

MINUTES
Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060

Tuesday, September 27, 2016 – 7:00PM

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

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

PRESENT: Mayor Daoust; Councilor Ripma; Councilor Brooks; Councilor Morgan; Councilor White; Councilor Allen and Councilor Wilson.

ABSENT: None

STAFF: Erich Mueller, Finance Director; Ed Trompke, City Attorney; Sarah Skroch, City Recorder; Steve Gaschler, Public Works Director and Chris Damgen, Planning Director.

GUESTS: See Attached List.

Mayor Daoust asks for any agenda updates.

Erich Mueller, Finance Director, states on agenda item #8 it should be noted that it is an introduction to the public hearing/ordinance.

2. CONSENT AGENDA:

2.1 MINUTES: July 12, 2016 Regular Meeting and August 9, 2016 Regular Meeting.

2.2 RESOLUTION: A resolution authorizing the City Official to execute an Intergovernmental Agreement with the Port of Portland for cost sharing of local matching funds for the MTIP grant funded 40-Mile Loop: Blue Lake Park to Sundial Road project.

MOTION: Councilor Ripma moved to approve and adopt the Consent Agenda. Seconded by Councilor Morgan. The motion passed unanimously 6-0. (Councilor Allen was not present for vote)

3. PUBLIC COMMENT

Bruce Wasson, Troutdale resident, states last Saturday I went to a preparedness meeting put on by our State Representative, Chris Gorsek. He had some very interesting speakers there talking about preparedness. One of the things they were trying to make sure is that the Cities of Troutdale, Fairview, Wood Village and Gresham were working together on preparedness. I am not privy to know whether we are or not but I think it would be good

to coordinate. The City of Gresham had come out with a preparedness plan and I think Wood Village picked up on it too. I think the Cities should be involved. Representative Gorsek was very gracious. He had 2 speakers there. One from Multnomah County Preparedness and the other one was from the Health Department. I suggest to our representative that maybe the cities could send a representative from all 4 cities and maybe someone from East County could see if there's any coordination for emergency preparedness. One of the reasons I went to this is because if there's any kind of cyberattack that would shut down the electrical grid and we have to have some sort of plan in place to deal with it.

Sharon Ezzell, Troutdale resident, states at the September 13th Council meeting during item #9, which was the Council Communications, Councilor Wilson responded to Councilor Ripma's discussion regarding Councilor Wilson's being the liaison with the West Columbia Gorge Chamber of Commerce. Councilor Wilson, referring to the Chamber meeting of September 9th, stated that 2 of the Councilors were members and as such they had a right to be at that meeting. And as a liaison he was supposed to be there. He stated that there was a third Councilor present at the meeting when he got there which quote, "made us to have a quorum there". He said that, "the fourth Councilor should have left as soon as I came in because I was supposed to be there." I would like to read the definitions of a quorum. This is from Webster New World Dictionary, the minimum number of members required to be present at an assembly before the validity to proceed to transact business. Also online, quorum, the minimum number of members at an assembly or society that must be present at any of its meetings to make the proceedings of that meeting valid. This is from the online dictionary at dictionary.com and it starts off, the number of members of a group or organization required to be present to transact business. The Chamber meeting was conducting their business. They were not conducting Troutdale Council business. Therefore it really did not matter how many members of the Troutdale Council were present. We live in a wonderful small town and the possibility of more than 3 members of the Council being present as citizens of our town is highly likely. If every member of the Council had a child of school age involved in sports, music, drama or if they were just wanting to support an activity and you all showed up at the same time, based on what Councilor Wilson said, at least 4 of the Councilors should leave. Who should leave? Who should have the right to support their child? Or who should have the right to be at an activity of their choice? As the definition of a quorum clearly states the quorum is only relevant when conducting Council business. This is not the first time that I heard the quorum argument used in a discussion. I hope with this information that I have provided it will end further doubt and questions. I would also like to address the Pledge of Allegiance. Tonight went very well but sometimes whoever's leading it has a tendency to speed and when there's a group of people it's really hard to stay with. Please slow down for us.

Paul Wilcox, Troutdale resident, states I have 3 items. The first is as a private citizen and also a member of the Parks Advisory Committee, I'm really disappointed that some of the candidates for Council have turned rebuilding Imagination Station into a political issue. Item 2, two weeks ago the Council decided on the company or service that is going to do the recruiting for the new City Manager. I'm kind of wondering since you've only scheduled a single Council meeting the next 2 or 3 months if there are Work Sessions so that you

can address hiring an interim. When I looked at the proposals they were projecting a 3 to 4 month timeline for the process. I wanted to point out that the January Council will look very different from this Council. Item 3, I would like to formally request that agenda item #6 be open for public comment.

Mayor Daoust states just to clarify, we have one on one interviews with Prothman on Monday, October 10th. There is steps being taken to fill the City Manager position outside regular Council meetings.

Councilor White states there is going to be plans for a public event so the public will have an opportunity to state what they are looking for in a new City Manager.

Mayor Daoust states that will also be October 10th in the evening at the police station.

Cindy Passannante, West Columbia Gorge Chamber of Commerce, Events Chair, states we would like to present to the City of Troutdale the first Fall Festival of the Arts poster that is signed by the artist that created it. This is given to you as one of the collectable posters. On Saturday morning there will be artists in Glenn Otto Park and dinner and theater at Yoshida Ballroom Saturday night and then back to the park on Sunday. We would like to invite everybody to come. Tickets are available online on the Chamber website.

