



# CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

## AGENDA

### CITY COUNCIL – REGULAR MEETING

Troutdale Police Community Center – Kellogg Room  
234 SW Kendall Court  
Troutdale, OR 97060-2078

**Tuesday, April 10, 2018 – 7:00PM**

Mayor

Casey Ryan

City Council

David Ripma

Randy Lauer

Larry Morgan

Glenn White

Rich Allen

Zach Hudson

City Manager

Ray Young

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer, and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council.*
3. **CONSENT AGENDA:**
  - 3.1 **MINUTES:** February 27, 2018 City Council Regular Meeting and March 13, 2018 City Council Regular Meeting.
  - 3.2 **RESOLUTION:** A resolution approving an Intergovernmental Agreement with the State of Oregon for cost sharing improvements to the third lane under I-84 Graham Road Bridge Replacement Project provided through its Department of Transportation.
4. **PROCLAMATION:** Arbor Day 2018 Mayor Ryan
5. **PRESENTATION:** The Historic Landmarks Commission (HLC) will be presenting signage for 3 homes that have been designated as Troutdale Historic Landmarks. Erin Janssens, HLC Chair, and Sharon Nesbit, HLC Vice Chair
6. **UPDATE:** An update on downtown curb extensions. Ray Young, City Manager, and Ed Trompke, City Attorney
7. **RESOLUTION:** A resolution approving an Intergovernmental Agreement with the State of Oregon for Electronic Records Management Services through its Office of the Secretary of State. Erich Mueller, Finance Director

8. **RESOLUTION:** A resolution of intent to request of the Oregon Business Development Department a Re-Designation of the Three Cities Co-Sponsored Columbia Cascade Enterprise Zone and approving the timeline and necessary actions.

Erich Mueller, Finance Director

9. **STAFF COMMUNICATIONS**

10. **COUNCIL COMMUNICATIONS**

11. **ADJOURNMENT**

  
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**Casey Ryan, Mayor**

**Dated:** \_\_\_\_\_

4/4/2018

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The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale Police Community Center – Kellogg Room**  
**234 SW Kendall Court**  
**Troutdale, OR 97060**

**Tuesday, April 10, 2018 – 7:00PM**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**

Mayor Ryan called the meeting to order at 7:00pm.

**PRESENT:** Mayor Ryan, Councilor Ripma, Councilor Lauer, Councilor Morgan, Councilor White, Councilor Allen and Councilor Hudson.

**ABSENT:** None

**STAFF:** Ray Young, City Manager; Ed Trompke, City Attorney; Kenda Schlaht, Deputy City Recorder and Erich Mueller, Finance Director.

**GUESTS:** See Attached List.

Mayor Ryan asked, are there any agenda updates?

Ray Young, City Manager, replied there are no agenda updates.

**2. PUBLIC COMMENT: Public comment is limited to comments on non-agenda items.**

Paul Wilcox, Troutdale resident, stated I'm addressing both 3.1 and 3.2 on the consent agenda. I have some corrections on the minutes on both February 27 and March 13 minutes. I have some major questions regarding the IGA with the Oregon DOT. The February 27<sup>th</sup> meeting minutes on page 6 in the second paragraph from the top, Karen Young was misspelled. On the March 13<sup>th</sup> minutes on page 2 under Resolution 3.2, it states wising and it should be wishing. On the same set of minutes on page 7 in the second paragraph, third line down it says, "My Board is very queued into that." I think the correct word is cued. Down towards the bottom of the same page in the paragraph that starts with Rebecca Geisen it says, per say and it should be per se. On page 8 on the same set, the third line from the top boarders should be borders. On the February 27<sup>th</sup> minutes on page 2, Councilor Allen made a correction to the January 23<sup>rd</sup> minutes regarding a change of "I will decline to participate" to I believe that was actually abstaining from voting. What he actually said, I have the quote here from the video, Council President Ripma was officiating at that meeting at the time and he asked, are you going to participate in the vote? Councilor Allen said "I will decline." So technically he declined to participate in the vote. There was no mention of abstaining. I raise that issue because in the Troutdale Municipal Code under voting 2.08.170 it says, "Every Councilor present when a question is put votes for or against the question unless excused by the Council

or required by law to abstain.” I’m kind of concerned about making it a habit of abstaining. Abstaining should have a pretty serious basis. One of the reasons that every Council is an odd number is if you have a 3-3 split and the seventh person is abstaining it becomes a no vote. I caution against accepting abstentions unless there is a really good basis for it. On 3.2 there’s an almost \$400,000.00 expenditure and I don’t think that belonged on the consent agenda in the first place. My specific question is, it says in the IGA text that the City’s financial obligation for the third lane on Graham Road under I-84 is \$383,600.00. Then on page 2 under background of the staff report just before the summary at the bottom it says, “As condition of approval for a portion of the street improvements from the Amazon project, the developer Trammel Crow, will pay the City a fee in lieu of construction, of \$383,600.00.” I’m not clear on whose pocket that \$383,600.00 is coming out of. Is the City paying it out of the Street Fund or Transportation Fund? That figure was set by ODOT and it seems kind of coincidental that the City would assess a fee of the exact same amount.

Ray Young replied that’s simple. We’re just the middle man. We already agreed with Trammel Crow that they’re paying \$383,600.00 to help fund the \$19 million project of putting a new overpass and 3 lanes and the sidewalks underneath the Graham Road overpass. We do the planning and development and we approve the Amazon development and Trammel Crow are the developers and they owe us the money but then we are just passing it down to the Department of Transportation. We’re not using any City money at all. Zero from the City. We collect it from one and pay the other.

Councilor Morgan stated point of order. Is it prohibited in the Charter to abstain? What is the ruling on that?

Ed Trompke, City Attorney, replied it’s not prohibited to abstain.

