

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

Tuesday, November 23, 2010

1. ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Kight, Councilor Wand, Councilor White, Councilor Kyle, and Councilor Daoust.

ABSENT: Councilor Thomas (excused).

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

GUESTS: David Brown, David Eatwell and Metro Councilor Rod Park.

No agenda update.

2. CONSENT AGENDA:

2.1 ACCEPT MINUTES: November 9, 2010 Work Session.

2.2 RESOLUTION: A resolution approving an agreement with Oregon Business Development Department accepting a grant from their Brownfields Redevelopment Fund for integrated planning of the City's Riverfront Renewal site.

2.3 RESOLUTION: A resolution establishing solid waste collection fees and repealing Resolution No. 1910

2.4 RESOLUTION: A resolution approving an Intergovernmental Agreement between the Oregon Department of Environmental Quality and the City of Troutdale for construction activities automatically covered by the NPDES 1200C permit.

2.5 RESOLUTION: A resolution accepting the deed for Tax Lot 400 Account Number R320571, R 94325-1100 in Section 25 1N3E.

2.6 RESOLUTION: A resolution of the City of Troutdale authorizing the Issuance of General Obligation Bonds, Designating an Authorized Representative and Related Matters.

2.7 RESOLUTION: A resolution accepting the November 2, 2010 General Election results from the Director of Elections, Multnomah County, Oregon.

MOTION: Councilor Kyle moved to accept the consent agenda. Seconded by Councilor Daoust. Motion Passed Unanimously.

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

None.

4. REPORT: An update from Metro Councilor Rod Park.

Rod Park, Metro Councilor, showed the Council a PowerPoint Presentation containing an overview of the items Metro has been involved in during his term as a Councilor (attached as Exhibit A to the minutes): **Slide 2** - Metro's share of detractors including the 1996 failed urban reserves effort; "forced" housing density, and doubts about the Urban Growth Boundary (UGB) Decisions. **Slide 3** – Metro's management of the UGB Process and the widespread dissatisfaction from elected officials and citizens. **Slide 4** - 2002 UGB decision using the Oregon State guidelines which was upheld by the State (there was dissatisfaction with the State system). In 2004 the UGB decision for industrial lands created more issues. **Slide 5** – State of Oregon's Goal 5 to protect natural resources and conserve scenic and historic areas and open spaces. **Slide 6** – Transition – new leadership structure. **Slide 7** – Nature in Neighborhoods restoration grants; Urban and Rural Reserves determination (a collaborative effort with Clackamas, Multnomah and Washington counties); and the 2010 Street of Dreams which had a partnership between the Portland Metro Homebuilders and the Audubon Society where they had the first ever certification of a bird friendly backyard. **Slide 8** – Metropolitan Exposition Recreation Commission. **Slide 9** – Bond Measures. \$125 million Oregon Zoo bond measure that passed in 2008. The passage of the 1996 and 2006 Natural Area bond measures. Troutdale received \$591,096 of these funds for three projects in Troutdale. **Slides 10, 11, and 12** – Future work including the Community Investment Strategy and the East Metro Connection Plan. **Slide 13** – Desired activity levels and amenities in our city. **Slide 14** – Troutdale's efforts are critical including the urban renewal area, use of local policies and incentives and Troutdale's influence on the regional decision on reserves and transportation investments. **Slides 15, 16 and 17** – Unfinished business including the Community Investment Strategy, TriMet, Oregon Convention Center/Hotel and a Veterans Plaza at the Oregon Convention Center.

Rod Park stated it has been a pleasure and honor to have served the community for the last twelve years. It has been a very interesting experience; we have been able to move Metro in a new direction. I think Councilor Craddick will be very good and she will be able to continue to move it in that way. I want to leave you with one housekeeping item. Not because of regulation, but because I think they are the right things to do. You have two items that are pending before you that are unfinished. One is looking at the Business Recycle Program. I would appreciate it if at some point you would pass this requirement that businesses provide the opportunity for their employees to recycle. The second item is the Goal 5 issues on Title 13. You are very close; I don't think there is that much difference between substantial compliance and

what you have in place now. You and Portland are the last two jurisdictions that have not passed these regulations. Because Troutdale has not passed this regulation, nor has it asked Metro for an extension, you are vulnerable to anybody raising a suit over water quality or having had issues on any construction project. I know that is not an issue now but down the road hopefully when the economy turns it would be nice to have that box checked off so that someone wouldn't be in the position to be able to hold up a project.