Rip Caswell, Troutdale resident, states I wanted to give a quick report on the dedication tomorrow of the mural in Mayor's Square. I want to personally thank this Council for supporting the arts and Metro for their Community Enhancement grant that allowed Troutdale to bring in a significant piece of art. It's more than just a mural. It's a fine art painting that tells our history. There's some significant people in there. You'll see Clara Larsson which was Oregon's first woman Mayor, Aaron Fox who was Troutdale's first Mayor, Sam Hill and Samuel Lancaster are in the Model T Ford coming down the road and even Glenn Otto is running across the road as the future Mayor of Troutdale. It's a lot of fun and a lot of history showing our town in the early 1900s. There's a lot of stories that can be told about our history. Thank you all for your support in the public art of Troutdale. There is one thing I would like to address also. There's been a new permit and I feel like it's a bit redundant, unnecessary and excessive. It's new this year. The Fall Arts Festival last year we had a lot of artists that came in and if you don't know, artists don't like to deal with all the paperwork and all the details. I would like you guys to look at your new vendor license conditions. It's requiring that every single artist that comes to the park has to fill out a permit. We've lost some artists because of this process. It's new and it was brought on us at the last minute. I think it's really an unnecessary permit to put on them. It even states that you could be ejected from the show, your things could be confiscated and you would have to have a hearing. It sounds like it's a legal issue and I think it's unwarranted, it's excessive and we should not do things that discourage people from showing their art. I understand if there's alcohol we need to hold those people liable or if there's food we need to make sure it's of utmost standards. Let's let the artists show their work and keep it simple. It doesn't cost anything but that's not the issue. It also creates a burden on the City to have to have to get all these permits. We're talking about 60 permits that have to be filled out. We have artists that are simply showing and not even

selling that have to get the permit. If you read the Code it says that you shall not offer or display, advertise or sell any article or thing for 3 or more days within any park. I would like you to look at this and revise it. I think it only needs one umbrella permit that covers our vendors.

Mayor Daoust states it's too late to handle the permit issue this year but I hope that the Council takes it up next year and works on it.

Councilor Allen states one consideration is that I believe we have to store that paperwork for a long time. It doesn't sound like it's in our best interest.

Sam Barnett, Troutdale resident, states I read something recently that made a lot of sense to me. The first step to correct a mistake is to admit a mistake has been made. We all and you all obviously have made mistakes. But to wrongfully defend and attempt to ill mindedly substantiate a mistake is really nothing more than a cover-up. A cover-up is always worse than the crime and it wastes a lot of time. I would like to suggest that you all, and some more than others, take this wise man's advice in all you do. Whether it be here for the City or elsewhere. We all have a responsibility from time to time to right a wrong and if nothing else the high road is a good friend. I might suggest that West Columbia Gorge Chamber of Commerce consider that a mistake has been made before they attempt to defend it.

4. PUBLIC HEARING / ORDINANCE (Introduced 9/13/16): An ordinance vacating segments of SE Kibling Avenue and SE 7th Street rights-of-way at the Troutdale Elementary School site.

Chris Damgen, Planning Director, states tonight is the second hearing as far as City Council's review of this project. This is a right-of-way vacation for the Troutdale Elementary School site. To recap, this is an issue that in order to allow the school district to proceed with a land use application for a redevelopment of that property the building and the site as it is, is a non-conformity. It's a non-conformity because there is an existing right-of-way that cuts through the building. At the presentation 2 weeks ago we mentioned that in order to consider the vacation, the application has to fit on 2 decision criteria which are on the screen and included in the handout tonight (a copy of the handout can be found in the meeting packet). At that meeting at that time staff had asked for you to take a look at the decision criteria. Staff continues to remain in support of the application and we have received no additional public comment since the end of that hearing. There was some testimony at the previous meeting in support of the application and we continue our support this evening. I'm happy to take any questions you may have.

Mayor Daoust opens the public hearing at 7:25pm.

Glenn Schnaidt, Reynolds School District, states 2 weeks ago when we presented the case and Chris presented information to you, there was a brief question/answer period. I'll be glad to answer any kind of technical questions you might have about the project. I just want to reiterate that the original building that was built in the 1920s was built over the right-of-way and the vacation of these 2 streets were never recorded and this is an

opportunity for an ordinance to finalize those vacations and allow the school district to proceed with the review of the school project.

Councilor White states Councilor Allen asked for this meeting because he was concerned about delays. Is that going to be an issue for you?

Glenn Schnaidt responds right now, no. But we have a very tight schedule for design and construction and we're doing the best we can to manage to those schedules.

Mayor Daoust closes the public hearing at 7:28pm.

MOTION: Councilor Morgan makes a motion to accept the ordinance vacating segments of SE Kibling Avenue and SE 7th Street rights-of-way at the Troutdale Elementary School site. Seconded by Councilor Ripma.

VOTE: Councilor Ripma – Yes; Councilor Brooks – Yes; Councilor Morgan – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; and Councilor Wilson – Yes.

Motion passes 7-0.

5. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance amending section 1.04.010 – Definitions of the Troutdale Municipal Code to include definitions for Police which recognize contracted police services.

Sarah Skroch, Deputy Recorder, states before you tonight is an ordinance that is housekeeping in nature and reflects the current IGA that we have with the Multnomah County Sheriff's Office for police services. The reason I'm bringing it before you tonight is because Chapter 2.60 of the Municipal Code requires all City volunteers to pass a criminal history records check and that includes our City Committees and Commissions which we're currently recruiting for. The Code states that the records checks are going to be performed by the Troutdale Police Department and in order for the Sheriff's Office to now provide that service for the City we need to update the Code to reflect that that is the entity that will now be performing that service. Rather than bringing forward a change specific to just Chapter 2.60 we thought it would be more efficient to address the contracted police services throughout the Code. We're proposing to do that by adding 3 definitions which is one for Chief of Police, Police Officer and Police Department. The definitions state that the functions may be provided by the Troutdale Police Department, the Multnomah County Sheriff's Office or any other police agency that's contracting with the City for police services. We also expanded the definition of Chief of Police to reflect that that position will still remain under a contract scenario but will be fulfilled by a designee from the Sheriff's Office or another contracted agency.

Councilor Morgan asks, what were we doing up until this point since we've had a contract in place for almost over a year?

Erich Mueller responds the Sheriff's Office performed the checks for us last year. The Department of Public Safety Standards and Training (DPSST) allowed them to perform that service on our behalf last year because we were in transition. They indicated that we needed to move forward and have the Code amended so that they had the ability to properly do that and maintain compliance with the criminal records check system.

