

October 24, 2013

City Council

Re: October 28, 2013 Council Meeting

I have to work Monday night and will be unable to attend the Council meeting. There are two items on the agenda I would like to comment on as part of the public record. In keeping with my commitment to remain free of political correctness and beating around the bush, I submit the following testimony.

The first issue would fall under Item 6 (Audience Participation) but relates to Item 13-B on the agenda: I support the recommended action. What I do not support and believe to be an outrageous barrier to economic development is the processes, time and fees to get to this point. The subject property was in the area annexed within the past 5 years. The commercial use has been consistent since at least 1969 when the original building was built. It should have been an administrative issue to grandfather the zoning and use without charging the owner over \$700 for the application process. Annexation is costing the owner over \$600 per year in additional City property taxes. The 3+ months it took to get through the process cost the owner a potential tenant on the front end and who knows how many potential tenants while he waited for the City process. Once again a potential generator of economic activity has been stifled by 'processes. This unnecessary 'process' is a VERY LARGE BARRIER TO ECONOMIC ACTIVITY SOLELY BECAUSE OF THE CITY. At the very least the applicant should get the application fees back and Council should seriously consider taking proactive action to remove this barrier. By the way, the comprehensive plan calls for neighborhood center overlays all across the community and this area fits the description.)

The second issue is item 11-A (LUDO Amendments Hearing). I support the action with the following comments:

1) Had this been completed by February this year as it should have been you wouldn't be dealing with the legislature making local decisions for you. Council

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made it very clear in November and December meetings last year that the building permit was the trigger point for SDCs. The new Council again confirmed the position in January. Staff never brought back to the Council what the Council directed so fed up citizens took it to the legislature and took the decision away from The Dalles City Council. (I'm very disappointed that the citizens did not allow a sympathetic Council to work through the issue but the price of infinite delay is now being paid.) Being an absolute slave to 'process' once again created a situation that should have never happened.

2) The ordinance only applies to residential. It should apply to everything. The Council already confirmed their position that SDCs should be charged when building permits are sought on Commercial property when NW Aluminum (or their successors) divided some land on River Road prior to marketing for sale (somewhere between 2007 & 2010). Lines on a map do not create a need for services...development does!

3) If you look at the staff report and the ordinance it refers other ordinances. Some of those ordinances are in the LUDOs and others are in the General Ordinances. I have years of experience researching and reading ordinances and I could not find the ordinance referenced in General Ordinances. I called Clerk Julie and she was able to give me a clue, from memory, as to which section the ordinance was in. It was in no way intuitive and I would have been out of luck without her excellent memory. What happens when Julie is on vacation, sick, retired or sick and tired? The ordinances MUST be usable by the general, reasonably intelligent (I know that leave me out) public. Council needs to seriously consider overhaul of the ordinances to make them user AND staff friendly.

We tout 'user/business friendly'. It is past time that Council seriously considers the barriers they have created, or allow to exist, to small business economic growth and development. You don't have to look far, just look at the *LUDOs* and *processes* for a place to start.

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I will now fall off my soapbox. Thank you all for your well compensated service to our community 😊

VOTE YES ON THE PARKS AND RECREATION POOL BOND.

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Dear City Council, Staff & Honorable Mayor,

My name is Kindra Manning. My husband Sean and I and our two children reside at 2919 E. 9th Street in The Dalles. Due to employment demands and availability of work for my husband, we accepted his job transfer to Martinez, California in April of 2013.

We listed our home, situated on .8 acre connected to city water and equipped with its own septic; for sale with Bonnie Long in May 2013. This listing brought to our attention a potential lien in the form of a non-remonstrance signed in January 1994 by previous owner, David G. Kenworthy. Prior to this title report we were not every made aware that a city lien encroached on our homes title. As a matter of fact Sean and I both attended a city council meeting December 5, 2005 at which time, having notice from our city manager, Nolan Young, that issues regarding facilities development and the continued promotion of Gravel Street policies would be on the agenda. A vote by city council concluded not to proceed with any infrastructure or facilities development and with no other facilities development pending we concluded that our obligation was complete. That may have been a bit naive but there was nothing to tell us any different.

In June, shortly after listing our property, we received a near full price offer from a local family. After speaking with Dick Gassman and being told that a \$60-80k lien was on our title, this buyer terminated their offer and wrote so in addendum on July 28, 2013.

Another buyer revoked their offer after speaking with a city staff member and was told that if they were to purchase our home they would certainly be forced to pay for street improvements as soon as any development occurred, on any properties adjoining east 9th street.

The costs that were being quoted to prospective buyers by the city is approximately 40% of the value of our home. I cannot imagine how gifting up to 40% of our homes value for a street and a larger waterline will greatly improve our lives.

The first lien was placed on our property in 1994 and since

then costs associated with the cities LID's have grown disproportionately to our home's real market value making this ordinance an obsolete tool for the city's future ideals for building roads in residential areas. We will not ever be able to create future streets in The Dalles or improve infrastructure by clinging to these ordinances of the past. The city of The Dalles should not continue to support ordinances that will likely assess homeowners out of their homes and literally onto the streets we were forced to pay for.

I should have the right to sell my home without the encumbrance of this lien and ask that the city remove all waivers of remonstrance associated with the property at 2919 E 9th so that buyers can live without the threat of future costs holding them hostage as we have felt it has held us for so many years now.

Nolan has said in the Agenda Staff Report that city council has the ability to change its policies and to remove the waiver of remonstrance on our title allowing us to sell our home unencumbered. I strongly urge the council to make these policy changes today so as to avoid a tidal wave of sales forfeitures across the city of The Dalles.

Granting our request for removal of both waivers of remonstrance will not have any direct impact on the City budget and will not likely interfere with future LID projects. It is a time for growth and forward progress in The Dalles and it is time to rid our city of ordinances and policies that hold back the opportunities for growth and prosperity. I want to thank you in advance for being the voice of change and allowing me to reconnect my family through the sale of our home.

Sincerely,

Kindra Manning