

MINUTES
Troutdale City Council – Regular Meeting
Troutdale City Hall – Council Chambers
104 SE Kibling Avenue
Troutdale, OR 97060-2099

Tuesday, January 25, 2011

1. ROLL CALL

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

PRESENT: Mayor Kight, Councilor Ripma, Councilor Anderson, Councilor Thomas, Councilor White, Councilor Allen, and Councilor Daoust.

ABSENT: None.

STAFF: Craig Ward, City Manager; Debbie Stickney, City Recorder; David Ross, City Attorney; Erich Mueller, Finance Director; Scott Anderson, Chief of Police; and Melody Thompson, Administrative Assistant.

GUESTS: Louise Litzenberg; Mr. and Mrs. Moriarty; and Roberta Smiley, Alarm Coordinator Multnomah County Sheriff's Office.

2. OATH OF OFFICE: Reserve Officer Adam Harrah

Mayor Kight administered the Oath of Office to Reserve Officer Adam Harrah.

Chief Anderson stated it is an exciting time for the Troutdale Police Department because we just got better. We got better because we just added another Reserve Officer to our department. Adam has prior experience with the Gresham Police Department. We know that Adam is going to be a wonderful addition to our department because he has what it takes to be a police officer; he has proven that to us. Reserve officers go through the same training as paid officers, and we have the same expectations of them to carry out their duties just like the paid staff. Reserve officers are volunteers and they don't receive a pay check. For those of you who have been paying attention to what has been going on nationally with police officers you know that Adam is going to need our support. To the family, you already know what kind of support he needs from you. He is going to be doing some things that he hasn't done before and he will have some trials and tribulations. My pledge to the family is that my responsibility is to do whatever I can to keep him safe. I will do that by providing him with the best training and best equipment. He will need the support of his family and the department. Adam, it is a pleasure to get to know you and I am looking forward to working with you. Thank you for your commitment to the City of Troutdale.

3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.

None.

4. MOTION: A motion accepting the Selection Committee's recommendation for appointment to the following City Committees: Parks Advisory Committee, Budget Committee, Citizens Advisory Committee, Public Safety Advisory Committee and Planning Commission.

MOTION: Councilor Thomas moved to appoint David Nelson, Bruce Stannard and K. Louise Litzenberg to Positions 4, 5 and 6 respectively on the Parks Advisory Committee. Seconded by Councilor White. Motion Passed Unanimously.

MOTION: Councilor Daoust moved that we accept the Selection Committee's recommendation for appointments to the Budget Committee of: Josh Moriarty for Position #2, Tanney Staffenson for Position #4, Zachary Hudson for Position #5 and Pat Smith as the Alternate. Seconded by Councilor Anderson. Motion Passed Unanimously.

MOTION: Councilor Thomas moved to adopt the Selection Committee's recommendation for appointments to the Citizens Advisory Committee of: Position #2 – Zachary Hudson; Position #3 – Janice White, Position #4 – Ida Mae Wells, Position #5 – K. Louise Litzenberg and Alternate – Jeff Lawrence. Seconded by Councilor Daoust. Motion Passed Unanimously.

MOTION: Councilor Daoust moved to accept the Selection Committee's recommendation for appointments to the Public Safety Advisory Committee of Bill Flynn as Alternate. Seconded by Councilor White. Motion Passed Unanimously.

MOTION: Councilor Daoust moved to accept the Selection Committee's recommendation for appointments to the Planning Commission of: Marvin Woidyla to Position #2, Shirley Prickett to Position #4, and Todd Pilcher to Position #5. Seconded by Councilor Thomas. Motion Passed Unanimously.

5. PUBLIC HEARING/ORDINANCE (Introduced Jan. 11, 2011): An ordinance amending Troutdale Municipal Code Title 5, Business Licenses and Regulations, and adopting a new Chapter 5.10, Liquor Licenses.

Mayor Kight read the ordinance title.