Mayor Daoust opens the public hearing at 7:33pm.

No comments.

Mayor Daoust closes the public hearing at 7:33pm.

6. PRESENTATION FROM CHAMBER TO COUNCIL DISCUSSION: The Role of the Council Liaison to the West Columbia Gorge Chamber of Commerce (WCGCC).

Karen Young, West Columbia Gorge Chamber of Commerce (WCGCC), Executive Director, states I would first like to say I'm looking forward to serving the Chamber and getting to know everyone in this community. I very much appreciate being chosen for this position. Addressing the agenda item regarding a liaison, I would like to read what is stated in the Chamber bylaws regarding that role. Article 3 Section 1 states that up to 8 non-voting ex-officio members of the Board may be selected by the elected directors. Ex-officio members are to name a staff member or elected official from a respected entity as an alternative to facilitate regular participation of Board meetings by the ex-officio or alternate. It is my understanding that we currently have 2 appointed liaisons who serve as ex-officio members and they are Ted Tosterud from the City of Fairview and John Wilson from the City of Troutdale. I was hired to advise and assist the Board with protocols, policies and procedures and in helping to ensure organizational transparency and I will certainly do so if any questions or concerns arise regarding the role of liaisons to the Chamber Board. I would like to add that however these relationships go, in the future what I feel is most important is to consider open communication.

Cheryl McKinney, WCGCC, President, states the relationship between the Chamber and the Council in the past between 2006 and 2012 or so have at times been strained. One solution sought by the Council to smooth over misunderstandings and help keep a stronger partnership was the position of an ex-officio member of the Chamber Board. This position is non-voting and under the City Charter is appointed by the Mayor and back when it was created some of the Chamber members were resistant to creating the position because the Chamber's a private entity. The compromise was struck that the position be non-voting so there's no conflict of interest between the City Councilor's obligations as a City Councilor. In short the City Councilor can speak and participate but has absolutely no power over the Chamber. The entire point of this position is so that the Chamber has the benefit of input from the City Councilor on an ongoing basis and also the City Councilor has the benefit of keeping the Council informed. That has worked very well first with Councilor Eric Anderson and now with Councilor Wilson. Councilor John Wilson, in all meetings, properly recused himself even from deliberations considering endorsements during this election cycle. He removed himself from the Board chair and moved into the audience after fully disclosing why he would not participate. Notably the

Chamber doesn't consider that there was a conflict because Councilor Wilson has no vote. In abundance of caution to avoid even the appearance of impropriety he removed himself. As an audience member Councilor Wilson did not speak in any way during consideration of endorsements. During his time as an ex-officio member we have found his information to be invaluable to the Chamber. His extensive history with the Chamber as a volunteer, Summerfest Chair, with the Cruise-In and so many other events. He knows how to get the job done and just as importantly he's able to help the Chamber navigate and create a stronger partnership with the City, Council and the Mayor.

Bob McDonald, WCGCC, Interim Director, states I want to comment that I'm in support of what these 2 ladies have mentioned. I served as the Interim Director for the last 6 months from March until last week. In my time in the Chamber I've had an excellent relationship with Councilor Wilson and with you, Mr. Mayor and some of the Councilors with whom I have met. I think the role of liaison is very important. The Chamber is an independent organization and must work closely with the City Council. I truly believe the 2 organizations need to walk side by side.

Mayor Daoust states it seems there needed to be some validation of role of the liaison and I appreciate you all being here. I remember Paul Thalhofer always wanted there to be a good relationship between the Chamber and the City. The last 20 years that I have been on Council I have maintained that same position. It's a relationship that has to keep good and strong. That is part of the reason we chose to have a liaison. The 2 people who have been in that position have done a good job in communicating back and forth between the two entities. As Mayor, I'm going to continue that. If the next Mayor wants to change that relationship then he can do that. I'm not going to for the rest of the calendar year. I hope it continues into the future.

Councilor Ripma states since I'm the one that brought this subject up, I also want good relations and always have. My objection was not to the Chamber or anything the Chamber has done so much as, I think, the self-serving behavior of our representative to the Chamber. For many years we had no liaison. If you think the roles are now all smooth maybe we don't need one anymore. I'm encouraging us to reconsider doing it. My objection and the reason I brought this up to be on the agenda was that Councilor Wilson in addition to representing the City, I guess, was at least in support of your taking positions in contested elections. You've endorsed Councilor Wilson in a contested election and that's never happened before. At the same time you obviously want to replace some other Councilors because you're endorsing to get rid of a couple of other Councilors that are running. That's your choice. I don't think Councilor Wilson served us well. He served himself well. I objected 2 weeks ago. Does the City get a say in whether we do it or not?

Mayor Daoust states the Mayor appoints the ex-officio member.

Councilor Ripma states yes but you asked us if it was okay for Councilor Wilson when he was appointed and I assume you'll ask if we pick someone else and I'm going to request that we eliminate the position. I'm assuming you'll ask us and I'm assuming the City has a choice in whether we participate in having an ex-officio representative on your board. True?

Mayor Daoust states let's take this off the polarization which you're creating.

Councilor Ripma states I am polarized to the extent that you brought them in to say their praises and I'm the one that raised the concern. I think my concern is valid.

Councilor Wilson states everything is third hand.

Councilor Ripma states you can't deny that you were promoting the idea.

Mayor Daoust states I am privy to a lot of the information that has been shared since the last meeting. Councilor Ripma had a point at the last meeting that he had heard from somebody on the WCGCC Board that Councilor Wilson was inappropriate. Since then that person has retracted that and said that they made a mistake. You got that email.

Councilor Ripma states it's in the minutes of the August meeting that John Wilson spoke in favor of setting up a PAC. It's in the minutes of their organization. The basis for my argument is in black and white.

Mayor Daoust states the Chamber, even tonight, said that the basis for your argument is not valid. Even the person you heard it from said the basis for your argument is not valid.

Councilor Ripma states I don't believe the folks here said the basis of my argument is not valid. Was he endorsed in fact by you?

