



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – REGULAR MEETING

Troutdale City Hall - Council Chambers
219 E. Historic Columbia River Hwy. (Lower Level, Rear Entrance)
Troutdale, OR 97060-2078

Tuesday, November 22, 2016 – 7:00PM

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **CONSENT AGENDA:**
 - 2.1 **MINUTES:** October 25, 2016 City Council Regular Meeting.
 - 2.2 **RESOLUTION:** A resolution approving the appointment of Raymond Young as Interim City Manager and authorizing a City Official to negotiate and execute a temporary employment agreement.
 - 2.3 **RESOLUTION:** A resolution vacating a utility easement that is no longer needed due to the relocation of utilities and dedication of public rights-of-way associated with the Gateway Estates Subdivision.
3. **PUBLIC COMMENT:** Public comment is limited to comments on non-agenda items. *Remarks shall be limited to 5 minutes for each speaker unless a different time is allowed by the Mayor. The Mayor and Council should avoid immediate and protracted response to citizen comments.*
4. **PUBLIC HEARING / ORDINANCE (Introduction):** An ordinance to provide a procedure to request a building number different from the uniform system adopted by the City of Troutdale, granting authority to the Building Official to determine a building number and providing a process for appeal.
Steve Winstead, Building Official
5. **STAFF COMMUNICATIONS**
6. **COUNCIL COMMUNICATIONS**

Mayor

Doug Doust

City Council

David Ripma

Corey Brooks

Larry Morgan

Glenn White

Rich Allen


John Wilson

City Manager

Craig Ward

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7. ADJOURNMENT



Doug Daoust, Mayor

Dated: 11/17/16

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

Tuesday, November 22, 2016 – 7:00PM

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

Mayor Daoust called the meeting to order at 7:01pm.

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

ABSENT: Councilor Wilson (excused).

STAFF: Craig Ward, City Manager; Ed Trompke, City Attorney; Steve Winstead, Building Official; Susan Skroch, City Recorder and Ed Trompke, City Attorney.

GUESTS: See Attached List.

Craig Ward, City Manager, states there are no amendments to the agenda.

2. CONSENT AGENDA:

2.1 MINUTES: October 25, 2016 City Council Regular Meeting.

2.2 RESOLUTION: A resolution approving the appointment of Raymond Young as Interim City Manager and authorizing a City Official to negotiate and execute a temporary employment agreement.

2.3 RESOLUTION: A resolution vacating a utility easement that is no longer needed due to the relocation of utilities and dedication of public rights-of-way associated with the Gateway Estates Subdivision.

Councilor Morgan states I will pull agenda item 2.2, if the Mayor will allow it, for public comment. If that's not the case then we can proceed.

Mayor Daoust states I will allow that. We'll vote on approving consent agenda 2.1 and 2.3.

MOTION: Councilor White moved to approve items 2.1 and 2.3 on the Consent Agenda. Seconded by Councilor Allen. The motion passed unanimously 6-0.

Mayor Daoust asks, is there any discussion from Council on agenda item 2.2?

Councilor Allen states I looked it over and it looks good to me. I was wondering about the phasing of responsibilities.

Mayor Daoust states in my brief discussion with Ray Young, if this indeed goes forward, he's indicated a desire to work with Craig Ward right away.

Craig Ward states Erich Mueller has had more interaction. I have met with Mr. Young and we have talked considerably. It's complicated because the title of City Manager and the authority given to City Manager is broad. There are a lot of different codes and a lot of different aspects. The notion of handing over that responsibility to a person with virtually no training, which is the case, it would be awkward for our codes and it would be particularly awkward and confusing for the staff. Right now the transition is to occur January 1st as I understand it. I'll take care of coverage during any absences that may occur before that date.

Rob Canfield, Troutdale resident, states I would like to speak on the appointment of City Manager. As Mr. Ward pointed out, someone coming in cold with no experience at all as a City Manager I think is awkward and fraught with challenges for the City. I would ask that the City Council provide an alternate to the choice of Mr. Young. Mr. Young is a fine judge and a fine attorney. I think the City would be better served and deserves someone who has at least a little bit of experience in city administration. Perhaps one of the staff members who has already worked with the City Council on policy issues, someone who already has experience with financial management. I noticed in the staff report that one of the options was possibly asking Mr. Ward to stay for another 90-120 days until the new City Manager can be hired. If that's an option I would suggest the City pursue that option.