**3. CONSENT AGENDA:**

**3.1 MINUTES:** February 27, 2018 City Council Regular Meeting and March 13, 2018 City Council Regular Meeting.

**3.2 RESOLUTION:** A resolution approving an Intergovernmental Agreement with the State of Oregon for cost sharing improvements to the third lane under I-84 Graham Road Bridge Replacement Project provided through its Department of Transportation.

**MOTION:** Councilor Hudson moved to approve the consent agenda items with the amendments suggested by Paul Wilcox. Seconded by Councilor Lauer. The motion passed unanimously 7-0.

**4. PROCLAMATION:** Arbor Day 2018

Mayor Ryan read the proclamation.

Councilor White stated there’s a tree planting in Helen Althaus Park on the 21<sup>st</sup>.

**5. PRESENTATION:** The Historic Landmarks Commission (HLC) will be presenting signage for 3 homes that have been designated as Troutdale Historic Landmarks.

Erin Janssens, Historic Landmarks Commission Chair, stated I'm here with Sharon Nesbit who is a well-known person around Troutdale and the Vice Chair of the Historic Landmarks Commission. We are here tonight to say thank you for your support of the Commission and we want to honor some citizens who submitted their properties to be considered and then recognized as historic landmarks in our town. I am going to turn it over to Sharon for the beginning of the presentation of the plaques and we are going to begin with the Strebin House.

Sharon Nesbit showed the Council a PowerPoint Presentation on 3 homes designated as historic landmarks (attached as Exhibit A to these minutes).

**6. UPDATE:** An update on downtown curb extensions.

Ray Young stated it appears that a number of years ago in 1998 the curb extensions were approved and encouraged by the Council at the time to enhance pedestrian safety and ADA access downtown. In 2014, 2015 and 2016 in the creation of the Capital Improvement Plan and the Traffic Safety Plan which was reviewed by the Citizens Advisory Committee and the Planning Commission, they had several public hearings on those issues and the Council had several public hearings. Throughout that whole process the curb extensions were approved time and time again through all those processes. In talking to the Chair of the Planning Commission he said at the time the only concern was that we wanted to make sure that the City didn't have to pay for all the curb extensions downtown. When you approve something and you have public hearings on it and you don't have any immediate plans to do something it seems to not quite get the attention that it gets later on when you're actually going to do them. The Discovery Blocks which have been holes in downtown for almost 20 years are now being developed. As most of you are aware, when development occurs on the street that is usually the moment that's required to do upgrades to curb requirements in codes. When Bremik Construction came in and started a process of developing the Discovery Blocks that was part of the requirement. Since it's a County road the County was involved with following through with the requirements of the Troutdale City rules regarding what we needed to do when improvements happen downtown. The County came in and in their evaluation of the code and the ADA requirements, which Ed has spent more time than he would probably like to at looking at ADA requirements and DOJ requirements, the County decided that the appropriate response was that they were going to go ahead and provide the curb extensions on the other 2 streets, Dora and Harlow downtown. Those are the only 2 being impacted by the development. So that's the reason why curb extensions came, because they were voted on by several committees and the Council over the last couple of years. Why they're happening now is because of the development of the Discovery Block. We've had several public meetings and hearings downtown. We had the County and our Engineering Department go door to door downtown with this information several months ago. I've gone downtown door to door providing that information to the business owner's downtown. We've had 2 meetings downtown over this issue. The last meeting we had was about 2 weeks ago and the County showed up in full force. Councilor Stegmann was there, head of engineering was there, head of planning was there and their public works

director was there. They had a good turn out and they had a demonstration of what is going to be happening and why. We have gone through a very long process just in the last 3 or 4 months of informing the downtown business owners about what was coming. I also put an article in the last Champion regarding the curb extensions downtown which got several comments from citizens not from downtown Troutdale. The biggest concern that we have heard is the impact on parking downtown. There's a concern about what it will do to people visiting downtown and their accessibility due to parking. Staff has spent a significant amount of time over the last couple of months in trying to come up with ways to improve upon the parking downtown, short term and long term, to deal with that concern. As city staff we are required to do what you gentlemen tell us to do. In the Capital Improvement Plan and the Traffic Safety Plan you told us that when development happens in downtown we have to put in curb extensions. So we're doing what we're told. In this process we're just following the rules you have given us. There have been a handful of business owners downtown who have been most concerned about this and we have listened to them a lot and we have done the best we could to deal with their concerns about parking. In response to those concerns there are 2 things we are doing really soon and the third thing we hope to do in next year's budget. The first thing we did is send letters to 180 property owners in downtown Troutdale telling them about the change in Harlow and Dora to one way streets and that we'll be installing diagonal parking on those streets. We are able to get 6 additional parking spaces on Harlow and Dora. Those are legal parking spaces that will cancel out the 6 illegal spots that we're losing on the main street because of the curb extensions. The second thing we're doing is there's a handicap spot directly across from Ristorante Di Pompello right at Mayor's Square and one of the concerns about handicapped people coming into town is that you can use a handicap spot but there's a curb right there and it makes it very difficult for wheelchairs to get in and out. We're actually going to be cutting the curb back several feet because with Mayor's Square there we can make the sidewalk curve around. So we're doing a cutout of that handicap parking spot so that it is much easier for a handicap individual to get in and out of their vehicle downtown. The third thing is that in the budget for next year we have in there a capital project for \$400,000.00 which will take the 2<sup>nd</sup> and Harlow gravel parking lot and actually turn it into a real parking lot and it would include a retaining wall and access to some parking from 2<sup>nd</sup> Street. The bottom line is that the current parking lot in the disarray of gravel parks between 20 and 25 cars at the most. When we finish that project, if the Budget Committee approves that project, we'll get 40 parking spaces that are paved and lined right downtown. It would be the first real dedicated parking lot that's easily accessible to visitors. The north side is great parking but it's not as visible so if you approve that next year we'll be able to put a nice parking lot there that almost doubles the parking in that lot for downtown. As a minor thing on the 4<sup>th</sup> side we are now working with the County to replace the signs at the east and west end of the entrance to the north parking to make dedicated signs specifically to say public parking. One of those signs will also have arrows from the other direction because the parking lot at 2<sup>nd</sup> and Kibling has 20 spaces and I've never seen more than 4 or 5 cars in that parking lot because people don't know it's there. We've trimmed the trees back at the lot, the lights are all working well, a bigger sign on it and directional sign so that people can find that parking lot easier also. In response to the concerns of downtown we are doing the things that we are allowed to do under the code and within the budget constraints to be able to improve parking downtown. The Town Center Committee has taken it upon themselves