Ed Trompke, City Attorney, states I reviewed the emails and information that was provided by the Chamber and I couldn't find anything wrong in the conduct.

Councilor Ripma states you mean legal, Ed. I'm talking about Councilor Wilson behaved in a self-serving manner. I can make my own judgment on that. Did Councilor Wilson ever speak in favor of setting up a PAC and endorsing candidates?

Cheryl McKinney asks, are you talking about the September 4th meeting?

Councilor Ripma responds no I'm talking about an earlier Board meeting.

Cheryl McKinney states he has brought information from other Chambers and what they do with their government affairs committees and PAC Committees and that's it. He did not speak in our September Board meeting about the PAC Committee or the Government Affairs Committee. He recused himself from the Board chair that he was sitting at and stated why and moved out to the audience.

Councilor Ripma states my objection is that while serving as supposedly a liaison between the City and WCGCC he was promoting the idea of a PAC. He was ultimately endorsed by you. I realize he stepped down when you took to vote. I'm not very impressed by that. He did step down because he can't vote anyway. I am saying as a City, I'm concerned that you liked him so much you've decided to try to replace a couple of other

councilors with people like him. Frankly, all the businesses I've talked to don't want anything to do with that. But that is your choice. I'm not here to dictate to you. I'm here to talk to my fellow Councilors about the idea of not having a liaison anymore for the time being with the WCGCC. I think it would be in your best interest too.

Cheryl McKinney states I don't agree with you on that. Councilor Wilson has not come before the September meeting necessarily in favor of the PAC. He has provided information on what other Chambers are doing and some he sent don't have a PAC.

Councilor Ripma states it's in your minutes.

Mayor Daoust states I'll say it again, you have no basis for your objection. If you want to talk about the Council not having a liaison just keep it at that. That can be a discussion amongst the 7 of us but the basis you brought up about Councilor Wilson has no foundation whatsoever. Let's try to stick to the point of getting rid of the liaison. If the Council wants to do that then I suggest you wait until I'm not Mayor and take it up next year. Do I have the right to say that, Ed?

Ed Trompke responds I'm looking at the City Charter Section 18C it says the Mayor appoints Councilors and others to represent the City before and on community and intergovernmental organizations. The Chamber is a community organization and so if requested by the WCGCC the Mayor has the authority to appoint a representative. As long as you are asked to represent someone you may.

Mayor Daoust states I'm not trying to be bull headed here but what I'm trying to tell Councilor Ripma and the rest of you is that as long as I have the Charter that tells me that I have the authority, I'm not going to change anything while I'm still Mayor. I'm not going to dilute any relationship between the City and the Chamber one iota. I don't care if Councilor Ripma thinks that we should just get rid of the position. I'm not going to do that as Mayor.

Councilor Ripma states I'm asking you to consider our opinion. Could you at least ask if the Council wants to have a liaison? I'm asking you to do that.

Mayor Daoust responds I'm going to keep the liaison because I think it's an important position for the City and the Chamber. Even if I did ask you, I'm going to keep it.

Councilor Ripma states this action is going to dilute the relationship I assure you. You must realize then that Councilor Wilson represents Mayor Daoust, not the City Council.

Mayor Daoust states let's get the position and the argument where it is. You want to get rid of the position. The authority is with me. I don't want to get rid of the position.

Councilor Morgan states we have a lot of really important things to talk about. Do you think that there's some kind of deserving conduct unbecoming? We have a process to censure if that's a concern. It seems that this is an issue that's not the most important issue. The arguing and fighting and yelling at one another is embarrassing.

Councilor Allen states I don't disagree with your right to appoint in this particular case, Mayor. As liaison to the Chamber, is Councilor Wilson required to represent the interest of the Council?

Ed Trompke responds the Charter says he represents the City. He is supposed to represent the City in his best judgment.

Councilor Allen states in statistics you have a choice in how you want to represent and statistics in a way that's favorable to your argument or not favorable. If you say the Chambers of our size in the metro area predominantly have Government Affairs Committees or PACs the answer would be true. If you were to say the same thing about the State of Oregon the statement would be false. What I saw on the August 15th meeting was Councilor Wilson advocate for a PAC and a GAC based on the area and Portland Metro area.

Mayor Daoust states I thought we were going to talk about whether to have the liaison role or not. Not getting back to pouncing on Councilor Wilson.

Councilor Allen states I'm actually not pouncing on him. I'm clarifying. What I'm saying is that if it's okay for him to do that then so be it. Some people would interpret that as more self-serving in this particular case because he has an interest.

Ed Trompke states a person who is authorized to represent the City on any organization has to make some political judgments. The person has to act in good faith.

Councilor Allen states for Cheryl, in the Outlook, Friday, September 16th, there is a paragraph and I wonder if it's actually what you meant to say or if it was not exactly what you wanted to say. This is an article by Zane Sparling. The particular paragraph attributed to you as "I don't want to accuse them but it did sound very threatening to me." "I just don't think that's the right thing to do to be punitive and threatening to us." I was curious as to what I may have said that may have come across as threatening.

Cheryl McKinney responds I can't remember your exact words but you made what I felt was a veiled threat that we, the Chamber, receives money from the City and you stated something in your comments to the Board and Councilor White also said if you do this there will be consequences.

Councilor Allen states I don't actually remember that. I can only speak for myself. I actually never meant a threat. I think having a good strong Chamber of Commerce is good for a community. For years I have supported the Chamber and that hasn't changed. My belief though is that the Chamber does receive the majority of its money from the City so I would think that that might be a conflict of interest for them to be actively engaged in who sits on Council. I was concerned about that. I was also concerned about the influence of Matt Wand in this particular case being that there's potential business in front of the City that's in the millions. What I would prefer, I can't tell you what to do, is that forums be more neutral in their conduct. I was hoping we could work some kind of mutual agreement out.

Cheryl McKinney states I'm going to go back to your question on what I was quoted for in the paper. In answer to your question, it was thinly veiled. You said we were putting the money that we received from the City at risk.