Paul Wilcox, Troutdale resident, states I would like to second what Mr. Canfield said. I was at the work session last week when this was discussed and I have some serious problems with this whole process. It was almost like a type of nepotism to me. I was in agreement with Mayor Daoust and Councilor Wilson on this and retaining Mr. Ward if he was willing. This whole decision was like a no bid, no interview choice and just picking somebody with no background in the field. I looked into Fairview's experience with replacing Samantha Nelson and they hired an experienced City Manager. She stayed on the City payroll for 7 months. I can't see having someone without the necessary background being on the City payroll who really isn't qualified in my opinion.

Councilor Allen states I appreciate the public comments. I want to be fair to Judge Young. He has been involved with the City for I believe for over 30 years. I think it's a stretch to think that a municipal court judge has no knowledge of municipal code. I do believe he has qualifications.

Councilor White states I would like to say that all of our existing Department Heads will still be here. As far as financials, Erich Mueller will still be here in his active duty. Judge Ray Young has 32 years of knowledge of the City. We replace Craig quite often when he goes on vacation for up to 2 weeks at a time with a Department Head. We are still going forward with the head hunter who is actively seeking applicants. This is like a place saver with someone that knows the City and knows it quite well and someone that we trust.

Councilor Morgan states Councilor Allen brought up a good point with the municipal code. This is a question for Ed Trompke. Since he is the acting judge will he be able to rule on decisions that affect specifically the municipal code?

Ed Trompke, City Attorney, responds legal ethics would prohibit a person from sitting as a judge in a matter in which is also a part of City Manager. Most of the actions in the city court are brought in the name of the City so as Chief Administrator officer he wouldn't be allowed to hear those cases. Ordinarily the answer would be no you can't do both in anything that has to do with interpreting city codes.

Councilor Ripma states Troutdale does have a backup Municipal Court Judge who would be stepping in to do Judge Young's job as judge. I was delighted to hear his name put forward. A very knowledgeable lawyer and he will do an excellent job and I trust him. I fully favor the consent agenda item 2.2 and would make a motion that we adopt it.

MOTION: Councilor Ripma moved to approve item 2.2 on the Consent Agenda. Seconded by Councilor White.

VOTE: Councilor Morgan – No; Mayor Daoust – Yes; Councilor White – Yes; Councilor Allen – Yes; Councilor Ripma – Yes and Councilor Brooks – Yes.

Motion passes 5-1.

3. PUBLIC COMMENT:

Will Knight, Troutdale resident, states I have with me Jon Brown, also a Troutdale resident and we're here tonight regarding the Public Safety Advisory Committee and we wanted to come in and shamelessly promote a Toy Drive we're putting on for the next 3 weekends at Wood Village Walmart on Saturdays and Sundays 10am-4pm and also Black Friday. Also December 3rd at 10:00am we are having the Star Wars group come in. They have a working R2D2 robot, Chewbacca will be there and all the characters. Also, as official representatives for the Citizens Advisory Committee (CAC), the CAC has been notified by some citizens and city staff that the event permitting process may be really complicated and sometimes frustrating for all those involved. The CAC would like to take the opportunity to review this process and see if we may be able to suggest improvements that would help make it an easier more streamlined and less burdensome process for both citizens and city staff. We are here tonight to ask the Council to please direct the CAC to review this process and bring back to Council any suggestions we may have for improvement.

Councilor White states I want to compliment you on the Toy Drive. It's been a huge success. I want to mention to the CAC that they have every right to bring forth agenda items without our approval. I think it's great to see that kind of work.

Mayor Daoust states I'm good with the CAC looking at the permitting process.

Councilor Allen states I also support it. I know that Rip Caswell said something about permitting at one point so you may want his input as well.

Diane Castillo White, Troutdale resident, states I wanted to say that Rich Allen is a good man. Rich has an awesome family, his wife Carol is a special needs teacher for Reynolds High School. Rich Allen is a man of very much integrity and I am saddened, disgusted and