David Ross, City Attorney, stated this is the second reading of the ordinance that was introduced at the last council meeting. The Oregon Liquor Control Commission (OLCC) has the responsibility for reviewing applications and issuing liquor licenses throughout the state. As part of the statutorily prescribed responsibilities cities are given the opportunity to review the liquor license applications within their jurisdictions and to make a recommendation to the OLCC. Historically this was performed by city council. However, some years ago council delegated this responsibility to be performed administratively but that delegation was never formally made. The code provision that we are talking about tonight would do three things: 1) it would make the delegation express; 2) it would clarify the procedures and the criteria to be used; and 3) it would provide for a hearing before council if requested by an applicant prior to an unfavorable recommendation being made to the OLCC.

Council had no questions.

Mayor Kight opened the public hearing at 7:17pm and asked, is there anyone here that would like to speak to us on this issue?

No testimony received.

Mayor Kight closed the public hearing at 7:17pm.

MOTION: Councilor Daoust moved to adopt the ordinance amending Troutdale Municipal Code Title 5, Business Licenses and Regulations, by adopting a new Chapter 5.10, Liquor Licenses. Seconded by Councilor White. Motion Passed Unanimously.

6. PUBLIC HEARING/ORDINANCE (Introduction): A ordinance amending TMC Chapter 8.12, Burglary and Robbery Alarms, defining Commercial and Residential Alarm Systems, adding alarm monitoring to the definition of Alarm Business, adding a provision to require that an Alarm Business provide a list of alarm locations to law enforcement agencies upon request, removing the fee schedule from this Chapter, and making other changes.

Mayor Kight read the ordinance title.

Chief Anderson stated Melody Thompson my administrative assistant has been working on the Alarm Committee for the past six years. With us tonight is Roberta Smiley who is the Multnomah County Sheriff's Alarm Coordinator. During the past several years there have been discussions on compliance and improving the process. The goal is to streamline the process and give fairness and consideration to the customers who are the alarm permit holders, as well as the agencies involved. Melody and Roberta are here tonight to review the changes and provide you with information about the burglary and robbery alarm ordinance.

Melody Thompson stated the City contracts with Multnomah County to administer the City's alarm permit program outlined in Troutdale Municipal Code (TMC) 8.12 via an Intergovernmental Agreement (IGA) with Multnomah County Sheriff's Office (MCSO). The MCSO administers this alarm program for the cities of Gresham, Troutdale, Wood Village, Maywood Park and unincorporated Multnomah County. Each of these entities supplies a representative to the Alarm Program Task Force which meets on a quarterly basis. Over the last year the Alarm Program Task Force spent a lot of time reviewing all of the cities ordinances. The proposed ordinance revisions are a result of the Task Force's recommendation as well as Chief Anderson's approval. Two separate programs are currently being administered by the County. One is to administer the program for the jurisdictions who have already adopted these changes and a second program is being administered for those who have not yet adopted the changes. The County would like to administer a single program for staff efficiency, to save money in database programming and materials and because we believe that the consistency would better serve East Multnomah County. This would require a change in the city's ordinance, the IGA and the public safety section of the City's Fees and Charges Schedule. A copy of the redlined IGA and the proposed fee schedule are attached as exhibits to the staff report for reference. Tonight is the first hearing on the ordinance. The IGA and the fee schedule will be on the February 8th agenda with the second hearing on the ordinance.

Councilor Daoust asked are we charging for residential alarm systems now?

Roberta Smiley replied yes we are. The existing ordinance requires an alarm permit if they are operating an alarm system residentially and commercial.

Councilor Daoust asked is that currently \$25 per year?

Roberta Smiley replied yes.

Councilor Daoust asked does Multnomah County collect the fees?

Roberta Smiley replied yes. The Multnomah County Sheriff's Office acts as an agent to enforce these various ordinances. We invoice and collect all of the required fees.

Councilor Daoust asked how do you determine when an alarm is a false alarm?

Roberta Smiley replied that determination is made by the police officer(s) that respond to the alarm dispatch. They determine whether there is evidence of a crime or an attempted crime and if there is not it is a false alarm. An alarm user can contact me to review the case and they can request a hearing to present evidence. We don't usually get to that point because if they don't have evidence then it is a false alarm. A lot of the time it is an equipment malfunction or operator error.

