



CITY OF TROUTDALE

"Gateway to the Columbia River Gorge"

AGENDA

CITY COUNCIL – REGULAR MEETING

Troutdale Police Community Center – Kellogg Room
234 SW Kendall Court
Troutdale, OR 97060-2078

Tuesday, June 11, 2019 – 7:00PM

Mayor

Casey Ryan

City Council

David Ripma
Randy Lauer
Jamie Kranz
Glenn White
Nick Moon
Zach Hudson

City Manager

Ray Young

City Recorder

Sarah Skroch

1. **PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE.**
2. **PUBLIC COMMENT:** Public comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer, and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council.*
3. **CONSENT AGENDA:**
 - 3.1 **RESOLUTION:** A resolution accepting a right-of-way deed from I.S. Properties, L.P. for NW Dunbar Avenue right-of-way.
 - 3.2 **RESOLUTION:** A resolution accepting a perpetual nonexclusive utility easement along NW Dunbar Avenue and NW 7th Street from I.S. Properties, L.P.
 - 3.3 **RESOLUTION:** A resolution authorizing a water system interconnect IGA with Wood Village.
 - 3.4 **RESOLUTION:** A Resolution accepting a perpetual, nonexclusive utility and access easement from East County Church of Christ within taxlot 1N3E35CC-06300.
4. **PUBLIC HEARING / RESOLUTIONS:** A public hearing, and 2 resolutions providing for State Shared Revenue for Fiscal Year 2019-2020: ***Erich Mueller, Finance Director***
 - 4.1 A resolution certifying the City of Troutdale's eligibility to receive Fiscal Year 2019-2020 State Shared Revenues.
 - 4.2 A resolution declaring the City of Troutdale's election to receive State Shared Revenues for Fiscal Year 2019-2020.

5. PUBLIC HEARING / RESOLUTIONS: A public hearing and 2 resolutions:

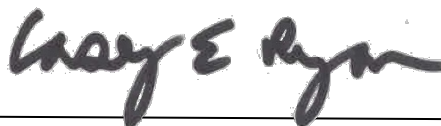
Erich Mueller, Finance Director

- 5.1 A public hearing and resolution adopting the City of Troutdale's Fiscal Year 2019-2020 Annual Budget and making appropriations.
- 5.2 A resolution imposing and categorizing Ad Valorem Property Taxes Levies for Fiscal Year 2019-2020.

6. STAFF COMMUNICATIONS

7. COUNCIL COMMUNICATIONS

8. ADJOURNMENT



Casey Ryan, Mayor

Dated: June 5, 2019

City Council Regular Meetings will be replayed on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page www.troutdaleoregon.gov or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

MINUTES
Troutdale City Council – Regular Meeting
Troutdale Police Community Center – Kellogg Room
234 SW Kendall Court
Troutdale, OR 97060-2078

Tuesday, June 11, 2019 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Council President Ripma called the meeting to order at 7:00pm.

PRESENT: Council President Ripma, Councilor Lauer, Councilor Kranz, Councilor White and Councilor Hudson (via phone).

ABSENT: Mayor Ryan and Councilor Moon (excused).

STAFF: Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Erich Mueller, Finance Director and Ed Trompke, City Attorney.

GUESTS: See Attached.

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

<0:2:08>

Babette Bastian, Troutdale resident, informed the Council of her concerns with parking issues due to the Troutdale House wedding events and the issue of people parking and blocking her mailbox.

<0:05:38>

Mary Becker, Troutdale resident, asked if mailboxes could be relocated along 2nd Street and Kibling to remedy parking issues and requested a tenant-only parking sign for her complex.

<0:10:34>

Bruce Wasson, Troutdale resident, read a statement (attached as Exhibit A to these minutes) regarding abandoned vehicles and private property parking in Ordinance #852.

<0:25:02>

Paul Wilcox, Troutdale resident, read a statement (attached as Exhibit B to these minutes) regarding the old City Hall bond measure.