Councilor Allen states I did not say that.

Cheryl McKinney responds not your exact words. I was not the only person who felt there was a threat there.

Councilor Allen states I wish the meetings were recorded just for this type of thing. There is no threat there. I do not intend in any way to threaten the Chamber. I actually support the Chamber and I'm a member of the Chamber.

Cheryl McKinney states I know in the past you as a Councilor have voted to keep that relationship alive. I hope that if you do win as Mayor that you will act the way you have in the past and not pull the rug out from underneath us.

Councilor Allen states I have no intention of doing so.

Mayor Daoust states just to clarify, the money that the City gives to the Chamber to run tourist activities is money from the hotels and the motels. It is not General Fund money from the City. The hotels and motels collect the .95% in addition to other taxes and package that up, send it to the City and we pass it right through to the Chamber to conduct tourist activities. If somebody says it's City money that we're giving the Chamber that's not quite true. It is hotel/motel tax money that the people staying the night in the motel pay and we're passing it through to the Chamber according to the agreement that we made with the Chamber.

Ed Trompke states if I could further clarify, it's my recollection it's called the TLT, the Transient Lodging Tax, it is required to be spent on tourism and tourism related matters. Many Cities do this to pass the money through to the Chamber to use for tourism related matters.

Councilor Allen states just to point out that the City does determine the best way to use that money for such purposes. But in no way, shape or form do I plan on working to pull that money just because I'm unhappy with you. I don't think that way.

Cheryl McKinney states the TLT money is used for our Visitor's Center which I know that our businesses really benefit from. The Visitor's Center is run by our Executive Director and Peggy Propster who is the Office Manager and they point people in directions to spend money with a lot of these local businesses.

Councilor Allen states I like to see the money being used for the purposes it is intended. I don't have any complaints there.

Bob McDonald states if I may refer to a comment that was made much earlier tonight that I feel the need to explain a little bit. References made to the fact that the Chamber endorsed Councilor Wilson but did not endorse any other Councilors and I think the questions raised on that point as to why the Chamber appeared to favor one Councilor over the other. I would like to explain how that process works so you understand why that occurred. When I came into the Chamber here they were just in the beginning process of establishing the Government Affairs program and we were wanting to head towards an endorsement concept. I had just finished doing that with the Gresham Chamber. I stood on the Gresham Chamber Government Affairs as well as other Committees and was with the Chamber for many years from the very beginning when they began to just endorse measures and shifted to endorsing candidates. A questionnaire was developed in Gresham that was provided to all candidates who filed application to run. Those candidates who submitted the questionnaire were provided the opportunity for a 20 minute interview with the Government Affairs Committee. This Chamber's Government Affairs followed the identical process. The questionnaire was essential to endorsement. If you don't file the questionnaire you do not get endorsed. The only Councilor in Troutdale who submitted a questionnaire was Councilor Wilson. Therefore he was the only Councilor allowed to interview and follow up endorsement. The other Councilors had that opportunity but they failed to send in the questionnaire.

Councilor Allen states I can only speak for myself. When I heard through the members of the Government Affairs Committee they were primarily made up of people that support my opponent I did not feel it was going to be a fair and impartial judgment and if I were to turn in the questionnaire I would basically be giving away my platform. I do not feel the Government Affairs Committee is a fair representation of the businesses feelings that the Chamber services.

Mayor Daoust states my perspective is it's the political season. That's simply how I would wrap up this whole discussion. I don't want my Council meetings to turn into election season issues. I'm not going to open this up for public discussion because it's the political season and I don't want the politics to continue the way the Council has started it. Given the Charter and my authority I choose to not change the liaison at this time. With all due respect to the rest of the City Council who I love and adore, I am not going to get rid of the liaison at this time.

Councilor Brooks states I'm sitting here thinking, what should I say? This has nothing to do with politics or anything like that but when an individual is accused of saying something. That doesn't sit well with me especially when it is me. I work with tons of businesses and I work with many Chambers. And to ever think that I would ever pull the rug or attempt to do that to a Chamber which supports so many businesses is absurd. I would never do that. I want to make it crystal clear, please. I will absolutely support the Chamber.

Councilor White states I know you want to make the decision, Mayor, but I think a possible solution would be similar to how we operate with the Champion where a candidate that's up for re-election might not be the best choice for a liaison. Just for future reference. I think that would solve some of this. I want to say that in the 26 years I've lived in Troutdale

I've always supported the Chamber and they end up always using my property for the parade and I plan on doing that again with the Fall Festival of Arts and any activities that occur in Troutdale. I'm a member of the Chamber and I've gotten many, many thanks from them. I'm all in in Troutdale. I recently became a member of the Chamber to support this new group of people that came into the Chamber staff. I think Karen is going to be a great fit. And Peggy as well. I think she's doing a tremendous job in the office. I have no intention of retaliating. I think my concern was mainly that I don't think it's good in a small town to divide business by selecting candidates. I honestly don't believe the majority of the businesses knew about it. That was my concern. I was looking out for small businesses because I know how things can get misconstrued.

Councilor Wilson, just a little constructive criticism, I may have missed it but I don't recall you keeping the Council informed on this Government Affairs Committee.

Councilor Wilson responds I sent emails to you guys.

Cheryl McKinney states I would just like to come back to you Councilor Brooks. Maybe you didn't say something. I believe what you said was, we have a plan for that.

Mayor Daoust states you've heard a lot of love for the Chamber tonight and I hope you take that with you tonight. People are supporting the Chamber.

Councilor Ripma states I will still support the Chamber.

Mayor Daoust calls for a break at 8:25pm.

Mayor Daoust calls the meeting back to order at 8:45pm.

