

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

Tuesday, December 12, 2023 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Lauer, Councilor Ripma, Councilor Wunn, Councilor White, Councilor Wittren and Councilor Glantz.

ABSENT: Councilor Caswell (excused).

STAFF: Ray Young, City Manager; Kenda Rimes, Deputy City Recorder; Matthew Kahl, Acting City Attorney; Erich Mueller, Finance Director and Travis Hultin, Public Works Director.

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, replied that item #5 will be moved to the end of the agenda due to one of the presenters having a prior meeting conflict.

2. PUBLIC COMMENT: Public comment on non-agenda and consent agenda items is welcome at this time.

Paul Wilcox, Troutdale resident, read from a self-prepared statement (attached as Exhibit A).

3. CONSENT AGENDA:

3.1 MINUTES: November 14, 2023 City Council Regular Meeting

3.2 RESOLUTION: A resolution approving an intergovernmental agreement with the Oregon Tourism Commission for a 2023-2025 Competitive Grants Program Grant.

3.3 RESOLUTION: A resolution approving a short-term extension of exclusive franchise agreement with Waste Management of Oregon.

Councilor Glantz asked to pull item #3.2 from the consent agenda.

MOTION: Councilor Ripma moved to approve the consent agenda, items 3.1 and 3.3.
Seconded by Councilor Glantz.
Motion Passed 6-0.

Erich Mueller, Finance Director, gave a brief overview of the staff report for Item #3.2 from the consent agenda.

Ray Young stated staff was already planning on spending at least the \$75,000 of matching money from the City to do a parking study. What Marlee has done here is leverage the money the City was already going to spend and turn it into another \$100,000 to use for the parking study and expand it to a true transportation study in downtown Troutdale regarding tourism and businesses. If there is going to be any leverage with state agencies or Metro to get assistance in any transportation, there needs to be a study from a neutral third party.

Councilor Glantz stated the reason she had #3.2 pulled from the consent agenda is because she was concerned that it's a pretty high price tag for a lot of what the City already knows and she felt it warranted discussion.

Mayor Lauer opened public comment.

Kari Bingham, Troutdale business owner, stated as a business owner, she has trouble parking to visit her office in downtown Troutdale. One of the issues is people parking in the 2 and 4 hour spots and parking there all day. People who work at the businesses park there all day. She would like to see some parking enforcement.

Mayor Lauer closed public comment.

MOTION: Councilor Wittren moved to approve the resolution approving an intergovernmental agreement with the Oregon Tourism Commission for a 2023-2025 Competitive Grants Program Grant. Seconded by Councilor Wunn.

VOTE: Mayor Lauer - Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; and Councilor Wunn – Yes.

Motion passed 5-0

**Councilor Ripma was not present on Zoom for this vote.*

4. MOTION: Approve 2024 Council Meeting Schedule.

MOTION: Councilor Glantz moved to approve the 2024 Council Meeting Schedule. Seconded by Councilor Wittren.

VOTE: Mayor Lauer – Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes and Councilor Wunn – Yes.

Motion passed 6-0.

5. REPORT: A report from the Public Safety Working Group.

Moved to the end of the Council meeting.

6. PUBLIC HEARING / ORDINANCE (Introduced 11/14/23): An ordinance amending Troutdale Municipal Code Chapter 13.20 pertaining to dogs in city parks.

Travis Hultin, Public Works Director, gave a brief overview of the staff report.

Councilor White stated he would like all neighbors to be notified of any parks that become on-leash dog parks.

Travis Hultin stated that notification requirements could be put in the ordinance.

Councilor Ripma stated he appreciates the changes that were made. It looks good.

Mayor Lauer opened the public hearing at 7:33pm.

Paul Wilcox stated he visited Woodale Park a while ago, which is basically an open field surrounded by backyard fences, and if you add on-leash dogs there you're going to be inclined to rile up neighbor dogs that reside in those backyards. That particular park might be a problem.

Mayor Lauer closed the public hearing at 7:34pm.

MOTION: Councilor Wunn moved to adopt the ordinance amending Troutdale Municipal Code Chapter 13.20 pertaining to dogs in city parks. Seconded by Councilor Wittren.

VOTE: Mayor Lauer – Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes and Councilor Wunn – Yes.

Motion passed 6-0.