3. CONSENT AGENDA:

- 3.1 RESOLUTION:** A resolution accepting a right-of-way deed from I.S. Properties, L.P. for NW Dunbar Avenue right-of-way.
- 3.2 RESOLUTION:** A resolution accepting a perpetual, nonexclusive utility easement along NW Dunbar Avenue and NW 7th Street from I.S. Properties, L.P.
- 3.3 RESOLUTION:** A resolution authorizing a water system interconnect IGA with Wood Village.
- 3.4 RESOLUTION:** A resolution accepting a perpetual, nonexclusive utility and access easement from East County Church of Christ within tax lot 1N3E35CC-06300.

MOTION: Councilor Kranz moved to approve the consent agenda. Seconded by Councilor White. Motion Passed 5-0.

4. PUBLIC HEARING / RESOLUTIONS: A public hearing and 2 resolutions providing for State Shared Revenue for Fiscal Year 2019-2020:

- 4.1** A resolution certifying the City of Troutdale's eligibility to receive Fiscal Year 2019-2020 State Shared Revenues.
- 4.2** A resolution declaring the City of Troutdale's election to receive State Shared Revenues for Fiscal Year 2019-2020.

<0:29:49>

Erich Mueller, Finance Director, gave a brief overview of his staff report.

Council President Ripma opened the public hearing at 7:32pm.

Council President Ripma closed the public hearing at 7:33pm.

MOTION: Councilor Lauer moved to adopt the resolution certifying the City of Troutdale's eligibility to receive Fiscal Year 2019-2020 State Shared Revenues. Seconded by Councilor Kranz.

VOTE: Councilor Lauer – Yes; Councilor Kranz – Yes; Council President Ripma – Yes; Councilor White – Yes; and Councilor Hudson – Yes.

Motion Passed 5-0.

MOTION: Councilor Lauer moved to adopt the resolution declaring the City of Troutdale's election to receive State Shared Revenues for Fiscal Year 2019-2020. Seconded by Councilor Kranz.

VOTE: Councilor Lauer – Yes; Councilor Kranz – Yes; Council President Ripma – Yes; Councilor White – Yes; and Councilor Hudson – Yes.

Motion Passed 5-0.

5. PUBLIC HEARING / RESOLUTIONS: A public hearing and 2 resolutions:
5.1 A public hearing and resolution adopting the City of Troutdale's Fiscal Year 2019-2020 Annual Budget and making appropriations.
5.2 A resolution imposing and categorizing Ad Valorem Property Taxes Levies for Fiscal Year 2019-2020.

<0:35:18>

Erich Mueller gave a brief overview of his staff report.

<0:36:16>

Tanney Staffenson, Budget Committee Chair, thanked the Council for participating and the work they do in the budget process.

Council President Ripma opened the public hearing at 7:37pm.

Council President Ripma closed the public hearing at 7:37pm.

MOTION: Councilor Lauer moved to adopt the resolution adopting the City of Troutdale's Fiscal Year 2019-2020 annual budget and making appropriations. Seconded by Councilor Kranz.

VOTE: Councilor Lauer – Yes; Councilor Kranz – Yes; Council President Ripma – Yes; Councilor White – Yes; and Councilor Hudson – Yes.

Motion Passed 5-0.

MOTION: Councilor Lauer moved to adopt the resolution imposing and categorizing ad valorem property taxes levies for Fiscal Year 2019-2020. Seconded by Councilor Kranz.

VOTE: Councilor Lauer – Yes; Councilor Kranz – Yes; Council President Ripma – Yes; Councilor White – Yes; and Councilor Hudson – Yes.

Motion Passed 5-0.

6. STAFF COMMUNICATIONS

<0:39:34>

Kenda Schlaht, Deputy City Recorder, provided the following staff communications:

- Next week's meeting the Urban Renewal Agency will approve their budget at 7:00pm and then at 7:30 there will be the Community Enhancement Grant meeting.
- Wednesday, July 10th is the City of Troutdale's annual volunteer celebration at 6:30pm located in Columbia Park.