Councilor Anderson asked on average how many alarms are false alarms in Troutdale?

Chief Anderson replied I cannot give you a number but I can tell you that because of a lot of factors (including wind) we do get a lot of false alarms. We definitely answer more false alarms than good ones.

Roberta Smiley stated I don't have the actual number for Troutdale, but about 96% of the alarms are false alarms.

Councilor Anderson stated I noticed the disparity between residential and commercial alarm fees. A home based business or a small business with one alarm similar to what you would have in a residence has to pay more. Obviously when you think of industrial sites or large businesses there are many different sensors throughout the building. But the fees double for a home based business or a small business.

Roberta Smiley stated there is an update in the proposed ordinance that talks about the definition of a business as opposed to a residence. If someone has a home based business and it is primarily their residence they will fall under the residential fee schedule. Commercial is commercial and there is no residential aspect, so the size does not matter.

Councilor Ripma asked are the non-monitored alarm systems the ones that just make noise? Do you need to have a permit for that?

Roberta Smiley replied you are required to have a permit if your alarm can cause the police to be dispatched regardless of whether that is done by a monitoring service or by your neighbor calling.

Councilor Thomas asked is this our existing fee schedule that you have provided?

Melody Thompson replied no, that is the proposed fee schedule.

Councilor Thomas stated the last time this issue came forward (3-4 years ago) there was quite a bit of discussion and we didn't want to adopt the County's fees. What are the current fees?

Melody Thompson replied one of the key differences between the existing fee schedule and the proposed fee schedule is we have separated the residential and commercial. Under residential - other fees, the dispatch without permit fee and the reinstatement fee are new fees. This was brought forward from the operational folks who said that the costs incurred with both of those actions really merit consideration for cost recovery. The commercial annual permit fee is increased from \$25 to \$75; the three-quarters pro-rate fee is increased from \$19 to \$56, the half-year pro-rate fee is increased from \$13 to \$38. There is no fee for the first false alarm for either residential or commercial. The permit fee goes to the County to operate the program but the false alarm fees go directly to each entity to offset the cost for the police response. For commercial the second false alarm increased from \$75 to \$150, the third false alarm increased from \$100 to \$200, and the fourth false alarm increased from \$200 to \$250. The late fees

increased from \$25 to \$50. Under other fees, fail to obtain permit increased from \$25 to \$50. Two new fees were added: dispatch without permit at \$150 and a reinstatement fee at \$30.

Councilor Anderson asked if I go out and buy an alarm system and contract through ADT I would pay ADT a monthly monitoring service, but these fees are not included in that amount are they? They are separate and paid direct, correct?

Roberta Smiley replied they are paid direct.

Councilor Thomas stated at the next meeting I would like to see what the increases are in the fees, what fees come back to the City and what fees the County is keeping. I have some concern about what we are charging. Doubling them seems a little excessive. I would like to know what the justification is behind that.

Councilor Allen asked what is the typical cost for us to respond to a false alarm? If you don't have that answer tonight, you can provide it at the next meeting.

Councilor Anderson asked are there any fee schedules for jurisdictions similar in size so we can do a fee comparison?

Roberta Smiley replied I can get that information.

Councilor Anderson asked when the wind blows are we lenient with folks? Sometimes the wind is going to blow and set off alarms.

Chief Anderson replied we are reasonable. We want to try and determine what the situation is and tell the true story regarding the reason for the alarm, and we take the time to do that.

Mayor Kight opened the public hearing at 7:30pm and asked is there anyone here to speak to us on this issue?

No testimony received.

Mayor Kight closed the public hearing at 7:30pm. The second hearing on this ordinance will be held on February 8, 2011.

7. RESOLUTIONS: Resolutions approving the City's Financial Statements and receiving the Annual Audit Report.

7.1 – A resolution approving the City's financial statements and Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2010.