to explore the whole idea of curb extensions downtown again. Even though we've had lots of hearings and lots of votes on approving curb extensions they're going to re-evaluate the curb extensions to see if we want them downtown. Depending on what they do, if they recommend to Council that we should eliminate the rule regarding curb extensions for downtown you could approve that change of rules. That would mean Kendall, Kibling and Buxton would not have curb extensions if those were improved nearby which would necessitate upgrading the streets there. Theoretically, if the Town Center Committee recommends it and the Council says we don't want curb extensions and makes the appropriate plan changes which could take upwards of a year to do down the road, you could take out the curb extensions at Harlow and Dora if you want to. I think it's important to note that this is meant as no disrespect to anybody who has spent a lot of time being concerned about the curb extensions, I know many of you experience the same thing in that when something new or a change comes it is the naysayers who usually come out and spend more time on it because those who are in favor of something hear that it's coming and they have no motivation to do anything because they hear it's coming. They usually stay on the sidelines. But those who oppose something usually are the ones that are going to be more vocal. A couple of things important to remember is that I have heard from 3 citizens over this time who all think it's a wonderful idea to have downtown because pedestrian crossing is difficult downtown the way it's situated now. I have pictures of people parking in crosswalks 2 or 3 times a day. And if you say enhance enforcement, we can't even take the speeders down in different parts of the city. Second of all it's important to note that at the last meeting we had that was advertised, out of 40 plus business owners downtown Troutdale only 4 showed up to the meeting. I have talked with most of the business owners downtown and generally the response I get from the majority of them is, it's a great idea or okay, whatever. The County is now done with their engineering. One of the things we did get back from the downtown business owners was they want it not done during the tourist season in the summer. The County is working very hard now to get the bids out right now to do projects. Their part of the project is generally the north side and the corner at Taste of Village while Bremik Construction will start constructing the west building this year in the next month or two. That's where we're moving to try to deal with concerns.

Ed Trompke stated the ADA piece of it is pretty complicated. I did talk to the County's ADA specialist and he agreed that the bulb out extensions are not required by ADA but they are still required by the comprehensive plan and the City is really not authorized to take them off the table with Bremik's project right now. They have to stay on for the moment and can be taken out at a later time if that's the decision that's made. Because they're in the comprehensive plan in order to remove them it's a process. You have to go through the committee as Ray was talking about and the committee has to have public hearings on it and allow comments both ways and then make a decision and recommend their decision to Council and then Council will decide. In the meantime they really do have to stay on as the permits are right now. We're not authorized to take them off right now without violating our own code. I'm not an expert on ADA but I can tell you that the requirement is that there be an accessible pathway or accessible route to every accessible feature in every building. So when you put in an accessible front door you have to have an accessible route to get there from wherever people are going to come. Meaning bus stops, cars and residences nearby. That's been interpreted by a lot of

lawyers and that's the way Multnomah County's expert interprets it. In any case, the bulb outs are a City issue not an ADA issue and doing all 4 at the same time is something that the County is just doing because that's their thing to do when they're doing this one project on the north side. Bremik has to do the south side. For the moment the north side is going to get constructed by the County. If they don't get to it until the time when the City's already changed the code they could come in if they would like to and ask for a minor modification and at that point staff can approve that without a big hearing. A minor modification like that isn't huge. We have to enforce our code for the moment.

Councilor Lauer asked, when does the County's timeline start?

Ed Trompke replied they could start as early as a month or so.

Ray Young stated they are ready to go. The engineering is done and it's going out to bid right now because we put a lot of pressure on them to do it quickly because we don't want construction in July and August in tourist season. Based on pressure from us they're going as quick as they can to get going so it can get done.

Councilor Lauer stated maybe I didn't connect the dots the right way but it sounded like in the beginning that this was all County go or no go. Now it seems like we hold the cards in this.

Ray Young stated what happened was that we already set the standard. We already had the rules on the book in the comprehensive plan. If you do development downtown you have to do curb extensions on those developments. When Bremik came in and said they were going to finally develop the Discovery Block then part of the pre-application process and part of the planning with the County, it's a County road and we work with the County, they told them they would have to put curb extensions in so since they're doing it the County is on their own to say they'll match up those curb extensions based on their interpretation of the code and they're paying for it. The County also got a federal grant that's paying for it that's got to get disbursed before the end of the fiscal year. Not only do they want to get it done to keep our business owners happy and keep the construction out of summer but they have the money now to do it.

Councilor Lauer stated if they do it, great. I'm not a fan of bulb outs. They don't make any sense to me. I don't get how standing closer into the street as a pedestrian makes you any safer than it does being on the other side of traffic. That being said, if the Town Center Committee has their public hearings and comes to the conclusion that we're not ready to endorse having bulb outs in the City, I think that would be fantastic. What I don't want to do is if this whole thing goes into process the County spends their money and Bremik spends their money and then we go back and tear them out. I don't want to waste money is what I'm saying.