appalled with the huge multi-faceted effort to inundate negative, slanderous and hurtful efforts at Rich Allen's campaign. Thousands of dollars were spent on a double sided flyer with lies against Rich Allen that were mailed to Troutdale residents and handed also to households. Pop-up ads were inundated with a smear campaign attack called therealrichallen.com. A false article was printed in the Oregon Catalyst and was also published on the GOP site as well as We Love Troutdale. Negative campaigns and elections are very, very effective. When the statements are true that's one thing but when they're lies I believe they should be addressed. I love going door to door and meeting the good people of Troutdale. They want to talk about issues and what's going on in Troutdale. It's really sad when you go door to door and ask if you can answer anything about Troutdale and they say "Hey, tell me about the dog". That was so hurtful. This was disgusting. People don't understand what this does to families. And for Mr. Casey Ryan to only say it was hurtful to the family and that was it, no apology. I was also spoken of in Facebook addressing about how politics have gone to a new low, I heard a Councilor's wife threatened businesses. That's a lie and I welcome anybody at any time to come talk to me. Then for you, Doug, to comment, "I wonder whose wife that is". I would have more integrity for that man if he had an issue and came and talked to us. I was looking forward to going to forums and meeting him and having discussions. There was no opportunity to do so. Each of you are responsible for your words spoken and for what you bring to the table. I am disgusted. It should be policy based that people are coming together and discussing issues at hand. This was disgusting. Negative campaigns work.

Paul Wilcox, Troutdale resident, states in January there will be a city event which generally occurs every 2 years, the swearing in of new or re-elected City Councilors and Mayor, which only occurs every 4 years. The Troutdale City oath of office includes, at the very end, the phrase "so help me God". Being religious, or attesting to belief in a supreme being, should not be a requirement or public expectation of those sitting on a government body. By including the phrase, an unnecessary and inappropriate assumption is being made about the elected official. Fairview, for example, does not include the phrase in their oath of office, and I would respectfully request that it be stricken from Troutdale's as well. I might add that the Oregon Legislature recently overwhelmingly passed SB 1595, related to those testifying before these bodies, that the presiding officer "may administer oaths or affirmations to witnesses in any proceedings under their examination".

Bruce Wasson, Troutdale resident, states I would like to rebut Paul's request to take under God out of the Pledge of Allegiance. The U.S. Supreme Court has said that it is perfectly legal for a public body as such as this to use that phrase in the Pledge of Allegiance. Taking it out denies our culture and our background and our heritage as a nation.

Paul Wilcox states that's not what I was asking.

Bruce Wasson states it doesn't matter. You're still denying that. I object strenuously this Council not do that. Our heritage is a Christian heritage. We are not a Christian nation but it was found upon those principles and our founders and past politicians of 200 years of history have proven that fact.

4. PUBLIC HEARING / ORDINANCE (Introduction): An ordinance to provide a procedure to request a building number different from the uniform system adopted by the City of Troutdale, granting authority to the Building Official to determine a building number and providing a process for appeal.

Steve Winstead, Building Official, states you've had the chance to look over the ordinance that our legal counsel has put together and it appears to me that it addresses the issue that we did not have before. That issue was giving the Building Official latitude to addressing and getting off of the grid we currently have. It also has an appeal process where if a property owner does not agree with the Building Official they can go before the City Council.

Mayor Daoust asks, am I to assume, given this ordinance that the City is going to go ahead and renumber a bunch of addresses?

Steve Winstead responds the assumption is that sometime in the future that will happen. We're not anxious to go through citywide renumbering at all this point. We're going to be looking at each subdivision coming in and then making decisions at that point.

Mayor Daoust asks, if new development and if people move would it be done then also?

Steve Winstead responds it's going to be on a case by case basis.

Councilor Allen states that's better for flow. Do we still charge people to bring things to the City Council to appeal?

Ed Trompke states that's for land use code.

Councilor White states I think the main thing is the assurance that we're going to make every effort to not change somebody's address that has lived there for 30 plus years and go through that hardship of having to notify everybody and worry about who they may have missed.

Councilor Ripma states I'm concerned that it says that if you have a non-conforming number that you would like to change, the remedy is to have the owner appeal. You're also requiring that the owner release the City from liability for any claims related to having a non-conforming number and an indemnification agreement on third party claims. I was thinking when the original issue came up was that you would try not to change anybody's existing number. This is just providing an appeal. It doesn't seem like there's an effort to try not to change an existing number. You're going to overlay the grid and anybody that's non-conforming could be forced to change their address. This doesn't feel like it's fixing the problem.

Ed Trompke states this fits inside the existing code. The existing code provides what the numbers are supposed to be and directs the Building Official to make corrections when necessary. This grants authority to the Building Official not to make that change if the land owner doesn't want it changed. At the same time it says if somebody doesn't change their number and if an ambulance is called for an emergency the City doesn't want to be held

responsible for the ambulance not being able to find the house because it isn't where it's supposed to be based on the GPS systems that exist.