7.2 – A resolution accepting the Report of Independent Certified Public Accountants on the audited financial statements of the City for the Fiscal Year ended June 30, 2010, the Management Letters (SAS No. 115 & SAS No. 114), and the OAR 162.10.000 required communication.

Item 7.1

Erich Mueller, Finance Director, stated the Comprehensive Annual Financial Report (CAFR) contains the financial statements that I have prepared in working with the auditors. This is the presentation of the official financial statements of the actual results for the City for the fiscal year ending June 30, 2010. In order for them to be the official statements the Council needs to adopt and approve them (done by resolution). The resolution for Agenda Item 7.1 approves everything in the CAFR except for pages 1 and 97, which will be covered under Item 7.2. We accomplished the minimum level required and the City has once again chosen to exceed the minimum reporting and oversight responsibility required. With last year's CAFR the City received a Certificate of Achievement for Excellence in Financial Reporting for the 20th consecutive year from the Government Finance Officers Association. We have submitted this report as part of the program and anticipate receiving the certificate again this year.

Council had no questions.

MOTION: Councilor Anderson moved to approve the City's Financial Statements and Comprehensive Annual Financial Report for the Fiscal Year ended June 30, 2010. Seconded by Councilor Daoust. Motion Passed Unanimously.

Item 7.2

Erich Mueller stated Item 7.2 is all of the various communications that the auditors are required to opine and communicate on related to conducting their professional responsibilities. The first is on Page 1 of the CAFR report; that is the auditor's official opinion where they have stated their independent auditors report. The third paragraph reads, "In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities, business type activities, each major fund and the aggregate remaining fund information of the City of Troutdale, Oregon, at June 30, 2010, and the results of its operations and the cash flows where applicable and respective budgetary comparisons for the year then ended, in conformity with accounting principles generally accepted in the United States of America." That is essentially a "clean" audit opinion.

Exhibits A and B for Item 7.2 are the two management letters or statement of auditing standards letters. Exhibit A, the SAS No. 115, is the letter communicating internal control related matters identified in the audit. There are three different levels of seriousness of observations of internal controls. The lowest level of concern or seriousness is "not significant deficiencies", the intermediate is "significant deficiencies", and the most serious is "material weaknesses". The auditors had noted 5 significant deficiencies (intermediate level) in the report from last year. This year they have observed only one. They have made note of that on the bottom of the first page of the SAS No. 115. As part of their internal control process they look at transactions that

occurred during the audit period. During the early part of that period there were a significant number of voids that were processed by the cashier window. That had occurred during a timeframe when we had a different individual than had normally been at that station. That individual was there due to a requirement based on our union contract. It was an area where management discovered the difficulty long before the audit occurred and had made changes, but never-the-less there were a number of voids processed. The important point to note in the auditors observation is that they saw the large number of voids, but they found no incidents of any fraud or any losses that were experienced by the city. Again it was viewed as a control weakness and reported as a significant deficiency. Management instituted procedures to address that particular exposure, and the individual that had been the primary source of that variance is no longer in that position and is no longer with the city. That item has been addressed and has been reported to you.

They noted three other “not significant” (least level of deficiencies). These appear at the top of page 2 of the SAS No. 115 (under Other Matters – Not Significant Deficiencies). They refer to the fidelity insurance coverage level. Typically our fund balance in the pool is greater than what our liability insurance level is. This is a common circumstance for cities to have, but never-the-less the auditors will make note of it to bring it to your attention. The second item relates to the more than legally required number of funds. This is a new observation that they have made. It is primarily due to the fact that we have a sewer treatment plant redevelopment fund that the city established a year or two before I arrived back when the economy was booming and we anticipated doing something related to the property in the urban renewal area. Subsequently we had not done so and over the last budget cycle we essentially budgeted zero for it, so it is effectively not in use and from their standpoint that is a fund that is unnecessary. The third item is a new comment. I can't really argue with it but I am not sure there is anything I can do about it. They have noted it in their not significant deficiencies and it has been communicated to the Council as part of their communication as they are required to do in order to maintain their professional performance standards.