Mayor Kight thanked Rod Park for his many years of service in East Multnomah County. Our Council has taken a look at the Business Recycle Program and I think one of the major points was that we didn't want to appear punitive to small businesses. I think we are still working through that process; we are not ignoring it. Goal 5 is something that we are going to have to take a second look at because there could be some problems down the road.

Councilor Kyle stated it has been a pleasure; I have enjoyed having you come to our meetings.

Councilor Daoust stated I have a bit of trivia for you. The old growth log that sits in front of the Oregon Convention Center, I was the guy who found that log for the contractor to take there. I have really appreciated the fact that you come to our meetings and speak to us. You have a real local flavor here and I appreciate that. I have always respected the quality of the products and materials that come from Metro staff.

Rod Park stated the reason for the quality that comes from our staff is because of the material that your staff provides to us.

Councilor Wand thanked Rod Park. We are probably never going to agree on the role of Metro and that is okay. When we see each other it is a smile and a handshake and that is what I have always appreciated about you. Just as soon as you can come and show me that all of the businesses in all of the cities that have passed the recycling ordinance are recycling at the same rate that our businesses are recycling at without the ordinance, then I will stand right next to you and advocate for an ordinance for recycling. I don't think that will ever happen though because it is engrained in our business community and in our employees as a part of the fabric of Troutdale life.

Rod Park stated the role of Metro is controversial in some ways. Councilor Wand and I have met and had coffee and we discussed where we could agree and agreed where we are going to disagree as we both work towards the betterment of the community which I think shows a level of maturity that hopefully you will take with you to Salem. We are here to represent the public to make their lives better, not ours.

<p>5. REPORT: A status report from David Eatwell of the West Columbia Gorge Economic Development Consortium.</p>

David Eatwell stated I am here this evening to update you on the economic development activities that I have been involved in.

Mr. Eatwell showed the Council a PowerPoint Presentation, which is attached as Exhibit B to the minutes.

David Eatwell stated the Consortium was formed primarily because it is very difficult for towns the size of the four towns involved in the Consortium to put together an economic development effort based on resources. Among the four cities some have built infrastructure and some don't, some have large tracks of bare land, some have large and small lot sizes, rail access and water access. With the exception of already built buildings, we have a good amount of properties and resources to show to someone looking for a place to site their business, and we have four municipalities that are really anxious to work with folks. **Slide 3** is a list of recent requests for proposals that I have received. I have responded to most of them with multiple available properties to meet their needs. The normal way of economic development is a process called economic hunting where you go out and you try to bring companies into your area. You do that with trade shows, brochures, and advertising, which is a very aggressive approach. The problem is it is very expensive. When the Consortium was formed there was no money allotted for that type of activity. There was money allotted for staff and that is it. Rather than entering into that arena we have chosen to be very creative in that competition, because you can be assured that every municipality, county, business park, and state are all out there and they all have budgets to do economic hunting, we don't. We have taken an insider's approach by getting involved. I serve on a lot of different boards (shown on **Slide 4**). Being involved in these different groups allows me to be in contact with businesses and allows me to find out what is going on without spending a lot of money. The main thing is it gets our name out there so we do get calls; people hear about us. Summit BioFuels is one example. Yesterday we received notice that GSA did not allow the conveyance of the property. However, Summit BioFuels is still committed to going forward and finding a way to do this project. One area where we have had a great deal of success is Economic Gardening (Slides 6 -19). This is different than Economic Hunting. Economic gardening is growing your business from the inside by working with the businesses you already have and growing them; taking your local businesses and turning them into regional businesses or taking regional businesses and turning them into national or international competitors. Due to our relationship with Portland Regional Partners we were able to take advantage of a program that they offer that is free to our businesses. It is market research through a consulting company. The consulting company interviews the business to gather information about their business and then a few weeks later they will receive a report that shows who their competition is and what they are doing, sales leads, areas they haven't looked into regionally and nationally that they could sell their products or services to, new market directions that are going on in the area that they may not be aware of and how they could possibly expand their product line. An interesting thing that has happened is that I have been able to direct businesses operating within the four cities of the Consortium to other businesses. (Slides 8- 12 list the businesses that have benefitted from economic gardening.) Part of economic gardening is tourism

