus around in that parking lot. In the summer time that park is very well utilized and we would need to impact that by having a designated zone or an area where the bus could layover and turn around. Restrooms are also another issue with that option. The safety of our operators, now that the weather is getting better and daylight is longer, in the winter when it gets dark by 5:00 it is a safety issue for not only our patrons but for our operators. That option would require an additional \$200,000 annually to have an extra bus and extra operators to make that service work. We have looked at what we call option 4, which is a terminus on 257th, this option would not provide any service on Columbia River Hwy. Obviously that is not a desirable option. Another option is #6, and that is to provide service to the Columbia Factory Store, this would require the buses to use Frontage road for a turn-around and that takes more time and impacts the schedule. Those are the various options that we have tried to address. There are two options, #2 and #3 that are workable. Option #1, using the Yoshida property is also workable. Option 1,2 and 3 are the ones that work within the current limitations of our time constraints and our budget constraints. Options 4, 5 and 6 are those which are not desirable to Tri-Met.

Mayor Thalhoffer asked so you have not ruled out option number 1?

Selinger replied we recognize that there are some difficulties there. We have not closed discussions with the Yoshida Group. We think from a visibility and obvious operational, in terms of coverage of downtown Troutdale, that option #1 does make sense. We need to have a low cost impact solution to make that work. We can't afford to go into a property acquisition at this point.

Mayor Thalhoffer asked so it is not financially feasible to exercise option 1 for five years?

Selinger replied I think we are interested in hearing what the Council has to say. In short term that would not be financially feasible. The indication that we had from the Yoshida Group was that they would be willing to consider a five year easement, not a permanent easement which is what we think we would need to make that attractive.

Mayor Thalhoffer asked don't you think even five years would be at least a solution for five years. In five years time it is possible, don't you think, that there might be other solutions to this problem? The City of Troutdale, like the City of Sandy, may at some point decide that we need to do our own bus service for example. Option #1 is probably the most desirable place to turn the bus around.

Selinger stated that is a fair comment. The current owners were not happy with buses blocking the view of their business from the street. They had already asked that we remove the bus shelter from the site, which we did. We had earlier indicated that they would really not like us there at all, but only in further discussion did we start talking about compensation.

Mayor Thalhoffer asked you are raising objections to the option that would go to Glenn Otto Community Park. I can understand some of them. In the summertime when there are a lot of people down there it might be tough for the bus to get in there and turn-around. Jack Glass has the Jack's Snack and Tackle which I believe would be open in the dark even in the winter time in the 5-6 time range.

Selinger stated it didn't appear to be open this evening.

Park stated we would have to work on restroom security and lighting and the access to the park, I see that there are some gates there.

Mayor Thalhoffer stated we have asked Tri-Met, as I am sure you are aware of the history of the issue, for better bus service than we have had. We still feel we are not getting the bus service that we deserve out here. We are trying to do something that would make sense to our citizens and to your bus passengers.

Councilor Kight asked I first heard about this when I saw the port-o-potties sitting up on 2nd Street. Is that against our code to have those sitting there?

Galloway replied I am not aware of any code violation.

Councilor Kight asked option #7, there isn't one here, but the City owns a piece of property just to the south of where the previous layover area was. What is the turning radius of a bus?

Park replied thirty-five to fifty feet is what we would like.

Councilor Kight asked Mr. Galloway, the street outside of City Hall, what is the width of that street?

Galloway replied our standard city street width is thirty-two feet curb to curb I believe that is a standard street.

Councilor Kight asked if the bus was to turn from the east bound lane and swing around and go to the area where we have the diagonal parking, what would you say is the approximate area from the center turn lane to that parking lot?

Galloway replied I would hate to make a guess.

Councilor Kight asked couldn't we use that area if we removed that parking area and have that for the bus layover?

Park replied we have done some preliminary engineering. In doing so our conclusion is that we would still be entering upon the private right-of-way.

Councilor Kight asked would you be open to the idea of taking an actual bus and seeing if that would work?

Park replied yes.

Selinger stated under option #3 we hadn't talked to the property owner but we have identified somebody how could possibly share a restroom, Gorge-Us-Pizza.

Councilor Kight stated the only negative that I see is you would have less visibility of the bus itself, is that a concern to you?

Selinger replied I think servicing the stops is the most important thing. Where we layover the bus is not an issue for us.