Councilor Allen stated this is more of a note for this Council and future Councils. I don't think I'm the only one that's heard reasonable arguments from people on both sides of this issue. As a Council we were going through a series of plans, there was quite a bit of discussion on removing things from the plans. We were being told by staff that just



because something is on the plan doesn't mean you have to do it. But if it's not on the plan you have no option to do it. So that was pushing us in the direction of leaving it on there, whether we wanted to or not. There was also the discussion that there's a process for removing something from a plan if in the future we should decide to. However, in this case we're now being told it's on the plan and we have to do it. This Council or future Councils may come across this in future plans because they come up every so often and when you hear that argument again remember these moments.

Ray Young stated on the Capital Improvement Plan that is true. But other plans like the Comprehensive Plan and Traffic Safety Plan those are actual action plans that you've already said we're going to do something. The CIP's are generally things that the City chooses to do or not to do but we have to put it on the plan before we can do it. When it comes to Comprehensive Plans and Traffic Safety Plans those are triggered by development that we've already set the pattern for those people that they have to do.

Councilor Ripma stated I agree with what Randy said. Up until now we've been told that it had to be done and it was a County thing and an ADA thing. The new information is in fact that the City of Troutdale is the one requiring these things. That to me changes everything. I understand the comp plan and the bulb outs have been on the plan for years but what drives the decision to whether it's really a good idea is one that comes down to building them. Since it's not required by the County, it's not required by the ADA and it is just required by Troutdale's comp plan and we can change the comp plan it just seems ridiculous to move forward building them quickly. Even if the County has money that they need to spend it seems to me the sensible thing to do would be to refer it to the Town Center Committee, get their recommendation and then the Council make a decision whether we want to go forward. And if it delays it, it delays it. I would favor referring the matter to the Town Center Committee.

Ray Young stated you need to understand that what the bulb outs do is give line of sight for the pedestrian and the driver. Right now people park so close to the crosswalk or on the crosswalk. The bulb outs and the curb extensions on the north side allow a greater line of sight for people safety wise. At this point the County is paying for doing the north side and they're doing the one corner at the Taste of Village. The other corners are Mayor's Square and both corners of the Discovery Block on the south side. Those are likely not to be done until the end of the year. I guess the worst that will happen between now and June is that just the north side ones get done and one down at Taste of Village gets done and maybe if this all happens none of the others ever happen. It's a possibility.

Councilor Ripma stated unless we ask the County to pause this program until we make a decision. Have the Town Center Committee look into it and make a recommendation. I would rather do that than spend money on Dora and Harlow corners and then decide not to do the other corners, for example. I certainly agree with Randy that we don't want to tear them out after they've been built. That would just look ridiculous and be ridiculous.

Mayor Ryan asked, is there a path to do that?

Ray Young replied I don't know if there is or not. Let me tell you the one concern I have. We're presuming that we're going to vote down curb extensions in the future. We have heard from the Town Center Committee and we haven't heard from public testimony by everybody that may be interested in this issue. If we go that route and we tell everybody to hold off and what if it ends up you guys say curb extensions are really good and then the County says they have no money for it and they're not going to do it. That's the down side just so you know that other side.

Councilor Ripma stated I don't see that as the end of the world.

Mayor Ryan asked, what do the curb outs take out?

Ray Young replied a total of 6 illegal parking spaces.

Mayor Ryan stated so what we're saying is, is it okay for people to park in our crosswalks? Is it okay? Because if it is okay let's stop the whole thing and people park wherever they want. Those are illegal parking spots. We can say curb extensions are silly because people walk out in traffic but what we're saying is we're okay with people parking in illegal parking spots. That's essentially what we're saying.

Councilor Hudson stated I want to not delay it. I think we should go ahead with the plan as we have it. It's a safety feature. It's removing illegal parking spaces. I see no reason not to get things done now without further debate and referral.

Councilor White stated I've talked to some of the committee members and that's a really good group of really involved citizens that feel kind of side stepped. I have to admit as a Councilor I felt kind of side stepped on this issue as well. I think it should've come before Council more formally than it has. We work hard to create a historic look in downtown and I think these curb extensions ruin that. Even one of them. It's only a 4 block section of road and the one on the north isn't even required because there has to be a connecting street to require it. Bremik only has to build one on the south side according to our plan. A previous Council can't make a decision on future Council. Some of you weren't even here back then and I remember the issue well. It was a big daunting task to approve the transportation plan Metro worked on. We were more focused on bigger issues like trying to get 238<sup>th</sup> to be 4 lanes and there was a lot of other things we were working on. I think I remember clearly what Rich said too. We were told it has to be in there but doesn't necessarily mean we have to build them. I think a lot of them didn't go to the second meeting because they felt like the County has already made up their mind. They're also really busy business owners and it's hard to break away from their business. Erin Janssens said she spent her life in public safety, she worked for the Portland Fire Department, and she said that street is safe. As far as parking in the crosswalk that's already currently not legal so I think maybe some enforcement is in order. I'll pay some overtime if that's what it takes to get that enforced.

Mayor Ryan stated the issue is then we paint red and you can't park there and then the safety is there and then the 6 spots are still gone. The 6 spots are illegal.

Ray Young stated I have been downtown every day and I walk the streets every day and it is an ongoing problem at every crosswalk. People park right up to it or in the crosswalks. I stopped taking pictures because it happens every day. That is a concern that we have to deal with. It's going to be a money issue if you want to increase enforcement downtown. And that's another thing. Do you want parking patrol downtown? Because you can't just tell them to only do crosswalks. They would have to do overtime parking and all other kinds of illegal parking downtown.

Mayor Ryan stated at this point we've identified that we are allowing illegal parking in our downtown. We can't then just say no curb extensions and people can just park wherever they want. That's not good practice.

Councilor Hudson stated I think we would annoy people and shoppers and decrease the good vibe of our downtown if we start ticketing cars.

Councilor Allen stated I can understand the line of sight. I don't think being 4 or 5 inches higher is going to make you safe. I think it's more than just whether we allow illegal parking or not. It's also that we have the parade, the car show and the attempt to have a historic looking downtown that is different and attracts people. There's a lot to think about. How much is the federal funding?