development. We already have a lot of tourism going on in our region, the problem is that we don't have much tourism going on that spends money here. One of the patterns that I have been seeing as I observe what is happening in the Visitors Center is that so many people are staying downtown and driving out here and those folks that are here for multiple days drive all the way back downtown. We do not have accommodations in the area for people who are looking to create a memory and when you go on vacation with your family you are not looking for the same type of accommodations as a truck driver who wants to sleep in something other than the cab of his truck or a business traveler who is just looking for a place to sleep. If you are looking to create a memory we just don't have those types of accommodations in the area with the exception of McMenamins and the Columbia Gorge Hotel. We need to develop more of that. Developing our tourism arm is a function of the Chamber. (Slides 14-19 show the different efforts that the Chamber and Mr. Eatwell have been working on with regard to tourism.) One project that I have been working on for a long time is developing a web site where we can present properties to people who are looking to site businesses in this area. Since there was no money budgeted to hire someone to create a web site, this task has landed on my plate. (Slides 20-37 show the pages of the web site that are completed.) The web site is a week or two away from being completed.

Mayor Kight stated I just attended an economic development work shop in Eugene and one of the critical components that sets every other city aside is having photographs of available industrial and commercial properties on their web site. Is there a way to provide a link on the City's web site to this site?

David Eatwell replied yes.

Mayor Kight asked are you seeing a general uptake in interest in commercial and industrial development either in existing buildings or vacant property?

David Eatwell replied for the longest time everyone was looking for large buildings and we don't have 200,000 square foot buildings available. There is more activity. But what I am hearing from our area companies is that they are receiving more orders and they are bringing people back online.

6. DISCUSSION: A discussion regarding amusement device fees.

Councilor Wand stated I have reviewed the list of businesses and I don't represent any of them; I know that was cause for concern and it is unfounded. This is a fee that brings in \$4,500 a year to the city for no discernible benefit to the business community that I can tell. I have asked, going back a year and a half, of all three city administrators that I have worked with for information about why the fee is levied and what the purpose is and how it helps our livability in the city, or how it provides a value added benefit for our businesses, or anything that I could sink my teeth into and there isn't anything. It is just \$4,500 every year that comes into the city for no discernible reason and it takes time and effort to levy. My suggestion is that when you are looking at a time of economic difficulty, that is a time for cities and governments to review the way that they are gathering funds and if there are taxes or fees that don't have any discernible purpose

and provide no discernible service for the businesses that are paying it, and don't provide any benefit for livability, than that is precisely the type of thing that you should look at for elimination. That is why I asked that this topic be reviewed by the subcommittee. I looked at the minutes from the subcommittee meeting and I still didn't get any answers about why we levy this. That is why I asked for the discussion item to be put on the agenda for tonight. I will give you two examples. I have three children ages 10, 8 and 3. My boys for various birthday parties or spending time with me on the weekend, we sometimes like to go to a bowling alley, go play laser tag or go to a pizza parlor. Those family friendly places frequently will have numerous games all of which would be subject to our fee. Oddly enough there isn't a single place where I can go do that with my two sons on a Saturday within Troutdale. We don't have a bowling alley in Troutdale, we don't have a laser tag facility in Troutdale and we don't have a Nickel Arcade in Troutdale. We happen to have a very large unused space on Troutdale Road and Stark Street and probably for a decade I have heard rumors that some people might be looking at that for some family friendly entertainment and it never has happened. I honestly can't tell you if this amusement device fee is a structural barrier to anything like that happening or not, but as a business owner myself I can tell you that I run a calculation when I decide where to locate and one of the things you figure are taxes and fees. This is the way I look at the issue and that is why I think it should be eliminated. I just can't imagine that \$4,500 annually to the City would be such a burden on the city's treasury that we can't eliminate this nuisance tax and move forward in a different way.