Exhibit B is the SAS No. 114, which is the auditor's communication with those charged with governance (the Council). They are required to communicate openly, candidly, and specifically with you to ensure that you are aware of this information. They report on a number of items in this letter. At the bottom of page 1 they report that they have issued a clean unqualified audit opinion, and that they have noted no exceptions to the State minimum standards, which is another reporting requirement. They have noted a significant deficiency in the management letter, which was reported in SAS No. 115. There were a number of items where they had no issues that are detailed in the staff report. The final item in the SAS No. 114 talks to you about what future standards are coming that are likely to increase the impact and demands on the finance staff and increase our future audit costs because there will be criteria to comply with and a requirement to demonstrate compliance.

Page 97 of the CAFR is related to the standards that they are required to perform that are specific to Oregon Statutes referred to as the minimum standards of audits of

Oregon municipal corporations (or the Oregon Municipal Audit Law). On page 97 you will see that there is compliance – the last paragraph reads, “In connection with our testing nothing came to our attention that caused us to believe the City of Troutdale was not in substantial compliance ...”. They noted no exceptions in these areas that they are required to address as part of the statute, which includes deposits of the public funds, indebtedness limitations, the budget compliance, insurance, highway revenues (ensuring that we are segregating the gas tax funds in a separate fund), contracting and schedule of accountability of elected officials.

Erich Mueller stated with this resolution I am asking you to accept the reports; you are not in a position to approve or disapprove them. They are the auditor’s professional opinions and they are not subject to approval or disapproval. You either choose to accept them and include them in the record, or choose not to and create a gap and potentially some exposure.

MOTION: Councilor Thomas moved to adopt the resolution accepting the Report of the Independent Certified Public Accountants on the audited financial statements of the City for the Fiscal Year ended June 30, 2010, and the Management Letters (SAS 115 and SAS 114), and the OAR 162-10-000 Required Communication. Seconded by Councilor Allen. Motion Passed Unanimously.

8. STAFF COMMUNICATIONS

Craig Ward expressed appreciation to staff members Charlie Warren and Sergeant Mark Shrake, and David Houghton of Multnomah County for their attention to the flooding event the weekend before last. It was a holiday weekend and they were in regular communication with me. They were tracking the issues that were before us making sure that we were prepared should houses flood or buildings get damaged. Fortunately that didn’t occur, but I was confident that our staff and that of the County were well in-tuned with the issues.

Craig Ward updated the Council on the following:

- Staff has spent many hours reviewing and rating proposals from the police facility project manager applicants. We have also conducted two site tours of police facilities.
- We are moving along with the financing for the police facility. Mr. Mueller and I participated in an interview with Moody’s, who is finalizing their report. That went very well and we are hoping for a favorable credit rating from them. We hope to have the pricing next week and we expect, if everything goes according to schedule, that the bonds will actually be issued.
- We are completing our application to the General Services Administration (GSA) to transfer 2.3 acres of land immediately to the west of the Water Pollution Control Facility (WPCF). If we are successful with the application we will receive the 2.3 acres at no cost. That property will provide us the ability to expand the WPCF to deal with some of our bio-solids.

- We had asked about your preference for scheduling work sessions. The results were mixed as to what the council preferred. My recommendation would be to hold work sessions on the third Tuesday starting at 6:30pm.

Council discussed Craig's recommendation and agreed that work sessions will be scheduled on the 3rd Tuesday of the month at 6:30pm, and that dinner will be provided.

Craig Ward stated we will move forward with scheduling work sessions on the 3rd Tuesday at 6:30pm starting in February. We will not be scheduling work sessions at 6pm on the 2nd and 4th Tuesdays prior to the regular meetings.

Craig Ward stated spring break for the school system is the week of March 21st through the 25th. Apparently there has been some history here of cancelling the council meeting that week so that those of you with children can use that as an opportunity to spend that time with your families.

Council agreed to cancel the March 22nd City Council meeting.