Councilor Ripma states as a citizen and a person that has lived in the same house for 30 years, if a new number assigned is to it and who knows, an ambulance might not be able to find it because of that. What I wanted was not to require people to change numbers. Before we vote on it next time, could we see what the language of this indemnity and release looks like? Could you bring that to the next hearing? I appreciate that you're going to try to not change numbers. I thank you for that.

Ed Trompke responds sure. We just don't want to expose the City to any risk that it doesn't need to be exposed to.

Steve Winstead states this is the first of two hearings and there will be a second one and we'll provide that for Council.

Mayor Daoust opens the public hearing 7:36pm.

Bruce Wasson, Troutdale resident, states in all fairness, Mr. Trompke, this ordinance does not address the issue. The issue is the City's Building Department has arbitrarily said that my address will be changed based on a grid that they put on there and this phony argument about GPS is just that. This Council, several months ago, directed the Building Department to correct my address back to 150. I have here a stack of papers from at least a half a dozen organizations that has received an address change. I talked to the Post Office and they did not receive a retraction letter from the Building Department as they were directed to do. I have kept track of the hours that I have spent on this and so far it's been around 45 hours. That includes hours for Mr. Stan Neuffer across the street at 149. I think this whole ordinance that was originally passed should be rescinded in kind. There is no reason for this ordinance at all. The tone of the original letter signed by Jodi Rogers really irritated me and I have kept my anger down but it's getting to the point now where if something isn't done to completely stop this I may have to take other action. This arbitrary, capricious action by the City Building Department has really rubbed me wrong. The City should never treat its people this way. I speak for Stan Neuffer who has been there 57 years. I was up at the claims department today at the Veteran's Administration and they do not have the change of address yet. They have official correspondence that has to come to me. I thank the Council for their consideration in this. I as a citizen will not be treated this way by a government agency in my city.

Mayor Daoust states I'm really sorry that you've had to go through all of this. We all are. We had that 2004 ordinance that created this numbering system. It was 12 years ago that we put that in place.

Bruce Wasson states 12 years ago it would have made sense. But in today's electronic age it makes no sense.

Mayor Daoust states with respect to the Council, once we heard your story a few months ago we went to staff and said this needs to be changed. We need a new ordinance to soften up and have appeal rights. Unfortunately some of the wheels started turning on your

particular case which we certainly are sorry for. This ordinance we have in front of us is meant to straighten up and correct what a Building Official may take upon themselves to do. It's meant to bring the City Council into the appeals decision so that we're not getting carried away changing people's addresses.

Bruce Wasson states my suggestion would be to repeal the 12 year old ordinance and say the Building Official can issue new addresses but they need to make sure that emergency services has all of these correct addresses.

Mayor Daoust states the 12 year old ordinance sets things up so we can orderly number new subdivisions.

Bruce Wasson states making people go through an appeal process like that is time consuming that a lot people don't have time for. I would appreciate if you would direct that the Building Official issue a rescind letter within 2 weeks to everybody they sent it to originally and give me a copy of it. That way if I do have to deal with someone like the Veteran's Administration or credit reporting agencies then I have some backup.

Steve Winstead states I'll make sure there is a rescinding letter that I'll sign myself to this gentleman that I'll have out tomorrow.

Councilor White states I know staff's goal is to improve our grid and I understand the reasons why there are some discrepancies. A solution might be to flag a property that you would like to see changed when a sale occurs or a transaction occurs. That would be an appropriate time to make an address change.

Mayor Daoust closes the public hearing 7:47pm.

Councilor Ripma states I have a question for staff. Are we required to use this grid overlay? Is it state law?

Steve Winstead responds it was the original 2004 ordinance that was established. It is a County grid system. Under the ordinance that was written we didn't have a choice.

Councilor Ripma asks, are we the City of Troutdale required to install a grid system by ordinance like this? Or could we choose not to?

Steve Winstead responds you the City have that decision of creating your own grid system.

Craig Ward states we will need a grid system. Whether it's the County's grid system or not doesn't really matter too much except it would be really nice if people followed a consistent pattern. That's what we're charged to do and that's what our ordinance obligates us to do. Until we change our ordinance we have no choice but to do that.

5. STAFF COMMUNICATIONS

Craig Ward, City Manager, states this Thursday and Friday is the City's Thanksgiving holiday and non-emergency city facilities will be closed both days. December 6th is the mid-year

Budget Committee and on December 13th will be the only December Regular Council meeting. The December 27th meeting, as of now, is planned to be cancelled.