Erich Mueller, Finance Director, stated to follow-up on the comments that Councilor Wand had raised at the last meeting I went back and reviewed the material provided to the Subcommittee that wasn't necessarily recapped in the minutes that you may have had an opportunity to review. Certainly, your comments at both the last meeting and this meeting are a very reasonable position regarding the taxes. Looking back to the original Ordinance in 1957, it is general and maybe not as specific as you might like, but I think there was the intent in it to generate revenue for the city. That was one of its fundamental purposes. The original ordinance included language like, "In order that amusement be conducted in the Town of Troutdale in a peaceful and law abiding manner it is necessary that the Town provide such services as police and fire protection, streets, sidewalks, water and lighting. For the efficient administration of such services it is necessary that amusement in the Town be regulated and licensed and that the license fee be fixed and levied for the purpose of providing and financing such licensing and regulation." Philosophically certainly there is a reasonable position to disagree that it is an appropriate tax, or that it provides a benefit to a business owner. I think the original intent was that to provide these services that come from the General Fund (police, fire, streets, sidewalks, etc.) that the city needed to raise revenue. We would all like government to perform services but of course none of us are enthusiastic about being the one to pay for those services. In the larger context the declining share of our General Fund finances comes from property taxes (48%), and the balance of the General Fund comes from other revenue sources such as user fees, charges for services, and State Shared Revenues. In the General Fund fire protection is \$1.4 million, police is \$3.8 million and that totals \$5.2 million just for those two public safety

functions which are the first and fundamental responsibility of the city. Property taxes only brings in \$4 million so just with those two functions alone we have a \$1.2 million shortfall in terms of revenue in the General Fund. The packet given to the subcommittee members provided the history of the amusement device and the fees and license changes over the years. One of the questions you had also raised at the last meeting was the question of proration. That was addressed at the Subcommittee meeting where that license fee is once per year for the device and it would transfer with ownership should the establishment that has the amusement device change hands. So that particular aspect of it was researched by the Subcommittee. The \$4,500 that is not lottery machine related, \$3,500 of that revenue is received from the device providers, so about \$1,000 is paid directly by the Troutdale merchants. Naturally every fee is passed along somewhere; ultimately the consumer pays every cost in some manner. The \$4,500 may not be much and I certainly understand that as a reasonable position. From a context standpoint, at the last council meeting we had a somewhat lengthy discussion and needed to spend \$4,186 on lights for the Arch and downtown decorations and that \$4,500 certainly could have covered those costs. It would have paid a portion of the I-84/Hwy. 26 Connector Study. It could pay for a couple of issues of the Champion. I received notice from Salem that as a result of the overall economic decline and ongoing unemployment costs and benefits the City will be spending an extra \$4,750 next year for our unemployment insurance contribution.

Councilor Wand asked can you identify how having the amusement device causes the city to increase its service level to a business who has it, versus the level of service that is provided to a business that has no amusement device? Are these creating random fights in our bars that require our police officers to respond? Are these creating their own unique fire hazard that justifies a new fee that is over and above what any other business pays? Or is this just an instance where we can just hit the cash register and just tap it a little bit more?

Erich Mueller replied I am sure there are examples where there have been fights that have broken out over a pool table that has been licensed, but then again I am sure there have been plenty of fights that have broken out over nothing that has been licensed at all. I think there are probably examples on either side. I certainly don't believe that the original intent, or even the current intent, is to attribute it to that type of public safety burden cost. I think it is really designed as a way to provide revenue to the city.

Councilor Wand stated that is precisely the argument that I am making. This is not an anti-tax argument that I am making; it is not an anti-fee argument that I am making. The argument that I am making is why are we targeting one device when we can't identify that these devices incur a greater cost than anything else. It is an equity issue for me. That is the problem that I am having. At the end of the day what you are talking about are general revenue numbers that in fairness should be spread out and should be talked about on the basis of people standing in equal positions paying equal amounts, or roughly equal amounts, and I am identifying a specific area and saying that it doesn't make any sense. This is a different fee that I don't see a good reason for.