9. COUNCIL COMMUNICATIONS

Councilor Anderson stated the Reynolds School District's Reynolds Tomorrow Campaign has developed a web site where the citizenry at large can participate online to shape the decisions that the School Board has to undertake in this fiscally uncertain time as it relates to the education of our kids. In some cursory research, I didn't see another school district anywhere doing anything like this. Typically if folks want to contribute and be heard they have to come to a Board Meeting or a work session. This is a way to integrate the public into the issues facing our community online. It is at reynoldstomorrow.com. I thought it was absolutely fascinating and very proactive work by our school district and I want to commend them.

Mayor Kight stated some of you may have seen the brochure for Multnomah County's Food Action Plan that I passed around this evening. Their next meeting is January 27th and they are asking for our support for this Plan. They are not asking for any financial contribution. Multnomah County, under Chair Cogan, has an operative garden. They have harvested over 8 tons of fresh vegetables with volunteer labor. The City of Troutdale provides the water for the garden. They are hoping to expand that program. I think it is an excellent program. I am asking that the City Council support the Multnomah County Food Action Plan.

Councilor Ripma stated I have not heard of this. You said there is a brochure.

Mayor Kight stated Councilor Thomas has it now. I sat it out earlier so that everyone would have time to review it at dinner this evening.

Councilor Ripma asked why can't we put this on the next council meeting agenda?

Mayor Kight replied this is coming before the County Commissioners at their January 27th meeting.

Councilor Thomas stated it would be nice to get information sooner.

Councilor Ripma stated if there is no contribution from Troutdale, I wouldn't think we would be that persuasive to the County Commissioners when we don't know anything about it.

Mayor Kight stated I think they are looking for a vote of support from the City of Troutdale.

Councilor Daoust stated I haven't seen the brochure so I don't know what I would be supporting.

Mayor Kight stated the next item I have is that a private donor approached the City about doing a reception for the FedEx executives. The FedEx facility is up and running. This is done throughout other cities. This individual is willing to pay for the facility, food and beverages and they will invite all of the FedEx folks, community leaders and the City Council. The tentative date is March 10th at the Comfort Inn in Troutdale. We will give you more information as it is made available.

Mayor Kight stated during the flood event we had excellent cooperation from the Oregon Department of Transportation as well as Hamilton Construction (contractor that is building the I-84 bridges). Both of these agencies did a great job.

Mayor Kight stated we received a check from the IBEW in the amount of \$4,000 towards the undergrounding of the wiring for the outlets on the street lights that allowed us to put up the holiday lighting.

Mayor Kight asked the council if they would support the Multnomah County Food Action Plan.

Councilor Ripma stated that brochure looks like it wasn't just produced this week, it is professionally done. If the County wanted us to weigh in on it and they needed that by Thursday, why didn't they approach us earlier so we could have it on the agenda. I know nothing about this. I am all for distributing food to the needy, but was there a reason why they couldn't have come to us sooner?

Mayor Kight replied I think the timeline was fairly tight.

Craig Ward stated when I was first notified of this my question was similar to yours; this is a very late notice and we haven't had time to brief the council on it thoroughly. They didn't really go through why they couldn't get this to us earlier. Your point is well taken.

Councilor Anderson stated I agree with Councilor Ripma. I understand that all they are looking for is a vote of support, but I really don't feel comfortable receiving something at 7pm and going through the agenda business to only circle back and ask for action on something that I have just read. I don't really want to set that precedent. If we can cover that some other time or in some other forum I would prefer that. I just need a couple of days to look at it.

Mayor Kight asked Craig Ward to forward the brochure to the council and put it on the next meeting agenda.

Councilor White stated as a resident of Troutdale who lives on the Sandy River I want to add to the list of folks to thank. I want to start with Elizabeth McCallum for her foresight in recognizing those temporary bridges as a hazard and getting the flood insurance program through ODOT. That was a real comfort as we were watching the water rise. Charlie Warren from our Public Works Department was out there on Sunday from 8am to late at night. He was providing me with accurate information on when the river was going to crest and I really appreciated it. I was also notified by our Police Department a good 12 to 16 hours in advance of the flooding starting that this was going to occur. I found that to be extremely helpful. I would also like to thank the Mayor who was out doing patrols. He was in contact with ODOT and was taking pictures and keeping an eye on things. Thanks to everyone involved.