7. RESOLUTION: A resolution adopting the Water Management and Conservation Plan dated August 2016.

Steve Gaschler, Public Works Director, states I have 2 items of business for you tonight. The resolution adopting the Water Management and Conservation Plan and in concert with that there's an ordinance that amends our Municipal Code to give us authority to do some of the water curtailment actions called out of the plan. The first one is the resolution adopting the City's Water Conservation Plan. The City's drinking water source is groundwater and it comes from 7 wells. Groundwater is considered a resource of the State and requires the City to obtain permits and approval to use that resource. To assure that the resource is being used responsibly, Cities are required to have a water management and conservation plan. Water management and conservation plans are intended to show that the City is taking appropriate action to use only the groundwater that is needed to meet the current and future needs of the City. The plan before the Council is an update to the City's original plan that was prepared in 2004 and adopted in 2005. The current plan is approved by the State and is good for a period of 10 years and will come back in 2026. The highlights of the conservation efforts proposed by the City includes replacement of residential meters, leak checks, workshops and offering conservation kits. The plan includes a 3 part curtailment plan in the case of emergencies

or when supply is not able to keep up with demand. The plan has been approved by the Oregon Water Resources Department.

Councilor Allen asks, are we giving up anything here?

Steve Gaschler responds no, we're not giving up anything. We need to do this to protect our ability to certificate our groundwater permits. We're trying to protect our water rights and trying to keep them safe.

Councilor Allen states I can't help but notice that along the Columbia River you have 5 wells that they use for emergency use.

Steve Gaschler states the City of Portland has a well but it's quite a ways to the west of here.

Councilor Allen states I was thinking that in time of water shortage they're probably going to want to pump those and that will affect us and we have to be able to manage that.

Steve Gaschler responds that's why the State requires this and manages that. They know who has what wells and where. As Troutdale aquifer we're in the southeast corner of it and goes clear across the Columbia. We haven't experienced any draw down effects in the City wells which are deeper.

Councilor Morgan asks, this is a 10 year plan approval?

Steve Gaschler responds from the State.

Councilor Morgan asks, the last time this was approved by the City Council was 2005?

Steve Gaschler responds correct.

Councilor Morgan asks, the projected growth of 17 years, is that based on the current conservation plan?

Steve Gaschler responds it's my understanding that that 17 years is our buildout without expanding the growth boundary.

Councilor Morgan asks, would this need to be amended if the Urban Growth Boundary was expanded?

Steve Gaschler responds I don't think that planning activity would actually change this. What might affect it is the rate of growth and if we see a rate of growth that's particularly different we can always go back to the State and ask them to amend it.

Mayor Daoust states I found it interesting that the Cities out here in East County are all interconnected. At least we're connected with Fairview and Wood Village and Gresham.

All by pipelines that are interconnected between the Cities and we're kind of under an obligation to share with each other if need be.

Steve Gaschler states correct. We have that agreement and it's a pipeline that's connected with a closed valve.

Councilor Ripma states we already have a Water Management Conservation Plan with the State. Is this an update of it?

Steve Gaschler responds it's an update or replacement of. They're very similar. The old one was based on older numbers. But what we do in the plan is pretty much the same.

Councilor Ripma states in your staff report you mentioned that the City proposed some additions and one was replacing all residential customer meters. I couldn't actually find that anywhere in the plan. Is it in the plan?

Steve Gaschler responds it should be in there. We let them know that that was our plan which we're doing that anyway. Those meters are going on 20 years old. We're systematically every year replacing a certain amount of them. It's going to take us about 10 years to get to them all.

Councilor Ripma asks, are the new meters something you can read electronically?

Steve Gaschler responds we don't have an electronic system but it can be retro fitted easily to accept that if that's a direction we go someday.

Councilor Ripma asks, we're in the middle of replacing meters right now?

Steve Gaschler responds I wouldn't say we're that far. We're in the first quarter still.

Councilor White asks, what population figures were used for this report?

Mayor Daoust states 18,000 and 19,000 at buildout but that was way out in 2032.

Councilor White asks, when you say these new meters are more accurate, does that mean the homeowner can expect an increase in their water bill?

Steve Gaschler responds it could go both ways. Sometimes they'll read more and sometimes they'll read less. I haven't had any calls or concerns yet.

Councilor White states there's been a concern in other Cities where that very thing has happened and there was some glitches in the new meters. Is there any disputing a water bill with the new meter?

Steve Gaschler responds yes and we have had some larger meters and we went out and looked at it and tested it until they were satisfied.

Councilor Allen states if I remember correctly Fairview did a meter upgrade. Have you talked to them?

Steve Gaschler responds I'm not aware of Fairview's. I have breakfast with them in the morning so I'll ask them. I know Gresham just went through all of theirs and upgraded. We're a little bit behind but I would rather make sure we maintain what we have until we put in new meters.

Councilor Wilson asks, do the new meters help detect leaks?

Steve Gaschler responds as far as the leak detection it's a complicated system and there's pipes everywhere so we know how much we pump out. We know how much goes through the meters and we try and keep track of what water doesn't go through. It's a whole accounting process and all those numbers should match. I think we're within 3%. If you're losing 5 to 10% then that is an alert to a leak somewhere.

Councilor White asks if we pass this are we required to approve the next ordinance?

Steve Gaschler responds in theory yes because if you adopt this plan that's approved by the State by resolution we don't have the authority right now in our ordinance to enact that water curtailment plan.

Councilor White asks, is there a way that staff can adjust that?

Steve Gaschler responds it depends on what you want to adjust.

Councilor Allen asks, are all the municipalities that are on the same water supply doing the same type of plan?

Steve Gaschler responds yes. It's my understanding they are. We're not treated any differently than any others.

Councilor Ripma states I just heard Councilor White ask the question and I want to make sure that if we adopt this resolution it takes effect immediately and we will be required to pass the ordinance. I myself don't have any particular problems with it but if you have a concern I would suggest that maybe we ought to hear what that is before we adopt the resolution.

Councilor White states I wonder with the Mayor's indulgence if we could go through the ordinance first. I do have some concerns.

Mayor Daoust asks, are they that closely tied, Steve?

Steve responds the existing curtailment has steps 1 and 2 in it. The only addition is step 3.

Mayor Daoust states we'll put item #7 on hold for a while and move to item #8.