Erich Mueller replied I acknowledge that is a reasonable position to take and don't disagree that it is valid. I am simply saying that the purpose was fundamentally to raise revenue for the city. That may or may not be a justifiable reason from different points of view. I am just trying to answer the question as to why this fee exists. I don't believe that it is any more sophisticated or complicated than that; it is a way to raise revenue for the city. It is certainly at the discretion of the Council how you would like to proceed as it relates to that item. I respect the position that you are representing, I would simply argue from the standpoint of given the revenue challenges that we have and that property taxes are going to continue to be a compressed source of revenue, that the council is going to be faced going forward in the coming years with the need to raise more revenue from non property tax sources and/or reducing services. This is an existing fee that is in place and simply from a pragmatic practical standpoint I would rather us not reduce a revenue source that we currently have. It is politically simpler to maintain a fee then it is to institute a new one. That may not be a good political philosophical standpoint, but it is simply the practical one, and I would therefore urge the Council to respectfully decline to follow your lead.

Councilor Kyle stated this fee is not levied on our local operators of these pieces of equipment, correct.

Erich Mueller replied it is part of the business license process so a local Troutdale business that is going to get a business license and has one of these devices in their establishment it will be attached to their business license. Whether they pay for it specifically, or whether the provider of that device that leases or rents it to the Troutdale business pays for it depends. There is \$4,500 in revenue that is associated with these devices that we collect; \$3,500 of the \$4,500 is paid directly by the third party equipment providers and \$1,000 of it is paid by the local business owner when they are paying their business license fee.

Councilor White stated the Economic Development Subcommittee wasn't actually looking at eliminated that fee; our discussion had more to do with prorating the fee which we have since resolved. I would not be opposed to having the Economic Development Subcommittee evaluate the fee and report back to Council. I think what Councilor Wand is saying might have some merit. It might be one of those conflict things that is causing a blockade that we aren't aware of. It is basically a tax on amusement and it really doesn't bring in very much money; the Mayor's stipend alone is more money than what we are talking about here. If it is one of those annoyances that businesses are facing, especially during hard economic times, maybe it is worth looking at. We need to attract more family oriented businesses. I think it is good to have that fee for lottery devices, but to tax an amusement device – for the amount of money we are looking at it might be more of a blockade or a harm to our city without us realizing it. I would be willing to pursue this further with the Economic Development Subcommittee.

Mayor Kight asked do other communities have a similar amusement device fee.

Erich Mueller replied there are a variety of fee levels that communities have. A recap of that was provided in the packet to the Subcommittee. Portland and Gresham both have a fee. Fairview and Sandy do not charge fees for either amusement or lottery devices. Wood Village has fees that are set at different levels depending on the type of machine - \$200 for a pinball machine for example.

David Ross, City Attorney, stated most cities in the state have an amusement device fee for games of chance, as opposed to vending machines where you are buying a product.

Erich Mueller stated several years ago the fee was eliminated in Troutdale for the vending machine devices.

Mayor Kight asked how much is the fee per machine?

Debbie Stickney, City Recorder, replied \$55/machine.

Mayor Kight asked is that an annual fee?

Debbie Stickney replied yes.

Mayor Kight stated one of the issues that was brought up by both Councilor Wand and Councilor White is prorating the fee. I like the idea of prorating it from an equity or fairness issue. If someone starts a business in October then they have to turn around and pay another \$55 in January. How do you handle that now?

Debbie Stickney replied if a new business opens anytime during the year they pay the fee. If a business sold in the middle of year and the amusement device fee was already paid by the previous business, we do not make the new business owner pay that amusement device fee again, the amusement device fee transfers. An amusement device fee wouldn't be paid for twice in one year for the same machine(s).

Mayor Kight stated so it transfers from company A to company B, and let's say if you buy the business in November they wouldn't pay the amusement device fee then but they would in January. But if you have company A who starts a brand new business they would pay the \$55 machine in November and then in January they would pay again?

Debbie Stickney replied that is correct. The resolution that establishes the amusement device fee does not state anything for prorating the amusement device fee, or the business license fee.

Mayor Kight stated there is some inconsistency with that.

Erich Mueller stated the device is licensed for the calendar year regardless of who the owner is.