Ray Young replied I don't know. I get the sense that it's probably most of the project. They have a certain amount for ADA improvements and that's what they're using it for.

Mayor Ryan stated I want to talk about the historic part real quick. Downtown Gresham is booming. They have curb extensions all the way downtown. I don't care what night of the week you go down there, it's super busy. These things haven't stopped anything down there at all. The point is it still looks historic to me.

Councilor Hudson stated and it hasn't ruined their parade.

Mayor Ryan stated they have bed races, Teddy Bear Parade which is much bigger than the Summerfest Parade, car shows and they have stuff going on all summer. I don't think it hinders any of that stuff. The argument that I make is that these are illegal parking spots. We cannot now ignore it. If somebody gets hit because we decide curb extensions and then we don't do anything on the other end, it's going to look pretty bad on this Council. Because we've identified those are illegal parking spots and we're doing nothing to stop it. It's on record that we're allowing people to park in illegal spots. Those are the facts. We have to do something. If it's not the curb extensions then it has to be enforcement and painting.

Ray Young stated that's an interesting issue you just raised. Generally, when we make improvements or a decision in the City we have funds to do this or not to do this and if we don't do something because we don't have the money for it and somebody gets hurt because we didn't do it, usually the City is off the hook. This is different because the money is there to do it and we may decide not to do it. It changes the discretionary immunity that generally we would have.

Ed Trompke stated the point he makes is that it becomes very unclear as to whether or not the City has liability if someone should get hurt.

Councilor Ripma stated Zach, you're convinced that they're going to be better for safety. I am not. But I'm no expert. In the face of opposition being voiced, tonight, the first time that we've learned that the City actually controls this. Randy pointed that out. We didn't know that before. We assumed it was required by some other entity that controlled it. We actually have the choice whether to do it or not. We actually have convened a Town Center Committee with the mandate to do this kind of evaluation and decision making based on aesthetics, safety and everything. One option being advocated is that we just go ahead anyway and build them and it would look ridiculous to take them out. Could we please slow down? If it's the City's choice let's have the Town Center Committee at least weigh in on it. I know there's some opposition. I'm sure there is some support and maybe a lot of indifference. I'm advocating that we refer it to the Committee. Slow down. Ask the County to just hold off until we make a decision. And then we make a decision.

Ray Young stated I can ask the County.

Mayor Ryan stated let's do that. I'm with Councilor Ripma. Let's take a vote on it and if we can let the Town Center Committee come back and we'll take a vote on the record. If we can do that.

Ed Trompke stated the County may have put these contracts out for bid. If they withdraw them they might have liability to the contractors. It depends on where in the process all this is. I don't know where everybody is in the process.

Councilor Ripma stated let's find out.

Mayor Ryan stated I'm in favor of that or I'm in favor of enforcement so people aren't parking illegally. It's a safety issue to me. It has to be dealt with. You can't not put these out there and assume that we'll leave it the way it is.

Ray Young stated what I'm hearing from the Council is that you want me to call the County and say we were just kidding. We really don't want curb extensions and if there's any way that we can pull the plug and re-evaluate them over the next year we would love to have you do that and we understand that if you do that and we approve them a year from now that we're pretty much on our own to put them in. I would probably want to put it on the record for a resolution because as a staff person I don't feel comfortable making that decision myself to ignore the lawfully passed regulations and rules that you have given me without an actual vote from the Council.

Councilor Ripma stated don't say it like that. Just say that we the City of Troutdale City Council realized that it's our comp plan that's driving it. We just realized it last night and we would like more citizen input. We have heard opposition and we're not sold on this idea. Where does it stand? Can it be held off?

Councilor Hudson stated I would like not to make that recommendation to staff without formal voting on whether we do that.

Councilor Ripma stated that's my proposal.

Mayor Ryan opened public comment.

Gregory Kurahashi, Kurahashi & Associates, stated I'm a civil engineer and I have done a lot of curb extensions. (Gregory Kurahashi provided handouts to the Council, a copy can be found in the meeting packet) I've worked with TriMet fixing curb extensions that were bad on the light rail system. I did Multnomah Boulevard when it was put in and I was involved in the design and all of that. First of all, you need these. That is because you have illegal crosswalks. They don't leave enough wide space behind it. You're supposed to have 4 feet minimum. You have 2. Therefore, you need a 3 foot curb extension in order to meet the code. On the other side of the street across from Saul's restaurant the curb extension is 5 foot wide. It has to be 6. There is more than 5 feet behind the curb to do that so you don't have to make a curb extension to make that legal. You want to solve the problem about having illegal parking spaces? What you do is you make that 3 foot extension. It makes the curb bulb out so they can't park 3 feet into the street. That way the car will stay there and they won't go back and as soon as they try to go back they will hit the curb. That will solve the problem without an extension. That is major. I did a street study for the City of Portland and we were trying to make sure that we had the ability to sweep the curb. So I had a street sweeper run the curb at a 15 foot radius and that's what they could handle. If you do an 8 foot extension you have to go about 20 feet from the crosswalk in order to get that far to make that extension. The City of Portland says you have to be 20 feet. All these things are things that you need to think about because some of the things that they're saying, bulb outs, they only need to be big enough to do the ADA extensions because a lot of cities don't have that ability. I have passed along details about how you cannot make a bulb out and actually make the curbs drop so that you can use a curb for that. And that's done in the City of Portland and in the State. I gave you a detail that shows how they do that. They take the whole sidewalk and make it legal to cross. The other thing is you have 2 crossings of the street within like 30 feet of each other. You are the only one that can change that. What you have to do is you call the State, talk to a person who is involved in making that decision and tell them you don't need that extra crosswalk. They can take it out. Especially if the jurisdiction that has it within their boundaries doesn't mind. Most people mind. But do you need that extra crosswalk?