7. RESOLUTION: A resolution selecting City Parks to be open for on-leash dogs.

Ray Young gave a brief overview of the staff report.

Councilor White stated he was hoping this could be a trial run. He's concerned about barking dogs, lack of enforcement for dogs not on leashes and the nature in Glenn Otto Park.

Councilor Wittren stated there is a mixed message being sent with the dog waste stations in Glenn Otto Park. He thinks there should be a clear message that no dogs are allowed in the no dog parks.

Councilor Wunn stated it doesn't cost the City any money to allow dogs in parks. He suggested starting with the mentioned parks and add more if wanted.

Mayor Lauer opened public comment at 7:44pm.

Kari Bingham stated people do not clean up after their dogs. Glenn Otto Park being dog friendly would be a big concern for her because parking in that lot is already hard. If dogs are allowed then parking could get much worse.

Mayor Lauer closed public comment at 7:47pm.

MOTION: Councilor Ripma moved to approve the resolution selecting City parks to be open for on-leash dogs. Seconded by Councilor Wittren.

VOTE: Mayor Lauer – Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes and Councilor Wunn – Yes.

Motion passed 6-0.

8. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance updating public contract and purchasing procedures and amending Chapter 2.24 of the Troutdale Municipal Code.

Erich Mueller gave a brief overview of the staff report.

Mayor Lauer opened the public hearing at 7:56pm.

None.

Mayor Lauer closed the public hearing at 7:56pm.

9. RESOLUTIONS: A presentation for Metro Grant Intergovernmental Agreement:

9.1 A resolution approving an intergovernmental agreement with Metro for the Sandy River Greenway Riverfront Trail Project.

Urban Renewal Agency Called to Order:

9.2 A resolution approving an intergovernmental agreement with Metro for the Sandy River Greenway Riverfront Trail Project.

Erich Mueller gave a brief overview of the staff report on agenda item #9.1.

Mayor Lauer opened public comment at 8:02pm.

None.

Mayor Lauer closed public comment at 8:02pm.

MOTION: Councilor Wittren moved to approve the resolution approving an intergovernmental agreement with Metro for the Sandy River Greenway Riverfront Trail Project. Seconded by Councilor Wittren.

VOTE: Mayor Lauer – Yes; Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes and Councilor Wunn – Yes.

Motion passed 6-0.

Mayor Lauer called the Urban Renewal Agency meeting to Order at 8:07pm.

Kenda Rimes, Deputy City Recorder, did roll call:

PRESENT: Chair Lauer, Director Ripma, Director Wunn, Director White, Director Wittren and Director Glantz.

ABSENT: Director Caswell (excused).

Erich Mueller gave a brief overview of the staff report for agenda item #9.2.

MOTION: Director Wunn moved to approve the resolution approving an intergovernmental agreement with Metro for the Sandy River Greenway Riverfront Trail Project. Seconded by Councilor Wittren.

VOTE: Chair Lauer – Yes; Director White – Yes; Director Wittren – Yes; Director Glantz – Yes; Director Ripma – Yes and Director Wunn – Yes.

Motion passed 6-0.

MOTION: Director Wittren moved to adjourn the Urban Renewal Agency meeting at 8:10pm. Seconded by Director Wunn. Motion passed unanimously.

Chair Lauer called the City Council meeting to Order at 8:10pm.

The City Council resumed the meeting with agenda item #5.

5. REPORT: A report from the Public Safety Working Group.

Tanney Staffenson, Public Safety Working Group Member (PSWG), stated the PSWG has had meetings on August 9th, September 27th, October 23rd and November 13th. Tanney gave a brief overview of the staff report. He stated many of the members of the committee don't feel that the work is complete. It's too big of a decision and has a huge financial impact on the City and a greater impact on the citizens and community. He stated that speaking for himself he feels there's more work that needs to be done because there is so much involved.

Carol Allen, PSWG Member, stated there has been a lot of discussion and she feels like the group's work is not done. She would like to keep the door open because there is information that will be coming forth that the group should be involved in. There are a lot of pros and cons on fire and police. She stated there were so many options that the group looked at and they need more time to go over them.