Councilor Daoust asked you made a statement that bus 24 has zero minutes of recovery time, I am having a hard time reconciling that statement with the fact that the bus sits out there for quite a while. What is recovery time?

Park replied recovery time is what is built into a schedule. A bus comes for example, at 8:20am the schedule says I need to depart at 8:30am, so he has ten minutes of recovery or layover where the driver is able to take a break, use the restroom. That is how they get back on schedule.

Councilor Daoust asked I timed driving from here down to Glenn Otto Park and it only takes one minute, I really question that two additional minutes to go that extra mileage to the park would cost \$200,000 in order to bring another bus line in.

Selinger stated it is just really a marginal increment of service. We have many routes where in fact we could extend the line without requiring additional bus or additional operators. In this case we have stretched the line as far as it can go and still provide the drivers the required layover that they need, which is required by the contract with the operators. Maybe in five years there will be enough traffic congestion between here and Gateway that we will have to add that extra bus anyway.

Councilor Daoust asked the alternative option #7 that Councilor Kight brought up tonight, that is the first we have heard of that and personally I don't think it is a very good alternative. The City property is in the shape of a triangle and at the wide end of the triangle there would still have to be ingress and egress into that private property. So what you are left with is the narrow end of the triangle and I have a feeling that once you took into account the length of the bus being forty feet, I think you would end up finding that the nose of the bus would stick out into the street. Spending City money on that type of thing, is personally an alternative that I do not favor. I don't want it to come across that this is a Council preferred alternative.

Councilor Smith asked did you look at the alternative of coming east on Historic Columbia River Hwy. and at Caswell Gallery making a left turn and going down on the wide parking area, maybe they could put a bus lane down the middle.

Park replied that when we get the bus out here that is an option that we can explore.

Councilor Ripma asked why not take the five year offer from the private property owner and continue to use what is obviously the solution that has been used for years. I don't understand, I am curious why it has to be a long term permanent use. As soon as they closed off the turn-around you changed the route on a dime, these are buses not rail cars. Another reason that prompts the question is, if in deed traffic conditions make you add another bus on the line, you might have the room on the schedule to go down to the park some day. Nothing is permanent with the buses, so I am puzzled why you won't consider a five year offer that seems like a good one.

Selinger replied your point is well taken. We would prefer not to pay for an easement, I'm not even sure if we can pay for past use of that property, which is what was requested. I think we are cautious about what we understood to be a concern to the property owners regarding visibility, the shelter, we just felt we could come up with a better solution. We did not get into talking about the actual compensation. We generally like to find arrangements that are long term solutions and preferably one-time only expenditures.

Councilor Ripma stated I guess what I am hearing is you would rather not do it that way, but if it seemed like we encouraged you in some way that you might still consider trying to work something out with the property owner.

Park replied the easement as discussed was a pass through so the bus will have travel and have use of an easement for a bus to turn around and continue to service and not to layover. So that was not desirable by the property owner, they will let us use it to turn the bus around but we would now have to find a home somewhere else for the bus to layover.

Selinger stated instead of having a layover on 2nd Street which has less intense business activity, we would

probably have a layover on Columbia Hwy. which has perhaps greater business impact.

Councilor Ripma stated yes, that is not as popular. The 2nd Street between Harlow and Dora, I don't know how wide it is. Did you explore 2nd Street, which I heard the idea from the Chamber, of running the bus down 2nd to Kibling?

Park replied we did look at that carefully but once again there is a hill, much greater than Dora, Harlow or Buxton so that is one issue. The second issue was the parking on Kibling and on Columbia Hwy. The bus was to continue north on Kibling and make a left turn on Columbia, with our buses it would be hard to make that turn and there would have to be some lost parking spaces.

Councilor Ripma asked how about 2nd Street itself, was it wide enough?

Park replied 2nd is wide enough for two buses to pass each other. What could be done is continue the service east bound on 2nd but instead of turning at Kibling we could turn left on Harlow.

Councilor Ripma stated the building at Buxton and 2nd, which will become a City building, could provide you with a restroom facility, is that right?

Kvarsten replied you are correct, that will become a City owned building. We intend to occupy it sometime in the middle of next month to use as a meeting conference center as well as house a couple current city offices. I think we would want to understand a little bit better where the restrooms are there, how they would be used to see if that would be suitable or not, but it is certainly something we would be willing to look at.