Mayor Ryan asked, what do we do now that they've already approved the RFP and have the structural engineering done? It's their road and their project. How do we say we still want some of this but we don't think you need to do it quite like this? This sounds better but, how do we stop it now?

Gregory Kurahashi replied you have to determine how much they've done and whether or not they have a requirement for that to be done that way. They can probably put it out for bid and restructure it for what they've already got.

Ray Young stated I know they're 100% done on engineering. They are about at any time in the next couple days talking to their purchasing department to put it out for bid. Again, they were under the understanding, from talking to business owner's downtown, to get it done quickly so they were trying to please us.

Gregory Kurahashi asked, then why at the last meeting was nobody allowed to talk?

Ray Young replied I wasn't running the meeting.

Gregory Kurahashi stated I know. The County was running the meeting.

Ray Young asked, did they call you after? Did you talk to them? Did they respond to your letter?

Gregory Kurahashi replied no.

Mayor Ryan stated this sounds like a good middle ground.

Gregory Kurahashi stated in this case I think you guys have a right to at least express your opinion about what's happening in your own city.

Mayor Ryan stated the way the parking is now has to change.

Gregory Kurahashi stated it has to.

Mayor Ryan stated thank you. That's what I'm trying to tell people. It has to change.

Councilor White stated I think the railroad tracks really confined our space.

Councilor Allen stated Mr. Kurahashi makes a lot of sense.

Mayor Ryan stated I wish we would've had this a long time ago. We have to do something but this makes a lot more sense.

Gregory Kurahashi stated I just wanted to give you the facts about what you're trying to do because everybody uses the code as a way you have to do something. I'm just stating a way to solve it and you still need the code.

Councilor Hudson stated if staff would investigate the suggestions presented here as being consistent with current plans to work with the County to update the road as consistent with our comp plans and everything then I don't see a problem.

Ray Young stated I don't think the code specifically says how many feet.

Ed Trompke stated the code calls for bulb outs in the downtown streets but it doesn't call specifically for any size of them or particular configurations.

Ray Young stated I would assume that they would have to comply with ADA requirements and whatever State statutes there are regarding engineering.

**MOTION:** Councilor Morgan moved to provide this information as the Council's recommendation to the County and to see if they are too far in the process to approve this amendment or these recommendations. Seconded by Councilor Hudson.

Councilor Hudson stated I would support such a motion. In fact, I second it. But I think other people were suggesting a motion to defer the decision completely to the Town Center Committee and take no action at the moment which is a very different motion.

Councilor Morgan stated we can make that motion.

Mayor Ryan stated that's not even something we can do.

Ed Trompke stated you can defer taking any action here allowing everyone to proceed on doing what they're currently doing.

Councilor Ripma stated my proposal was not to ignore the comp plan. It was to get public input, the Town Center Committees input and decide whether we want to change the comp plan to be more sensible. I am okay with this alternate option if it works. It sounds like it might be consistent with the comp plan. What needs to happen and my recommendation that we recommend to staff is that they ask the County, could they stop what they're doing and consider this and let us consider other options? Can they stop what they're doing for the moment or is it too far gone?

Ed Trompke stated it sounds to me like there is a consensus of Council to have the City Manager go ask the County if they can implement a less intrusive option.

Councilor Ripma asked, could we get the County to do something like Mr. Kurahashi proposed? I'm okay with that.

Councilor Allen stated I would like to be on the persuasive side. I think what Mr. Kurahashi has to say makes a lot of sense to me. I think what Councilor Lauer has said makes a lot of sense to me that we don't rush something now that we're not happy with later.

**VOTE:** Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan - Yes and Councilor White – No.

**Motion passed 6-1.**

Councilor Morgan asked, do you know what is was, Glenn?

Councilor White replied it was to see if we could have the County look at this plan and not ask the Town Center Committee to look at it. That's the part I had trouble with. This current Council appointed that committee and they're being bypassed.

Mayor Ryan stated if you want to show up at a Town Center meeting and give them this information, that's fantastic, but I doubt the Town Center Committee knows much more about this stuff than the Council does. They should be involved but they need to have this information. This is not an aesthetics issue. It's not about parades or car shows. It's about safety and upgrading the streets. We have to do something.

Councilor Morgan stated just for clarification purposes, is the comprehensive plan a policy document?

Ed Trompke replied it's kind of a hybrid. It's a policy that has to be followed.

Councilor White stated we asked Ed at the last meeting to find us a loophole or something. I think he may have found one about the north side because the bulb outs are only required when there's a connection coming from the north and we have the railroad track blocking any such connections. The County might be out of line to begin with.

Ed Trompke stated again, that's going back to the interpretation of what is the path of accidents. The path of accidents is to end other facilities and there are bus stops on the north side.

**7. RESOLUTION:** A resolution approving an Intergovernmental Agreement with the State of Oregon for Electronic Records Management Services through its Office of the Secretary of State.

Erich Mueller, Finance Director, stated this is the item that was on the consent agenda for a meeting a month ago. It was moved to be tabled to this meeting by Council action. There were some questions that were asked by some Councilors and I know Sarah has followed up with the Council members. Fundamentally the only reason this even came to the Council was because it was in the form of an Intergovernmental Agreement (IGA). The dollar amount is quite nominal which is why it was put on the consent agenda. The City is by no means giving up its records or control of its records. The State is not in any way willing to let the City off the hook for being responsible for its own public records. None of that is accomplished by this. This is simply a tool that is available to help us improve our ability to comply with the myriad of requirements under the public records law. It's not anticipated to solve all of those items but it does provide us with a range of services that we wouldn't be able to afford were we to do it on our own. It provides us access to a more current set of technology. This IGA allows us access to a commercial grade product. This is by no means a home grown product. It's provided with assurance that we're able to get the files back in the same form in which we deposit them into the system. The only caveat is that if we put in a WordPerfect file and 15 years later you pull that WordPerfect file out of the system, the system is required to provide it back to you in that form. You will get it back in the form that it was loaded. The vast majority of what we



would have there would be in PDF form. The IGA is coming to the Council only because it's an IGA. The dollar amount is less than \$5000.00 a year.