7. COUNCIL COMMUNICATIONS

<0:40:44>

Councilor Hudson stated he will be out of the country for the next Council meeting.

8. ADJOURNMENT

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

Meeting adjourned at 7:41pm.



Casey Ryan, Mayor

Dated: September 1, 2019

ATTEST:



Kenda Schlaht, Deputy City Recorder

Exhibit A

June 11, 2019 Council Meeting Minutes

June 11, 2019

Mayor Casey & City Council;

I would like to address ordinance #852 that was voted on at the last meeting of the City Council on May 28, 2019. I have watched the entire video of that meeting and have some deep concerns.

Section 10.04.020 Abandoned Vehicles. The ordinance as written, fails to describe what an abandoned vehicle is or how that is to be determined. Items 1 & 2 might be determined by viewing from a public street. Items 3,4 & 5 would require an up close inspection of the vehicle while on private property. The usability of a vehicle cannot be determined from a distance nor can the VIN number. To conduct such an inspection, permission from the property owner must be obtained. I would not grant such permission.

Section 10.36.010 Abandoned Vehicles Prohibited. Item "A 3" allows for 7 consecutive days for an "abandoned vehicle" to be left on private property. Looking back at section 10.04.020 it is hard to determine if a vehicle is "abandoned". Item 3, Subsection "a" requires of a private property owner that the vehicle must be covered "by a manufactured vehicle cover designed specifically for that purpose" Why should the property owner be forced by the city to buy a car cover just because the city decides a vehicle is abandoned? **WHERE DOES THE GOVT. GET THE AUTHORITY TO DETERMINE OR REGULATE WHAT I CAN OR CANNOT HAVE ON MY OWN PROPERTY?**

In item "C 1" it allows the city to enter private property to remove a privately owned vehicle at the owners expense. **WHO GAVE THEM THAT RIGHT?**

Section 10.12.040 Private Property Parking. Item "A" allows only five motor vehicles to be parked on a private residential property. Item "B" requires a hard surface as noted there. Item "C" says that a front yard cannot be used for private parking except for loading and unloading. What about property that already has a "U" shaped driveway as part of the front yard? **WHERE DOES THIS AUTHORITY COME FROM?**

In the video of the council meeting it is noted that potential violations are complaint driven. That leaves me with two issues to address. First are the rights of all property owners, as stated in the IV Amendment to the U.S. Constitution:

Amendment IV

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause,

supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”

The idea that this city’s government can pass an ordinance that gives the city authority to freely violate a property owners rights is down right frightening. Deciding what is acceptable to store on a citizens property **IS NOT** found in the U.S. or Oregon Constitutions. Our Constitutional Republic was designed to give **ALL** citizens the same rights and protections under the law. This country is a Republic even though it’s electorate is based on a Democracy. The Republic form is what guarantees the rights of the minority in the Democracy regarding voting so the majority doesn't become a dictatorship. The only way I can see that the City of Troutdale has the authority to pass such an ordinance is by **ASSUMING A RIGHT** not expressly given by the Constitution, Federal or State. Passing laws or ordinances that restrict the rights of **ANY** person, or group should be reflected through the light of the basic Law of the Land, the U.S. and Oregon constitutions. This matter is made even worse if elected officials believe they can pass any law or ordinance they wish just because they are the peoples representatives, as they represent not only the majority that elected them, but **MUST** take into consideration the constitutional rights of the minority, which they also represent. This has not been done in this case.