Mayor Thalhoffer asked I am curious about option 7, Councilor Kight referred to the diagonal parking, most of that is on private property is it not?

Selinger replied towards the west end, I believe that is the case.

Councilor Kight asked of Mr. Faith, on option 7, do we have legal ingress and egress on that property?

Faith replied we have as part of the property exchange that was approved by the Council some years ago, we approved a property exchange to correct an encroachment and in conjunction with that there was also some ingress and egress easements that were also approved for exchange. The Yoshida property does have easements across both ends of the triangular piece that the City owns between their property and Columbia River Hwy.

Mayor Thalhoffer stated I think what we have done is we have given you some ideas and you have given us some ideas and you need to come back after you have done some research with what is possible and what is not. You should, to some extent, pursue option #1 to see if that is feasible.

Galloway stated it doesn't appear that we are going to arrive at a decision this evening but we do need to come up with another interim layover location because we have a construction project which is going to prevent them from continuing to use 2nd between Buxton and Kendall after about the second week in June.

Terry Smoke of Nostalgia Antiques and head of the Parking Aesthetics Committee with the Troutdale Merchants Association. Originally we came in with the idea that we would like to see Glenn Otto Community Park be the final destination for Tri-Met stop which I heard in narrow words that in five years things may change a lot. To me it seems like the option that would be the best would be to look into the negotiations that they are making with the Yoshida's, because I understood also that they had never gotten to the point of a monetary decision or it hadn't gone that far. I can't speak on all of the issues as far as the

committees goes, because I will have to go back with what I have heard tonight, so all I am saying are my own opinions. I would say that the discussion would be, again, to make the turn for another five years if they would do that. My opinion on option #7 is that would not be an option that I would even take back to the group. The problem with that is, I came to this group not long ago with parking signs and I had a lot of negative feedback being concerned with the look of the signs. Well, two buses parked right along the side of the street as you come up from the river would be much worse than the parking signs through downtown.

Councilor Ripma asked where do you want them?

Smoke replied my opinion is that it would be best to go back into negotiations with the Yoshida Group as our first option and then in five years look at it going to Glenn Otto Park.

Councilor Daoust asked how do you think the merchants feel about the bus stops that are in between. If Tri-Met did consider going down to Glenn Otto Park maybe part of the time could be made up by dropping those two middle bus stops, do you think the merchants would be okay with that?

Smoke replied I think so.

Councilor Ripma stated the thing that bothers me the most about the option of Harlow and Dora and parking on 2nd is that there are houses right there, that is a residential area. I just don't feel good about having a bus stop there in front of houses for a layover. Temporarily is okay, but long term I don't think it is a good idea.

Mayor Thalhoffer stated I agree with Councilor Ripma.

9. PUBLIC HEARING / ORDINANCE (Introduced 5/11/99): An Ordinance amending Troutdale Development Code Chapter 3, Zoning Districts, Chapter 7, Land Division, and Chapter 8, Site Orientation and Design Standards.

Mayor Thalhoffer called this item closed the City Council meeting and opened the Public Hearing at 9:45pm and called on Mr. Faith.

Faith reviewed the staff report contained in the packet.

Mayor Thalhoffer asked it appears that Lake Oswego is the only city that intends to not comply one hundred percent?

Faith replied based on what Metro has provided that is correct.

Mayor Thalhoffer asked so we are in substantial compliance if we adopt this and then we have to deal with the accessory dwelling units down the road?

Faith replied looking at the letter that we received on March 4th from Metro staff member Ray Valone, he said that we were in substantial compliance in terms of our housing capacity and that we were close enough that they felt we were in substantial compliance. He did however raise the possibility that he may want to reconsider that if we adopted these amendments in their current form with the principal of rounding down.

Councilor Kight state since I have been on council since May of 1995, I have seen Metro's projected numbers for our population at build-out change at least on three different occasions. The letter dated May 14th from Marian Hall, Senior Regional Planner, states that "the City of Lake Oswego has minimum densities for some zones but has

indicated that it will not adopt them for the remaining zones." What is in fact the penalty if they do not?

Faith replied the letter goes on to say that either the City or the Metro Executive Officer need to submit a request for an exception to this provision of the Functional Plan.