Councilor Allen stated I don't live on the river but I was definitely concerned for those who do. I appreciate the work that folks did.

Councilor Daoust stated we now have a second church in Troutdale that believes that the council needs a lot of prayer. Our faith community is stepping up and giving us a gift in the mail and I really appreciate that. It tells me that they believe in the council. I believe that the entire council appreciates the fact that they are thinking of us on a regular basis. I think this is really a genuine heartfelt notion by a couple of the churches in our community.

Councilor Thomas stated I really do appreciate those cards as well. I sit them on my desk; they are very encouraging to me.

Councilor Ripma stated at the end of the last council meeting we considered a matter and took a vote without any discussion regarding the appointment of the MPAC representative for Troutdale. I was disturbed by that. I didn't think we had a chance to consider it as a Council to see if the Council might want to make another decision besides what Mayor Weatherby recommended or mentioned to you Jim. For that reason I am going to make a motion to reconsider that vote.

MOTION: Councilor Ripma moved to reconsider the vote that was taken at the end of the last council meeting on the issue of selecting the MPAC representative for Troutdale. Seconded by Councilor Daoust.

Councilor Ripma stated I think it deserves some discussion by the Council. We had no chance to discuss it. I had reason to think that other councilors might be as concerned about it as I was and that there might be other people that the council would wish to consider as the representative for Troutdale at MPAC. I spoke to Mr. Ross about reconsidering this issue, and at this time we would need a majority vote to reconsider the issue.

Mayor Kight stated the other two cities have already voted to have me represent the cities at MPAC.

Councilor Ripma stated that doesn't matter. I checked with Kelsey Newell, MPAC staff person at Metro. The process isn't complete yet because they haven't heard from Maywood Park. Troutdale is allowed to pick who we want.

Councilor Thomas called for the question.

VOTE: Councilor Anderson – Yes; Councilor Thomas – Yes; Mayor Kight – No; Councilor White – Yes; Councilor Allen – Yes; Councilor Daoust – Yes; Councilor Ripma – Yes.

Motion Passed 6 – 1.

Councilor Daoust asked is there anyone on the council who wants to be the member on MPAC?

Mayor Kight stated I have already indicated that I would.

Councilor Thomas stated I would be willing to do it.

Councilor White stated I definitely have an interest in that area. I personally plan to attend the meetings as a guest; I don't actually want the position.

Councilor Daoust asked who is the alternate right now.

Councilor Ripma stated Wood Village voted for Councilor Dirks. Fairview did not select an alternate. If we decide to go forward we could nominate Councilor Dirks for the alternate, but we don't have to deal with that tonight.

Mayor Kight stated Mayor Weatherby is recovering from major surgery. Normally the three mayors get together and poll the folks on their council to see who would be the MPAC alternate or representative. He hasn't had the opportunity to do that, so before we vote on Councilor Dirks from Wood Village I think as a courtesy we would want to wait until Mayor Weatherby and his council have an opportunity to see if anybody on their council would be interested. I would request that before we take action on an alternate that we first give Fairview an opportunity to see if anyone on their council would like to be the alternate, or the representative for that matter.

Councilor Daoust asked do the other small cities have to vote on who we select as the representative?

Councilor Ripma replied yes. If we selected Councilor Thomas for example, it would be put to Wood Village, Fairview and Maywood Park to also consider Councilor Thomas.

Councilor Daoust stated Mayor, when you say that they have already voted on that what do you mean?

Mayor Kight stated Wood Village and Fairview have already taken action to appoint me as the representative on MPAC.

Councilor Daoust stated so Councilor Ripma, your thought process is that we can reconsider this and change our mind. It is legitimate for us to do that, is that where you are coming from?