8. PUBLIC HEARING / ORDINANCE: An ordinance amending Chapter 12.03 of the Troutdale Municipal Code, Water System.

Steve Gaschler, Public Works Director, states the second topic is the first reading of the ordinance amending the Municipal Code to provide legal authority to implement the 3 part water curtailment plan found in the Water Management and Conservation Plan. The curtailment plan is intended to identify proactive measures the City may take to reduce demand during water supply shortages to assure that water is used to the highest beneficial use. Because groundwater is our drinking water source, a short term drought is not anticipated to affect the City's water supply. Likely triggers of curtailment measures include long term power outages, mechanical or electrical failure at one or more of our wells, high water usage, loss of aquifer levels or acts of terrorism or natural disasters. The curtailment plan includes 3 different stages depending on the cause, severity and anticipated duration of the water shortage. The stages are intended to be progressive and may be applied to the entire system or just in those geographic areas affected by the shortage. Stages 1 and 2 can be initiated by the Public Works Director. Stage 1 is an alert level and includes voluntary actions by water users and mandatory actions by City forces. Stage 2 is more serious and involves more progressive measures to reduce the use of non-essential water demands. The intersystem connections with the Cities of Gresham, Wood Village and/or Fairview would be pursued at this stage. Stage 3 is activated only the by the City Manager with confirmation by the Council within 72 hours. A stage 3 incident would likely impact other functions of the City. Water use would be limited to those uses necessary for basic sanitation, drinking and cooking. Staff is not aware of any supply deficiencies in at least the last 10 years. The City would use all resources available to notify customers of any water supply shortage. This is the first reading of the ordinance.

Councilor Wilson asks, what are the changes that are taking place in the beginning stage 1, 2 or 3?

Steve Gaschler responds in looking at the report in your binder the blue language is what is added. On the first item it talks about waste. It is unlawful to allow waste of City water by knowingly or negligently causing, authorizing or using water in excess. The water curtailment language we're putting in here was in the other management plan. We thought it made more sense to get into this ordinance and make it clear to everybody where this authority came from. As you can see most of it is voluntary until stage 3.

Councilor Brooks states in the past 10 years the City has not experienced a supply deficiency requiring limitation. Is there any trending or anything that has been seen that may be moving in that direction?

Steve Gaschler responds no, this is just precautionary in case of an emergency. It's not a trend or anything we expect to happen. It's being prepared.

Mayor Daoust states a lot of Cities have plans like this curtailment plan if things get dry.

Councilor Allen asks, in the event that someone is in an apartment situation where the renter doesn't pay and moves out, who is responsible?

Steve Gaschler responds it's my understanding that the owner is responsible.

Councilor Allen asks, this particular ordinance doesn't change any of that?

Steve Gaschler responds no.

Mayor Daoust states the first intent here is just to let the public know what is expected. The second point is to give the City the legal authority to implement these 3 stages.

Steve Gaschler states it sets a threshold of where we can declare there's a problem. It's an alert.

Councilor White states I have faith in our community that if there was an emergency situation that they would voluntarily stop using water as necessary. I don't want it to turn into the water police down the road. I would like to keep the language lighter and make it strictly voluntary.

Steve Gaschler states when I read it that's what it says, strictly voluntarily. At level 3 I'm probably not going to be able to get them water.

Councilor Ripma states the added language in the ordinance references this water conservation plan of the resolution on item #7. It doesn't really have any penalties. It seems like a sensible thing. I have no problem with it.

Ed Trompke states I was going to add that there is a limited delegation under stage 3 that the City Manager can make the decision but Council has to come back and act within 72 hours so there would be an emergency City Council meeting with political control over the City staff at that point in time with direction on how to act.

Mayor Daoust opens the public hearing at 9:31pm.

Sharon Ezzell, Troutdale resident, states I agree with what Mayor Daoust said if it gets to stage 2 people will rat each other out. As far as there being the water police I don't think that that's necessary. I don't think you have to worry about it. Even at level 3 it's out of your hands anyway because you're not going to get to water period.

Ed Trompke states I would like to ask Steve, will the Emergency Management Plan be updated at some point with a copy of this agreement?

Steve Gaschler responds it should be.

Mayor Daoust closes the public hearing at 9:34pm.

Mayor Daoust states now that we've talked this one through we'll move back to agenda item #7 which is the resolution which is the adopting the water management and conservation plan.

7. CONTINUATION - RESOLUTION: A resolution adopting the Water Management and Conservation Plan dated August 2016.

MOTION: Councilor Wilson moves to adopt the resolution adopting the water management and conservation plan dated August 2016. Seconded by Mayor Daoust.

VOTE: Councilor Ripma – Yes; Councilor Brooks – Yes; Councilor Morgan – Yes; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; and Councilor Wilson – Yes.

Motion passes 7-0.

9. STAFF COMMUNICATIONS

Erich Mueller states the next meeting is scheduled for October 25th. Also the Prothman firm that the Council selected to do the professional recruitment for the City Manager position will be here for a public forum at 6:30 on October 10th in the Kellogg Room at the police facility.

10. COUNCIL COMMUNICATIONS

Councilor Ripma states I wanted to endorse Rip Caswell's comment about the need for separate vendor permits. I don't remember it being a problem in years past.

Councilor Wilson states this form has been around forever. I tried to do away with that vendor form a number of years ago. I asked Rich Faith at one point why we didn't just do away with the form and the Summerfest be responsible for the vendors. His response was we may not like a particular vendor so we're not going to approve their form. My feeling is that if there's a guideline that we want them to use, the City ought to come up with that guideline and what kind of vendors they don't want at any of our events. Let the event write a blanket vendor application taking responsibility for who is in the park. Here's the process, the Chamber has to send out all the information to the vendors. The vendors have to return all the information then they have to bring the applications to the City, the City is approving them, and all of those have to go back to the Chamber. Then they are all distributed to all the vendors. My feeling has always been and still is that there's never been anything that Summerfest has ever had that I would be embarrassed to have at the park. I think that we should do away with that form for City events.