Mayor Kight stated it is just when they start a brand new business in the tenth or eleventh month of the year they have to pay the fee again two months later.

Debbie Stickney stated if a new business comes in to apply for a new business license and it is close to the end of the year we inform them that if they wait to open their business on or after December 1st than their license would be valid from Dec. 1st through the entire next calendar year. If they plan to open prior to Dec. 1st then they will be mailed a renewal invoice for the following calendar year. This also applies to the amusement device fees.

Mayor Kight stated again this is a fairness issue. We have prorated other fees.

Councilor Daoust stated the Economic Development Subcommittee did look at the prorating issue and we decided not to do anything with it. With all due respect Councilor Wand, I don't know that this is really on the top of my list to deal with. I haven't heard from the business community and I don't see any businesses here tonight bringing this up as there issue. I haven't heard that and I don't see it. That is a big point with me. I know that you represent people out in the community and you have every right to bring forward an issue, but I am not hearing the same issue from businesses. I am not hearing that this is a barrier to their business. When I look at the numerous fees that we charge in this city, and some of them have an impact on businesses, this one is a real minor, if not negligible, impact on a business. These are machines where people plug money into them. They are machines or pool tables that they pay for to rent or use and they plug money into these machines. On top of that most of the \$4,500 is paid by the amusement device providers. We are only talking about a negligible amount that is paid by the business itself, and most likely the money that gets plugged into the machines probably pays for that. That is just a guess but I would assume that if they want devices like this in their business they are either calling it a wash or they are making a profit off of them. That would be a guess that I would make, otherwise why would they put it in their business. On top of that it brings in business just like you stated. People just don't go into these businesses to use the devices; they go in there to buy food and drinks. So it is a benefit, and probably a profitable item for a business. For all of those reasons, the fact that I do not hear that from the business community and the fact that it is most likely profitable for them, I do not know that this is really on the top of my list of a fee to get rid of or to prorate or do anything with. Just leave it the way it is.

Councilor Wand stated the reason why I brought this up was because one of the first things I wanted to do when I came onto the council was to look at our fee structure, taxes and system development charges. You will remember that we had a work session on that. I looked at every single fee that was in our code and out of all of the fees that we charge this was the one that stood out as the most egregious to me. After I raised this I got a phone call from one of the companies who leases the devices out and the person was interested enough in how much she pays to actually hunt me down and find my phone number. Then I heard about it again, because all of this time I had been

waiting to get information back from our city administrators and I never got any word back because it probably wasn't high on their list either. But then when one of our local businesses transferred over a fellow Rotarian of the West Columbia Gorge Rotary said can you believe how much I am going to be charged and she told me and it was a lot. When you are talking about a brand new purchaser of a business who is moving forward, and the fee wasn't charged because it was a purchase of an existing business, but when that person told me the cost I thought it was very high. She would be here right now if there was an ordinance on the agenda, like I asked for, to eliminate it because I talked to her and I told her we would be bringing this issue up. I think there has to be a philosophy around charging fees that is better than we have always done it.

Councilor Daoust stated I agree and that is why we review fees almost constantly. But this one, I don't see it fits that criteria. I don't see this as a fee that is egregious as you call it. How can this fee be an egregious fee when they are probably making a profit off of these devices?

Councilor Wand asked so is this a profits tax or a profits fee?

Councilor Daoust stated no its not. We can't make the claim that there are a couple of businesses out there that don't like the fee, I am sure there are a lot of businesses out there that don't like the fees that we charge them. This isn't a popularity contest about who likes fees and who doesn't.

Councilor Wand stated I am not here asking for no business fee. There is a tangible benefit that those businesses get for paying for that fee. I don't understand why we are targeting these devices; it makes no sense to me. There is no harm to livability here. We are not talking about a lottery device where you can make a pretty compelling argument that gambling in a community has a detrimental affect; that makes sense to me. This doesn't make any sense at all; I just don't see it. I want to be able to go to business owners and residents in Troutdale and say we are charging you a fee for this and there is a reason for it and these are the things that we are doing. Targeting out these amusement devices, I can't make that argument and I can't discuss it with them in that way. They are already paying to be in business. We will have to respectfully disagree.