Tanney Staffenson asked if the community is willing to pay more to get more or are they okay with what the City is doing now. The general consensus was that if everything was adequate or better, then the City probably wouldn't be having this discussion. He thinks there are opportunities. He pointed out that every meeting held was attended by Fairview. Wood Village attended meetings too. Fairview is very interested in what Troutdale is going to do. He looks at the financial piece of it and the first thing he thinks of is, how does Troutdale do this? There's a lot to look at and one of them is forming a fire district. That's something he thinks could go to

the voters and then the voters could tell the City what they think. If something like that were to happen it would give the City the opportunity to do police too. He thinks they're at a place where they can at least talk about these things in more detail.

Councilor White asked how much longer Tanney and Carol would like to keep the work group going.

Tanney Staffenson replied he doesn't know if he could give a date. He just knows it's critical work and he thinks the group can be a benefit to all of the nitty gritty stuff that needs to be done that Council doesn't have time to do.

Mayor Lauer stated until the questions are answered, he thinks keeping the group longer would serve to help answer all the questions. His vote is to keep the group on task.

Councilor Glantz stated she would rather be more prepared as the City heads into negotiations. A committee to help is well worth the time and effort.

Councilor White stated he was on the negotiation team, as well as Tanney, 9 years ago and there was a really good PowerPoint presentation that was given to the 3 cities and it was done by a professional firefighter who is currently the Fire Chief in Corbett. He thinks it would be a mistake not to review that PowerPoint. He would like to have it available to the Council and the working group. He stated that when Troutdale had their own police it was less expensive, and MCSO was part of that package which was covered through county taxes. The City had a lot more say too. He's afraid of time running out and being forced to sign another contract.

Mayor Lauer stated that Exhibit B in the council packet, with regards to law enforcement, it lists 11 topics that the working group determined were necessary questions that they need to get answered before moving forward. Number 11 is getting an analysis done by a commercial real estate broker to determine the market rate for leasing the TPCC and recommendations for appropriate lease terms. With regards to police, the TPCC building is a really good bargaining chip that the City has because MCSO is renting it from the City. It would be wise to look into what the police facility could rent for at market rate. The goal is to find out if Troutdale's service levels that they have right now are commensurate to the language that's inside the contracts that the City has. Find out if the service levels are good. Multnomah County needs to be held accountable for the deviation from the contract language. The same could be said for the fire department. Gresham Fire will be the first to tell you that they're not meeting national standard service levels, or state standard service levels. This is all going to determine where the City goes from here. Signing another contract with Gresham Fire or signing another contract with Multnomah County for police or entertaining the idea of joining the other 2 cities and starting our own fire district or policing district? These are some of the questions that need to be answered by a consultant or agency. He would love to live in a world where Troutdale has its own fire and police department. The cost needs to be figured out to see if it's possible. Troutdale needs bargaining chips if it's decided to go back with Gresham Fire and MCSO. The City also needs alternative options in case staff needs to go heavy at negotiations. Wood Village and Fairview are very much entertaining the option of looking at what the 3 cities could do together for fire and police. Wood Village went as far as commissioning a study through USC on what it

would look like for Wood Village to start police and fire on their own and what it could look like if the 3 cities worked together.

Ray Young stated he has the report, and he will email it to the councilors.

Councilor Wunn stated in the last paragraph of the staff report it states the working group reviewed a substantial amount of information and received input from 5 experts in fire and police services. He asked Tanney and Carol what they learned from the people they talked to.

Carol Allen stated there were several people that came and spoke to the working group. Dave Nelson, who is a former Troutdale City Manager, talked about local control going to MCSO. They talked about looking at cost and figures and what it cost back then, 10 years ago. They looked at what the contract is now, what we want, what we didn't get in the contract and paid for. They discussed the history of Troutdale. Robin Sells who is a former Gresham Chief came and talked about some of the issues that Gresham has and talked about the 3 cities approach. She thought it would be a good idea to look at that. She mentioned issues with BOEC that need to be addressed. Monte Reiser who is the former Troutdale Chief Deputy, gave his recommendation that the city really look at all the levels of command staff and different levels and do a proper audit of what services the city needs and wants. He recommended the city look at insufficiencies that exist and have existed.

Tanney Staffenson stated the group talked to people who have been here before and did the job. These are questions that you should ask and look at and consider. This is a big decision, make sure you ask all the questions. For fire they had Mitch Snyder and Mike McKeel and they were very valuable with their information on the whole fire system. How it works, what you can do, what you can't do and especially how it works as far as a taxing district and those types of things which are really important pieces.