Councilor Ripma replied yes. Then we would have to give the other cities the opportunity to reconsider it. If we want to do this we have to do it now. When we took the vote at the last meeting we didn't know if anyone else was interested. There was no way to know because there was no discussion. I mentioned at the time of the motion at the last meeting that I had served for many years as the MPAC representative and it was not a process where the mayors got together and selected the MPAC representative. That is not the proper process in my opinion.

Mayor Kight stated as a new mayor I deferred to Mayor Fuller and Mayor Weatherby and that was the process that they followed. I assumed that since they had done that for the last nine or ten years without anyone objecting that it was proper. They asked if any of the mayors wanted to be the primary, as well as anyone that is on their council. I was just going along with the other two cities.

Councilor Ripma stated Jim you were on the council when I was serving for quite a few years. Did you poll the council to ask if anyone else was interested before you offered yourself?

Mayor Kight stated no, I can honestly say I did not.

Councilor Ripma stated that is partly what we are here for.

Mayor Kight stated again, I deferred to the other two mayors and the process that they had followed. I am listening to them; they have been at it much longer than I have. I wanted to go along with whatever they have done. I didn't see any reason to do otherwise and it seemed perfectly proper.

Councilor Daoust stated I can understand the Mayor's logic, but I think the whole council should discuss this and we should poll each other to see who wants to be the

representative. That is what we rely on the other city councils to do so I think we should do the same.

Mayor Kight stated I am surprised that when this issue came up the other night and we voted there was no discussion about it and now all of a sudden it seems to be a major issue.

Councilor Daoust stated I think it is just catching up with us. I think we were caught by surprise and just went along with your recommendation and what you said that it is up to the mayors. The more that we thought about it the more we thought that it was not the correct process. That is why it is being brought up now by Councilor Ripma.

MOTION: Councilor Ripma moved to appoint Councilor Thomas as Troutdale's MPAC representative.

Mayor Kight asked as the alternate or the primary?

Councilor Ripma replied as the primary. We don't get the alternate, a different city will have the alternate.

Mayor Kight stated the only reason I am asking is because the other two cities have already indicated that the Mayor of Troutdale will be the primary. As you point out Maywood Park has not weighed in yet.

Councilor Allen asked do we know what the vote was by the other cities?

Councilor Ripma stated I am sure it was unanimous; I am sure that they weren't offered any more choice than we were. But that doesn't matter. The way this would work is if Wood Village or Fairview did not want Councilor Thomas as the representative and we voted for Councilor Thomas to be the representative then we would have to get together and find a consensus candidate. This use to be done at the Four Cities Meetings, I don't know if we still have those meetings. There is reason to think that Wood Village and Fairview would be happy to reconsider it.

Councilor Daoust Seconded the Motion. Councilor Thomas, I would like to hear from you as to why you would want to be the representative and why we should vote for you.

Councilor Thomas stated transportation is something that I have always had an interest in. When I was on the CAC we were involved with the 257th Boulevard project. I have a fair amount of knowledge of how transportation works, and especially working with other governmental agencies. I think I could provide a real benefit for our city, and the other three cities, as far as trying to work on building a consensus on what projects are really important for our future.

Mayor Kight stated you may be confusing MPAC with JPACT. JPACT is the Joint Policy Advisory Committee for Transportation. MPAC is the Metro Policy Advisory Committee that looks at land use issues and to a limited degree it has a transportation component. The majority of the conversation at MPAC has to do with land use.

Councilor Thomas stated I am very familiar with land use also.

VOTE: Councilor Anderson – No; Councilor Thomas – Yes; Mayor Kight – No; Councilor White – Yes; Councilor Allen – Yes; Councilor Daoust – Yes; Councilor Ripma – Yes.

Motion Passed 5 – 2.

Mayor Kight stated I guess you will need to send out a letter to the other cities that we have reconsidered and that Councilor Thomas as opposed to the Mayor will be the MPAC representative.

10. ADJOURNMENT

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

Meeting adjourned at 8:31pm.

Mayor Jim Kight

Approved February 22, 2011

ATTEST:

Debbie Stickney, City Recorder