Councilor Daoust stated I respect you, but I will have to respectfully disagree with you. This is something that we don't need to deal with and we should just let it lie.

Mayor Kight asked is there any interest among the Council to bring up the issue of prorating the fee.

Councilor White stated the prorate issue has been resolved.

Mayor Kight asked does everyone feel the same way?

Councilor Daoust stated the Subcommittee dealt with that one already.

Mayor Kight stated both of you have made very cogent arguments, but it doesn't appear that there is support by the Council for either changing to prorating the fee for new businesses or eliminating the fee. Is that correct?

Councilor White stated I suggested having it reviewed. I would be willing to look at eliminating this fee myself but it doesn't sound like it has legs beyond that.

Councilor Wand stated you know where I stand on this but I think Councilor White has the right assessment; I don't see that this has any legs.

Mayor Kight stated I guess this discussion is closed. We have had some good discussion and good arguments on both sides.

7. STAFF COMMUNICATIONS

Craig Ward reminded the Council that we have a Budget Committee work session scheduled for November 30th at the City Conference Building at 7pm. On December 2nd there is a meeting at 4:30pm at Comfort Inn sponsored by the Oregon Department of Transportation on the I-84/Sandy River Bridge project. This is an open house for folks to learn more about the status of that project. On December 7th we are having a joint work session with the planning commission on periodic review starting at 7pm at the City Conference Building. The ads have been prepared and published in the Gresham Outlook for the Council vacancy that we will have in January for Position #2. December 10, 2010 is the deadline for the applications for that vacancy.

Chief Scott Anderson stated it is a pleasure to be here before you this evening three weeks after the voters in Troutdale passed a bond measure for a new police facility. There are so many people in the community, even yourselves, that I want to thank. In 1998 the Troutdale City Council had the vision to see that there was going to be a need for a new police station. That is when the property was purchased. There have been a lot of people along the way, my predecessors, some of your predecessors, who all played a very important role in making this happen and it is time to publically thank them. I think it is important for us to take a moment to reflect back on that journey where we were involved. I can remember back in April when we conducted the survey that I brought to you and I can remember some of the conversations that we had, and that were had out in the community about whether or not this was the right time to go forward. There were certainly questions because of the economic climate that we are in. We all wanted to know that this was in fact the right time to go. There were certainly those who felt that maybe it wasn't the right time to go. I recall coming to you and asking for your support and you were there and you supported us. I want thank you very much for your support. The people out in the community also, this was a grass-roots campaign. There were people who worked a lot of hours volunteering their time to put together lawn signs, letters, brochures and the web site. I just want to thank those folks also. I am very appreciative and grateful that we could actually take that vision and make it a reality because within the next few years we will have a new police facility. The exciting thing about it is not necessarily the building, but the services that

we are going to be able to provide for our community because they deserve the very best from us and we are going to try and deliver on that. I thank you and I thank the community.

Mayor Kight stated you are expressing gratitude to not only this City Council but to previous City Councils. As you pointed out in 1998 they had the vision to buy the property not only for the police station but for a new city hall. The building that we are sitting in right now was built in 1922. An interesting fact is that this building was paid for by dances that were held here. The floor in the Council Chambers is the very floor that they had the dances on and was used to support the construction of this building. I look forward to the new police station. What a great morale booster for the Police Department, and what a vote of confidence from the community.

Chief Anderson stated I should comment on the staff at the Police Department and the police officers, because had they not been the people who they are today doing the job that they are doing today, I don't think there would have been a chance for any of this to happen. With what our predecessors have done, like Dave Nelson, to train the people, select the right people, to have a top notch Police Department and to have a City come together like they did during this campaign and work long hours out in the rain doing all kinds of projects that made things happen. I am just so grateful to the community and to the folks who were campaigning. The officers and the staff at the Police Department are very grateful and they extend their appreciation as well.

Councilor Daoust stated I was driving down Buxton tonight and I saw that there is a site sign up on the property indicating that it is the future site of the new police facility.

Craig Ward reminded folks that City Hall will be closed Thursday and Friday this week due to the Thanksgiving holiday.

8. COUNCIL COMMUNICATIONS

Councilor Kyle stated this is Thanksgiving week and many of us have much to be thankful and grateful for, and hopefully many us who live in our community can lend a hand where we see a hand is necessary.