Ray Young stated a couple things he learned is that larger agencies like Gresham or Multnomah County have definite advantages to small jurisdictions. They have advantages in the amount of training opportunities, promotional opportunities, variation in job duties and moving to different responsibilities of the department, better recruiting and retention and can generally afford to pay more. There are a lot of things that large agencies can provide that the 3 cities cannot provide. If Troutdale partnered with Gresham for law enforcement, there is a tendency to the west side of the City of Gresham to get a lot of calls and a lot of cars are drifting to the west side away from the east side. That would be problematic with Gresham. Creating a new fire department versus joining or creating a fire district or continuing with Gresham has its own problems. Smaller agencies have built in handicaps against large agencies and Troutdale doesn't own any fire stations. Just to buy the fire trucks that the 3 cities would need for a fire department is \$4.2 million. Then another \$10 - \$12 million to build a building, more to buy property. You're looking at a minimum of \$20 million of capital costs. Troutdale is one of the few cities in the metro area that actually pays for its fire service from the general fund. The cost and the cost up front need to be considered. It's a complicated thing.

Councilor Glantz stated one of the things she thinks people are missing is that while Gresham may tell us we're crazy to not join them, she thinks Gresham has more to lose because they don't have the budget to run their fire department as it is.

Councilor Wittren stated that the experts were great, it was a great process to see firsthand and be a part of the working group. The experts were where the group came up with their questions. He stated the City cannot wait on this. It needs to be done quickly because it's going to creep up very soon. He's all for getting a consultant as soon as possible.

Councilor Wunn stated he doesn't think this can be put on hold. The consultants need to be hired right away. Troutdale needs to be prepared and have a backup plan.

Mayor Lauer opened public comment.

None.

Mayor Lauer closed public comment.

Mayor Lauer asked council if they are comfortable asking staff to take the questions in Exhibit B and looking for a consultant to answer those questions.

Councilor Wittren stated he's very comfortable with it knowing all the hard work that has gone into the questions.

Councilor Wunn thanked the group for all their time and effort they put into the research. He would like a consultant to look at it and he would like to set a timeline.

Ray Young stated that staff could come back on January 9th with more information.

Councilor Ripma stated he was on the Council when Troutdale pulled out of District 10 and went with Gresham. They were offering a better deal, and it was a better deal. Fire District 10 was gutted by Troutdale, Wood Village and Fairview pulling out and contracting with Gresham. The Council suspected that the day would come that it wouldn't be as sweet a deal. His feeling is that Gresham is going to have to go out and form a separate fire district to which Troutdale will inevitably have to join. It doesn't mean Gresham will run it. His understanding is the fire district would have its own governing body. Seeing Gresham's downward spiral in being able to provide all the services and looking at short-term levies to keep things going, that isn't going to work. As much as he would like to do something cheap and join Corbett or something, he doesn't see that as realistic that Troutdale, Fairview, Wood Village and Gresham will have to join a fire district. He stated he has a lot of questions.

Councilor Glantz asked if the idea behind a fire district is basically to give the City new revenue sourcing.

Ray Young replied yes, actually that is one of the primary reasons most cities in the metro area have gone that direction because it provides a stable source of funding that doesn't require continual bond levies which is what Gresham is trying to rely upon.

Mayor Lauer stated it looks like staff has the direction needed to move forward.

10. STAFF COMMUNICATIONS

Ray Young provided the following staff communications:

- This is the last Council meeting for the year
- Next Council meetings are 1/9 and 1/23
- Next URA meeting is 1/16
- Winter Wonderland was an amazing success. There were 7000 people in downtown Troutdale over the weekend.
- Merry Movies at Reynolds High School was packed with over 200 people.
- City Offices will be closed 12/25 and 1/1

11. COUNCIL COMMUNICATIONS

Councilor Ripma wished everyone Merry Christmas, Happy New Year and Happy any other holidays celebrated.

Councilor Glantz wished Happy Holidays.

Councilor Wunn wished Happy Holidays and be safe and enjoy your time with loved ones.

Councilor Wittren thanked everybody for finally being able to put the dog park piece in the rearview mirror for a little bit. He thanked staff and thanked the Public Safety Working Group. He wished Happy Holidays to everybody.