Councilor Ripma states as Mayor Daoust said it's too late for the Fall Festival of the Arts this year but let's take it up later. If staff wants to weigh in on all the pros and cons I think we could consider doing away with it.

Steve Gaschler states it is part of the Municipal Code that requires that.

Councilor Allen states I would agree with a blanket form for an event.

Councilor Ripma states we can have staff look into it.

Councilor Wilson states we've made exceptions for parking on Councilor White's property and the police station, exceptions for alcohol at Glenn Otto Park for this upcoming event, I think we can take care of it for City events that are held in the parks.

Mayor Daoust states there's no hurry. We don't have any events coming up in the next 3 months.

Councilor Ripma states I want to remind the public, if you haven't seen the mural in Mayor's Square, it is spectacular. It's just gorgeous. The dedication is tomorrow the 28th at 2:00pm at Mayor's Square. Come if you can.

Councilor Brooks states I have a question for you, Ed. In regards to Monday, if we're all there will that not be a quorum? Or will it be a quorum?

Ed Trompke responds of course it will be a quorum if you're all there. Statute 192.630 Subsection 2 states a quorum of a governing body may not meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided. That means you can't meet for the purpose of deciding or for the purpose of deliberating. And if you do deliberate you probably met for that purpose. Just don't talk about substantive matters that may come before the Council and you should be fine.

Councilor Brooks states I had the real privilege and honor to be at an organizational event put on by the Trauma Intervention Program (TIP) here within the last 3 weeks. I wanted to really encourage anybody to attend these events. It was really an emotional evening. Watching citizens come together to help other citizens in times of traumatic experiences is huge. It really touched my heart because when I lost my mom I remember back and if I didn't have family there I would've been lost. These are people that actually step into situations like that and they lend a helping hand. If anybody has the time to do this it is around 40 hours a month and I'm seriously considering it only because it's such an amazing cause.

Mayor Daoust states as I stated at the last meeting, Mt. Hood Community College is turning 50 years old and as part of the celebration they've named 50 outstanding alumni of which I am one and my wife is one. So we're going to get awards Thursday at 5:30pm at the Mt. Hood Community College Art Gallery. It's open to the public. I also wanted to mention that this Friday at 1:00pm there is going to be a memorial service for a police officer that we lost, Jeff Potter. He took his own life so there is going to be a memorial service at 1:30pm Friday at Crossroads Church in Vancouver, Washington. I knew Jeff pretty closely as a police officer. We're all really sorry to hear this tragic end in his life occurred. As Mayor, there are a lot of meetings that I go to that the City Council does not go to. The Regional Mayors in the Portland Metro area get together once a month and that is one of the best meetings that I go to. I go to hang out with other Mayors and it's a

lively discussion about what all we have in common. We do have a lot in common. Troutdale does not sit by itself with the issues that we have. We all have the same issues. Along with that, Greater Portland Inc. holds a small city consortium at the same time right after the Mayor's meeting. All the small Cities in the Portland Metro area get together with Greater Portland Inc. and talk about economic development and to make sure that Greater Portland Inc. is also doing work for us and not just Portland or Vancouver.

Councilor White states I also had the pleasure of being at the TIP meeting and I want to thank Rich Allen for stepping up and hosting a table. Troutdale had a big presence there and was well represented. Attendance was a little down and I wanted to make sure that we were still donating tables to that event.

Mayor Daoust states the City had 2 tables and sponsored 20 people to go.

Councilor White states I got a complaint from a citizen who lives on 257th and with the increased traffic and truck flow they're having a problem with jake brakes on the downhill traffic. I think there's a city wide ordinance that those aren't allowed so we either need some enforcement or some signage. Also, on Troutdale Road, there is a lot of complaints about how fast the traffic is going through there. People have discovered that as an alternate route to 257th because it's less congested but they're going through it at a high rate of speed. There's a lot of kids in that neighborhood and if there's something we could look at I think we should. Maybe we could put the trailer with the speed limit sign out there because that seems to help. I also wanted to give a pitch for the mural. It's quite impressive. One other item I have, and Erich Mueller, I was going to ask for your help on this. We have about 38 homes that are east of the Troutdale Bridge in Troutdale and I would like to see some numbers on how much property tax revenue comes in from those 38 homes. I have a reason for asking and I'll follow up with you.

Councilor Allen states the Regional Disaster Preparedness Organization (RDPO) meeting is coming up this September 30th and there's an agenda attached to that. Am I able to forward that agenda to the Council and if they want to comment do they just don't reply all?

Ed Trompke responds that would be the best, yes. Otherwise they could be considered a serial meeting.

Councilor Allen states so when I forward it to you just don't do a reply all. I wanted to say I do appreciate Councilor White for donating the use of scaffolding so that we could get the mural done. Thank you Councilor White.

Councilor Wilson states I was impressed with how quickly they got the mural painted and how they could get everything proportionate. They were out there last weekend when it was pouring rain and had a cover over it and were still out there working. To look at that painting it is just amazing to me. If you're downtown tomorrow at 2:00pm for the dedication it just finishes Mayor's Square.

11. ADJOURN

Councilor Wilson moves to adjourn. Seconded by Councilor Ripma. The motion passes unanimously 7-0.

Meeting adjourned 9:57pm.



Doug Daoust, Mayor

Dated: 10/28/16

ATTEST:



Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE

City Council - Regular Meeting

7:00PM

Tuesday, September 27, 2016

PLEASE SIGN IN

Name - Please Print	Address	Phone #
Glenn Schmaidt	Gresham	503-754-0282
Tanya Florence	Reynolds - Troutdale	508-6827
Diane Castillo White	1225 East Historic	888-1405
[Signature]		
Edon Green	Fairview	971-222-8844
PAUL WLEOZ	TROUTDALE	
Kristy Lester	Troutdale	503-489-5021
Karen Young	Troutdale	503-807-6918
Bob McSarged	Troutdale Chamber	503-709-5852
Carol Allen	Troutdale	503-701-8979