The second item, which is of the deepest concern to me, is the fact that these ordinances are complaint driven. It is my understanding that a citizen may complain and not give a name, phone number or address or they can make a registered complaint. On a registered complaint the name of the complainant is held back from the citizen being complained about. This causes the citizen being complained about much time, trouble and money to find out who complained. Also it violates the principle of law that anyone accused of a crime, and an ordinance in this case is considered a crime, the right to face the accuser. Whatever form the complaint is in, the city then must follow through on that complaint. **WHAT WILL THIS LEAD TO WHEN ONE CITIZEN CAN MAKE A COMPLAINT IN AN ANONYMOUS OR REGISTERED MANNER?** It leads to one citizens using the power of the government, or city, to force another fellow citizen to comply with their wishes based on what they do or do not like. This, in effect, allows one citizen to spy on another citizen to determine if they are doing something not in accordance with the law to satisfy their desires or beliefs. This has also led to retaliation by complainants against other citizens for political reasons in the past, in Troutdale. Where in history are examples of citizens watching citizens for their own betterment or

for the benefit of the state found? All of them have used this method to maintain control of their citizens. First is the KGB of the Soviet Union from 1917 to 1991. Second, the East German Stasi (secret police), where one of every eight citizens was an informer. Third, Red China's Mao Tse Tung and last but not least Hitler's German Gestapo. Yes, the NAZI's which everyone believes was a right wing government. NAZI stands for National Social Workers Party in the German language. All of the cited groups are far left of center believing in the total control over all of its citizens in every aspect of their lives. History teaches us that unchecked government that intrudes in any aspect of a citizen's life will lead down that path. It starts at the local level and quickly works its way up and out to the State and Federal levels. **One seemingly small right of a citizen is taken away and then another, and another, and another, and where does it all end?** The city, county, state and federal governments are already a long way down that path where the rights of individual citizens don't matter. This is what we call **SOCIALISM!**

A perfect example of this is the Oregon Legislature's record on gun control. They are in small cuts chipping away at the right to own and carry fire arms. The laws are supposed to be aimed at criminals, but criminals don't care about gun laws, that's why they're criminals! Gun laws are aimed at law abiding citizens to chip away at the rights to the point where the population can be disarmed. A excellent example of that is the current situation in Venezuela. The citizens were disarmed and the government became very oppressive, taking away rights of citizens, one by one, until now you have civil unrest. With the government in control of all weapons, the citizens can't fight back.

I am a student of History. That history tells me that this city, state and country are going down that same path. That is why I am opposed to these creeping little ordinances that take away the rights of one citizen in favor of another with the weight of the government, or city, behind them.

Two final thoughts:

The reason the Founders of this Nation added the Second Amendment to the bill of rights is simple. They had seen the tyranny of the European governments. Not wishing for this new Republic to descend into the same kind of tyranny that had befallen them, this amendment was added. The Founders wanted to make sure that the people were armed in case this tyranny should happen here to allow the citizens a way of regaining the Republic.

Thomas Jefferson said;

“A government that is big enough to supply all your needs is big enough to take all you have.”

Exhibit B

June 11, 2019 Council Meeting Minutes

The summary in the explanatory statement for the old City Hall bond measure includes the following statement:

"The proposed reconstructed facility would allow some of the prior City Hall departments to return to the building, and be optimized to provide a City Council Chambers and Municipal Court Room, reception and cashier desks, and administrative space for some City staff."

Note that the summary uses the word "some" twice is describing city staff who will be occupying the building. This probably accounts for the concern expressed by the city employees' union representative at the last Council meeting when he requested that particular departments be housed in that building, knowing full well that space will be at a premium. This raises the question whether or not setting aside a very substantial portion of the available floor space for Council Chambers and the Municipal Court is the most efficient use of that space. I recall that whether or not to include Council Chambers was part of a space utilization discussion at a previous meeting.

I also have additional questions regarding figures presented by Mr. Mueller at the last meeting. Two meetings back, the bond figure was \$6.4 million, rising to \$7.3 million at the last meeting. The tax rate went from \$0.26/\$1,000 to \$0.28/\$1,000. These two increases didn't seem quite proportional to me at the time, so I later calculated the percentage increases. The bond amount increase was 14%, but the tax rate increase was only 7.7%, so I'd be interested to hear what accounts for the disparity between the two increases.

Submitted by:

Paul Wilcox

6/11/19