Councilor White thanked the volunteers for the Merry Movie event.

Mayor Lauer thanked staff for all the work on the tree lighting event. He wished everybody a Merry Christmas and a Happy New Year.

12. ADJOURNMENT

MOTION: Councilor Ripma moved to adjourn. Seconded by Councilor Wittren.
Motion passed unanimously.

Meeting adjourned at 9:33pm.



Randy Lauer, Mayor
Dated: January 26, 2024

ATTEST:



Kenda Rimes, Deputy City Recorder

CITY OF TROUTDALE

**City Council – Regular Meeting
7:00PM**

Tuesday, December 12, 2023

PLEASE SIGN IN

[illegible]

December 12, 2023 - Council Meeting Zoom Guest List

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	12/12/2023 18:47	12/12/2023 21:34	167
MetroEast		12/12/2023 18:48	12/12/2023 21:34	167
testimony table		12/12/2023 18:48	12/12/2023 21:34	166
Testimony Table		12/12/2023 18:50	12/12/2023 21:34	164
Matthew Kahl (Jordan Ramis) (Matthew Kahl)		12/12/2023 18:52	12/12/2023 18:56	4
Paul Wilcox		12/12/2023 18:53	12/12/2023 21:33	161
Randy Lauer		12/12/2023 18:54	12/12/2023 21:34	160
Sandy Glantz		12/12/2023 18:54	12/12/2023 21:34	160
Carol Reynolds		12/12/2023 18:55	12/12/2023 21:34	159
Jordan Wittren		12/12/2023 18:55	12/12/2023 21:34	159
Sarah Earl		12/12/2023 18:56	12/12/2023 20:13	78
Matthew Kahl (Jordan Ramis)		12/12/2023 18:56	12/12/2023 21:34	158
Dave Ripma		12/12/2023 18:56	12/12/2023 21:34	158
ray.young		12/12/2023 19:01	12/12/2023 21:34	153
Geoffrey Wunn		12/12/2023 19:01	12/12/2023 21:34	153

Exhibit A

December 12, 2023 Council Meeting Minutes

Mayor and Councilors,

At your last meeting I covered the entire City Charter Chapter on filling Council vacancies. Over the next few Council meetings I am going to instead address individual elements of that Chapter so as to not be so overwhelming. While somewhat repetitious I think it's worthwhile to concentrate on individual elements in the Chapter, although I'm not requesting any action or response from Council.

Although Troutdale hasn't had a Mayoral resignation in thirty years, both Gresham and Fairview have had Mayors resign in recent history. I've also been following the Tigard Charter Review Committee recently, and I've heard that Tigard had two Mayors die in office. Both Gresham and Fairview filled the Mayoral vacancies by appointment per their Charters. Fairview's procedure was particularly expeditious, declaring the position vacant, and then immediately appointing the Council President as Mayor.

Troutdale's guidance is not nearly so straightforward. The Charter reads "A vacancy in the office of the mayor shall be filled by election only. That election shall be called for at the next regular election date as defined by state law following the sixty-first day after the position becomes vacant."

This language is problematic from a couple standpoints. Reference is made to "the next regular election date as defined by state law". The County Elections website states "There are four regularly scheduled election dates each year in Oregon: specified dates in March, May, August, and November. The County goes on to say "During odd years, the May special election is the only election with candidate positions scheduled.

During even years, the May Primary and November General elections are the only elections with candidate positions scheduled. Per County guidance related to candidate elections I don't think special election cost would be a factor. In contrast, under Elections in the Troutdale Municipal Code "regular election" is defined as "a city election held at the same time as a primary or general election." That would restrict Mayoral elections to only May and November elections in even-numbered years.

These are important distinctions because they would determine how long it would be before a new Mayor were elected, and the Council restored to its full complement of seven members. If the election weren't called for before a Primary or General Election the vacancy could exist for more than a year. In turn, if a sitting Councilor were elected Mayor an additional vacancy would be created, but only subject to appointment.

The next sentence makes reference to the election having to be "following the sixty-first day after the position becomes vacant." That timeframe happens to coincide with the filing deadline for candidates, so if the

vacancy occurred near that date there would be insufficient time for public notification of potential candidates, or time for them to submit voters' pamphlet statements.

Submitted by:

Paul Wilcox

Troutdale

12/12/23