Councilor Kight asked but that doesn't identify what the penalty is. Do we know why Lake Oswego has not adopted density throughout the entire City but has selected certain zones?

Faith replied I have not asked them that question.

Councilor Rabe asked per our discussion about this differential zoning, were you able to find out anything?

Faith replied Councilor Rabe asked how would Metro respond if we were to react in the same fashion as Lake Oswego has. I asked that question of Ray Valone and his response was, if you do that then you will be deviating from the requirement of the Functional Plan and you would need to request an exception and you would need to provide some defense of that.

Councilor Daoust stated my concern is that by going through the exception process we will end up worse off than we are now. What I mean by that is, when Metro reviews all of our calculations they will stick us back at the 3,789 dwelling units.

Faith stated I would suspect that they are going to be scrutinizing our figures in our defense. I really can't say for sure how they will react.

Councilor Ripma asked the Lake Oswego approach is something we can try isn't it?

Faith replied I think you can choose to do what you wish.

Councilor Ripma stated that the approach that is presented in this packet tonight, the Ordinance, is not a Lake Oswego approach. It is going at it and caving into Metro regarding the issue of the 80% density, it is adopting what Metro is insisting is required but Lake Oswego is disagreeing and saying it isn't.

Faith replied with a significant twist and that is the concept of rounding down which Metro has already said they don't believe it meets the intent.

Councilor Ripma asked in the letter of March 4th, don't they say in almost the same breath, that rounding down may not work, and they are ignoring our dwelling unit target issue by reiterating their own number, which we have objected to for years.

Faith stated I think that number no longer exists in their mind.

Councilor Ripma stated Mike Burton is very well aware of the number, the Metro staff is very well aware of the number and the exception that we are going to have to go through already, because of the accessory dwelling units, the number issue, the dwelling unit target issue is part and parcel to the whole thing, is it not?

Faith replied certainly.

Councilor Ripma asked if we were to consider the Lake Oswego approach, would it not be something like perhaps identifying a zone or two within the City which we would apply the 80% minimum density and then declare that we will not adopt them for the remaining zones. Is that Lake Oswego's approach?

Faith replied that is how I read the letter.

Councilor Ripma asked is there any reason why we can't try that?

Faith replied I believe you can do whatever you wish. It is a matter of what are the ramifications of that.

Councilor Ripma stated according to this letter from Metro we don't even need to seek an exception, that Metro will initiate it.

Faith stated the is language in the Functional Plan says that the Metro Executive Officer can request or initiate and exception.

Councilor Ripma stated in the findings in the proposed Ordinance on page one, number 4 says "Metro's Urban Growth Functional Plan requires all cities implement an ordinance to comply with the provision of the plan by February 19th." Is it wise to have that in there since it is May now?

Faith replied more accurately the sentence should be extended to say, "unless an extension has been requested and approved." That is what we are working under.

Councilor Ripma asked would it be possible for us to adopt the Ordinance as proposed from page 13 and on but not any of the density related changes in our Development Code, basically withhold action on pages 1 through 12 pending possible direction to staff to research the Lake Oswego issue. Would that work?

Allen stated that might be considered a substantial change and this is the second reading of this ordinance. If you make those changes you may want to error on the side of caution and come back and adopt the Ordinance with those changes in two weeks.

Councilor Ripma asked are we under any promises to adopt this tonight?

Faith replied no. There are no penalties if we do not adopt this ordinance tonight.

Councilor Rabe stated I find it real interesting this differential 80%, and I would like to pursue that personally if we could somehow mitigate this thing and get done with it. I would like to find a way to maintain the integrity of some of our zoning areas so we can put the densities that we feel are appropriate to our community and be able to deal with Metro. I am interested in what is going to happen with Lake Oswego. I would like to sit back on this and see what happens.

Faith replied I guess if we don't act upon this and Metro is at the point where they are going to consider the exceptions to the Functional Plan, they will just throw us in the same hopper as Lake Oswego to consider them at the same time.

Councilor Kight asked could our staff confer with the staff at Lake Oswego and find out what density they are currently at, what zones they plan to exclude and what they are going to make there appeal based upon?

Faith replied if that is what you want me to do I will.

Councilor Daoust stated since we have already adopted this 80% minimum density in the Comprehensive Plan, and we may not build it into the Troutdale Development Code, if we didn't build it into the Development Code what would we have to do with the Comprehensive Plan?