Councilor Kyle stated I wanted to follow-up on some proposals I made at our last meeting. I had recommended a method of giving our employees some recognition for making suggestions that might save money or create more efficiency. I have since redesigned that to be an annual contest proposal. I met with Craig Ward and I have talked with Rich Allen. This contest is going to require some work and of course this council is going to take a look at that. I am hoping that you will consider this. Because of the short amount of time I have left on the Council I am not going to have time to perfect this or participate in it. Honoring our employees who might provide us with cost saving or efficiency suggestions is a worthy effort. I have provided each one of you with a copy of my proposed contest form (copy included in the packet).

Councilor Kyle stated at the last meeting I also talked about a water safety fund raiser at Glenn Otto Park. That event would provide entertainment, a small gate fee would be charged and there would be some water safety education provided. The event is designed to generate funds that could support equipment for water safety or our police department, perhaps additional signage along the riverfront. There are many other possibilities. Funds generated from such an event could go to help keep our visitors safe. Tonight I would like to make a motion that the Council support such an event and that it be on record that it is a local event of citywide interest and that the City give the event the use of Glenn Otto Park. Craig Ward and I have visited about this and he mentioned that I may have a conflict of interest for this event and maybe I shouldn't vote on this. I am not sure why I would have a conflict. Mr. Ross could you weigh in on that.

Councilor Wand asked is this a 501c3?

Councilor Kyle replied yes.

David Ross stated if you are not going to gain financially from this event then you do not have a conflict.

Councilor Kyle stated I am not going to.

Councilor Wand stated there is a special exception in the rules that membership on the board of a 501c3 entity cannot be the cause of a conflict.

MOTION: Councilor Kyle moved that the Council support such an event and that it go on the record as being identified as a local event of citywide interest, and that the City donate the use of Glenn Otto Park for the event. Seconded by Councilor Wand.

Councilor White stated I think this is a very worthwhile event to get the message out. We have had similar events in the past that have been some of the most successful events I have seen at Glenn Otto Park. I think we can support that life saving effort that occurs at Glenn Otto Park. Troutdale was one of the first cities to come up with a program and I know it has caught on elsewhere. I look forward to this happening.

Councilor Daoust stated I think this is a good idea. Does it meet the criteria to be a city sponsored event and receive free rental of the park?

Staff and Council discussed what category the event falls under (community event, special event or event of citywide interest) so that it could be recognized as a city event and receive the use of Glenn Otto Park at no charge to the organization. Staff asked that the Council table the motion and allow staff to research this and bring forward a recommendation at the next council meeting.

MOTION: Councilor Wand moved to table the motion until the next meeting. Seconded by Councilor Kyle. Motion Passed Unanimously.

Councilor Daoust stated from our discussion regarding a real property transaction at our earlier executive session, I would like to bring forward the following motion.

MOTION: Councilor Daoust moved to appoint Craig Ward as a negotiator for a real property transaction, and to authorize the City Administrator to spend \$2,500 for a future appraisal of the real property. Seconded by Councilor White. Motion Passed Unanimously.

Mayor Kight stated on December 3, 2010 starting at 5:30pm we are going to have our Christmas Tree Lighting Ceremony. There will be performances by the C-Tones from Centennial High School and the Reynolds High School Choir. Mr. and Mrs. Santa Claus will be escorted to Mayors Square by a variety of public safety vehicles. There will be free hot chocolate and food provided by the West Columbia Gorge Chamber of Commerce.

Mayor Kight thanked Dick Bohlmann and his crew for all of their hard work putting up the lights on all of the light poles downtown. Comcast is going to provide a truck with a bucket and free labor to hang all of the lights on the Arch. That will save the City close to \$1,000. Thank you Comcast!

Mayor Kight stated the shelves are very bare at the Oregon Food Bank. If you are coming by City Hall you could dropped off one or two canned goods and it would be really appreciated.

9. ADJOURNMENT:

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

Meeting adjourned at 9:14pm.

Mayor Jim Kight

Approved December 14, 2010

ATTEST:

Debbie Stickney, City Recorder