Councilor Allen stated I was the one that had concerns about it. I appreciate this Council for letting me talk to the City Recorder to address concerns. As you noticed the microfiche is outdated technology. As we deposit our data into this records management system we have to realize that it too will have an end of life and business relationships sometimes change. Often times it's easy to get into a deal that's designed to be that way but it's harder to get out of it. One of my thoughts is, how do we get our records back should we choose to end the relationship for one reason or another? I see in section 2.3 that we have the opting out clause which addresses this and then we also have in section 7 termination. How do we get our data back?

Erich Mueller replied we're able to retrieve the data when we give them notices as required and we will need to have a place to essentially copy it back to some other alternative form of storage that we're going to choose to move it to. They have to be able to get that data back in the same form. As far as the mechanics of doing that, just like you say, technology changes. Is it going to be done electronically, send us a flash drive or a CD?

Councilor Allen stated right here in the opting out clause it says, "however, SOS shall reasonably cooperate with and assist Troutdale in developing such interfaces." So they'll work with us on interfacing but in the next section, section C, it also says, "however, SOS shall have no obligation to provide Troutdale with any data that resides in the system employed under the ORMS in any particular format." All that I can hope for is that format that is chosen is in some reasonable portable format.

Erich Mueller stated I think the format that maybe it's referring to is going to be the nature of the readability versus the media form that it's stored on.

Councilor Allen stated they're saying they'll give us the data back in no particular format. How do we ensure that we get a format that we can use? I guess that's more of a legal question. Will we also have similar rules that apply to termination? Will we be able to get our data back?

Ed Trompke stated I think that in section 2.3.2, in sub-section C, the key wording is "in any particular format." I think that they had agreed that they do have an obligation to provide Troutdale with its data but what they're saying is that they're not obliged to provide it in any particular format and that it may be residing in the system and maybe encrypted. You'll get it back in the same format that you sent it in with.

**MOTION: Councilor Lauer moved to approve the resolution approving an Intergovernmental Agreement with the State of Oregon for Electric Records Management Services through its Office of the Secretary of State. Seconded by Councilor White.**

**VOTE: Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan - Yes and Councilor White – Yes.**

**Motion passed 7-0.**

**8. RESOLUTION:** A resolution of intent to request of the Oregon Business Development Department a Re-Designation of the Three Cities Co-Sponsored Columbia Cascade Enterprise Zone and approving the timeline and necessary actions.

Erich Mueller stated for those of you who were at the Three Cities meeting on March 28<sup>th</sup> some of this material is familiar. The existing enterprise zone that covers Troutdale and Fairview originally was established back on September 28, 2007 and then 9 months later Wood Village joined it so it's the Three Cities Columbia Cascade Enterprise Zone. It expires June 30<sup>th</sup> of this year. When the Port of Portland was here a few months ago, Emerald, their Government Relations Representative had talked supportively of the enterprise zone and the benefits that it's provided to the Port in terms of a marketing standpoint and was supportive of us seeking renewal. One of the items that's required in a re-designation is if there's a Port District that covers the area then the Port Commission has to consent to support it which they have done back in 2007 and we would expect that they would do it with no hesitation this time around. Because it is a Three Cities co-sponsored zone there's activities and effort that's required on the part of all 3 cities staff. This is to have you have the opportunity to establish that we do indeed support the re-designation and you desire to have the staff in all 3 cities spend the time, money and coordination efforts to prepare for the formal re-designation. Each of the 3 City Councils have to adopt a re-designation authorization resolution. What the resolution tonight does is say that you're committed to having us do the work to present you with the formal re-designation resolution that you and the other 2 cities would have to pass and send that to the State. It does not amend our current enterprise zone program.

**MOTION: Councilor Morgan moved to approve the resolution of intent to request of the Oregon Business Development Department a re-designation of the Three Cities Co-sponsored Columbia Cascade Enterprise Zone and approving the timeline and necessary actions. Seconded by Councilor Lauer.**

**VOTE: Councilor Allen – Yes; Councilor Hudson – Yes; Councilor Ripma – Yes; Councilor Lauer – Yes; Councilor Morgan – Yes; Mayor Ryan - Yes and Councilor White – Yes.**

**Motion passed 7-0.**

## **9. STAFF COMMUNICATIONS**

Ray Young stated next week are Budget Committee meetings. Monday and Wednesday are currently scheduled at 7:00 both evenings. I give kudos to Mr. Mueller as you received the budget one week before the meeting which is lightning speed based on the past. Next

is the URA property. We are working closely with AMEC and DEQ right now to put together the final details on the plan to clean up the property. The plan right now is to have bulldozers out on the URA site in August. The citizens will hopefully see by late summer things happening out there. The Imagination Station contract is finally signed. They are now working on final design in the next couple of weeks and we're still on track for the schedule. If we get the design done by the first or second week in May we'll still be on track to finish by the end of summer. Because we are going to keep you involved next week on at least 2 nights we are going to cancel the April 24<sup>th</sup> Council meeting. There is a meeting on April 25<sup>th</sup> for the Town Center Committee at 7:00pm in this room.

## 10. COUNCIL COMMUNICATIONS

Councilor Allen stated my daughter and I enjoyed the TIP fundraiser this last Saturday. It was a good time and we raised money for helping in trauma situations.

Councilor Hudson stated I would like to thank city staff for all of the hard work they put in.

Councilor Ripma stated I echo that.

Councilor White stated I wanted to take the opportunity to thank staff for finally looking into some of these age old parking problems that exist.

## 11. ADJOURNMENT

**MOTION: Councilor White moved to adjourn. Seconded by Councilor Lauer. Motion passed unanimously.**

Meeting adjourned at 8:58pm.