Faith replied I don't think we have to take it out. It is a little more difficult to impose that as a condition on a development if is not a standard in our Development Code.

Allen stated if we were to adopt an Ordinance that only adopted 80% density to some parcels, I wonder about

the ability to appeal or challenge that Ordinance as being inconsistent with our Comprehensive Plan.

Councilor Ripma asked I wonder if we can put off a decision here and discuss this? I would like the Ordinance to come back to us with a second reading without pages one through twelve so we could consider adopting the rest of it. And I would like to direct staff to follow-up on all our questions about Lake Oswego.

Mayor Thalhoffer stated why not just set this over and get some more information.

Mayor Thalhoffer closed the Public Hearing and reconvened the City Council Meeting.

MOTION: Councilor Ripma moved to set this over until such time that the Community Development Director can research the issue surrounding Lake Oswego and other questions raised. Seconded by Councilor Kight.

Mayor Thalhoffer stated I am going to support the motion. We just need to get on with this. We are at 80% density now. We have the Citizen Advisory Committee and the Planning Commission recommending it.

Councilor Kight stated Reynolds High School is now one of the largest high schools in the Portland Metropolitan area. To a certain degree the City is responsible in that we provide building permits and do the zoning, but there is no mechanism for the schools to increase capacity at the same time generate income from those that are causing the problem. Maybe by delaying this as much as possible, maybe enough communities will support having SDC's, contact their state legislators and say we have a real problem with growth in our community. Another way of saying density is apartments complexes.

Councilor Daoust stated I don't think it is a battle worth fighting. I don't know how we would stand up to a battle with Metro scrutinizing our calculations.

Councilor Smith stated if we have any doubt at all, I think we should hold off.

Councilor Ripma stated like everything else at Metro, the issues are so complex that it is hard. I can assure you that Troutdale has many issues with Metro, which I think are well worth fighting. The accessory dwelling units is one, and we already are going to be in the exception process because of that. The density target numbers that Metro has put on us, those numbers are not defensible by Metro. I want the council to realize that. Metro even knows that. I am pleased that we are going to wait and see what a city like Lake Oswego, that is bigger than us, I want to see what there idea is. Nothing is more important to the future livability and happiness then how we react to Metro. Several cities around us have made huge blunders, in my humble opinion, in caving in to Metro. Troutdale has had a much more sophisticated approach for which I commend our staff. This is why we are here, at least it is why I am here, is how we end up seeing our City built. We can win the battle. We are at 84% already, that is why they are not going to hammer us.

Mayor Thalhoffer stated that the 80% density requirement does not mean more apartments.

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

10. COUNCIL CONCERNS AND INITIATIVES

Mayor Thalhofer called this item and stated that there is committee working on the Troutdale Trolley which will be financed by the business people.


Councilor Daoust stated that last weekend the Troutdale Booster Club had a very successful barbecue and raised \$2,400 for the lifeguard program. Governor Kitzhaber and his wife showed up and the T.V. channels 2, 6, 8, and 12 were also all there. The Booster currently have about \$26,000.00 raised and that was more then what we were looking for to fund the lifeguard program.

11. ADJOURNMENT

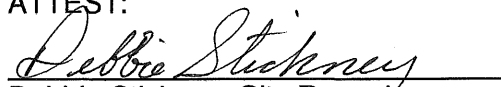
MOTION: Councilor Thompson moved to adjourn the meeting. Councilor Kight seconded the motion.

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

Meeting was adjourned at 10:42pm.


Paul Thalhofer, Mayor
Dated: 7-28-99

ATTEST:


Debbie Stickney, City Recorder

CITY OF TROUTDALE PUBLIC ATTENDANCE RECORD

May 25, 1999
CITY COUNCIL REGULAR MEETING

PLEASE COMPLETE THE FOLLOWING

NAME <small>(please print)</small>	ADDRESS	PHONE #
Jim Galloway	City Hall	665-5175
Rich Faith	" "	" "
Christa Mennar	" "	" "
Norm Thomas	2751 SW Clara Ct Troutdale	667-4320
Ken Gimpel	Waste Management	493-7864
Luanne Dammie	3480 SE Elis. Pl.	667-3238
Terry Smoke	345 E Hist Columbia Hwy	661-0123