6. COUNCIL COMMUNICATIONS

Councilor Morgan states Happy Thanksgiving to everybody.

Mayor Daoust states the Tree Lighting Ceremony is on Friday, December 2nd. I had to make a change in my schedule so I am not going to be there to MC as Mayor. Does anybody on the Council want to MC?

Councilor Ripma states yes, I will MC the ceremony.

Mayor Daoust states that is December 2nd at 5:30pm at Mayor's Square. They usually provide you with a script to follow. On December 6th we have our Budget Committee mid-year meeting at the police facility at 7:00pm. It's usually good information mid-year to find out how we're doing with the City budget and projections into the future. On December 14th all the Mayors in the Portland Metro region, 24 cities, get together once a month in Tualatin and discuss all kinds of topics. I'm going to take Casey Ryan with me. The last thing I have is the JPACT (Joint Policy Advisory Committee on Transportation) for Metro. I'm obviously not going to be on that and Tim Clark from Wood Village has been the first to raise his hand to be the alternate. Shane Bemis is the representative and I'm currently the alternative. The Charter and the way it's written for JPACT is the 3 small Cities decide on who they want to run for the representative or the alternate. Shane Bemis, Gresham Mayor, has the final say. They get to approve what the 3 small Cities vote on. It's a 2 year term and it starts in January and this is for the alternate. Tim Clark has already said he wants to be the alternate. If we want to propose another candidate we could. We don't have to. We could say we're okay with Tim and go forward.

Councilor Allen states Tim Clark would be a good choice. I have a lot of respect for him.

Councilor Morgan states I second that.

Councilor Ripma asks, is he aware that Shane doesn't go so he would have to go?

Mayor Daoust responds yes.

Councilor White states if there's not a time constraint I would rather wait until the election results are in. My preference would be to wait until everybody is sworn in. I don't have a problem with Tim Clark I just want to have as much opportunity as possible for the new Councilor's coming in to decide if they want to be involved in JPACT.

Mayor Daoust states we don't have the affordability of putting it off too long. I would be willing to talk to Zach Hudson to see if he wants to be on JPACT but I would not recommend a new Councilor jumping into JPACT.

Councilor Morgan states Tim is my recommendation.

Councilor Ripma asks, could this be on the next consent agenda?

Mayor Daoust states sure, we have another meeting in December. I would recommend we go with Tim Clark.

Councilor White states I want to offer my condolences to the Wilson family and hopefully we can do a card and flowers. I want to wish everybody a happy and safe Thanksgiving.

Councilor Allen states Happy Thanksgiving.

Councilor Ripma states regarding Paul Wilcox's request regarding "so help me God" I was sworn into the bar of United States Supreme Court 2 years ago and they offered us these magnificent certificates. They gave us the choice of saying the "Year of Our Lord" or not. It was our choice for the person getting sworn in and they would deliver it either way. It might be appropriate to ask the new Councilors getting sworn in that night what they would like it to say.

Ed Trompke, City Attorney, states Section 25 of the City Charter says, "Oath, before taking office an officer shall swear or affirm that he or she faithfully will perform the officer's duties and support the laws of the City of Troutdale, State of Oregon and the United States". That is an option that is allowed in either case because the Charter allows it.


Councilor Ripma states I also wish everybody a Happy Thanksgiving.

Councilor Brooks states I offer my condolences to Councilor Wilson's family. I would like to thank Jon Brown for coming in and talking about the Toy Drive. I'm looking forward to that. Happy Thanksgiving.

7. ADJOURNMENT

**MOTION: Councilor Ripma moves to adjourn. Seconded by Councilor Morgan.
Motion passed unanimously.**

Meeting adjourned at 8:05pm.



Doug Daoust, Mayor
Dated: 12/15/16

ATTEST:



Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE
 City Council – Regular Meeting
 7:00PM

22
 Tuesday, November 15, 2016

PLEASE SIGN IN

Name – Please Print	Address	Phone #
Carol Allen	Troutdale	—
Will Knight	Troutdale	
Robert Canfield	Troutdale	503-995-5527
Diane Castillo White	Troutdale	503-888-1405
W. Bruce Wynn	TROUTDALE	
R. W. Gold	TDALE	503 861-0126
Joni Brown	troutdale	
RAUL WILSON	TROUTDALE	
ANNIE STANTONSON	TROUTDALE	