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**Casey Ryan, Mayor**  
**Dated: May 31, 2018**

**ATTEST:**



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**Kenda Schlaht, Deputy City Recorder**



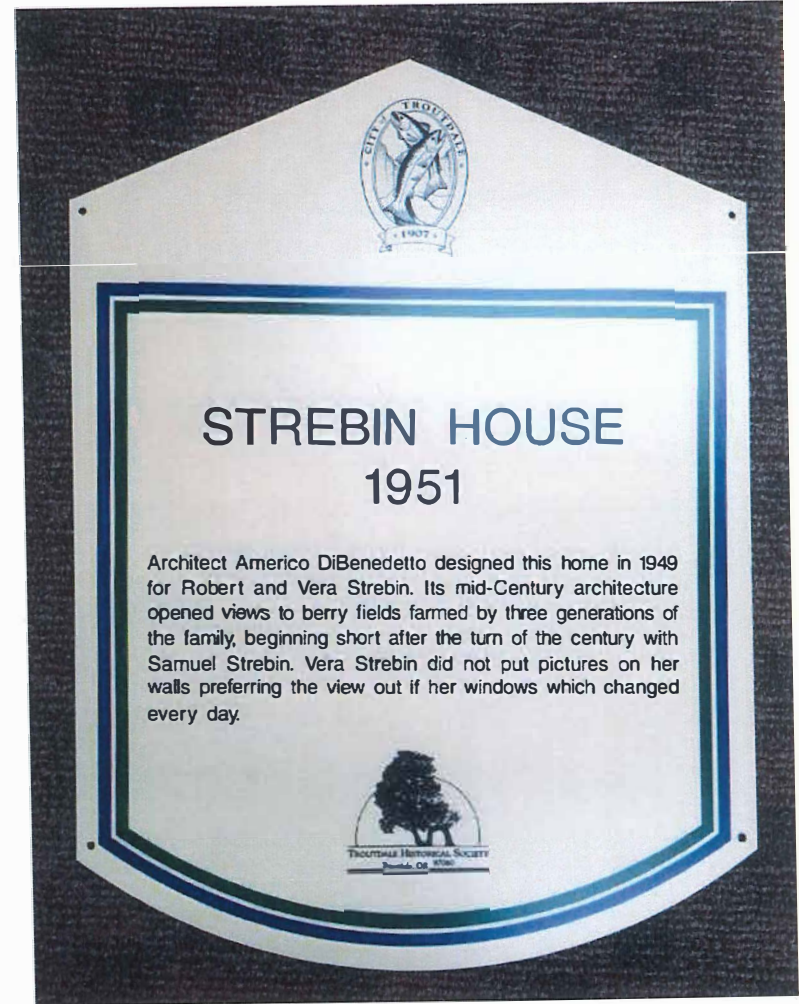
# Strebin House

## 2720 S Troutdale Road

Owner: Robert Strebin, Jr.

Age: 1951

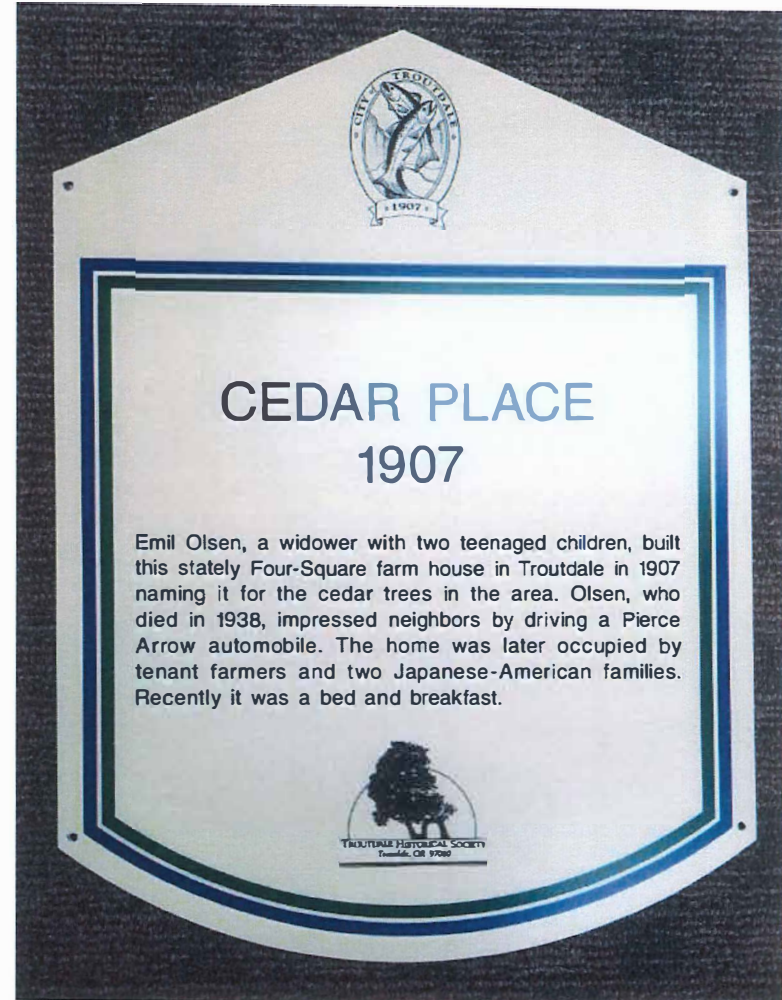
Style: Ranch, Mid-Century Architecture



# Cedar Place

## 2611 S Troutdale Road

Owners: Rod & Cindy Walston  
Age: 1907  
Style: Craftsman Four Square



# McGinnis House

## 234 SE Kibling Ave

Owners: Brenda and John Doolittle

Age: 1903

Style: Craftsman Bungalow

