



Randy Lauer, *Mayor*

David Ripma

Alison Caswell

Jamie Kranz

Glenn White

Nick Moon

Sandy Glantz

Agenda

May 10, 2022

Regular Meeting | 7:00 p.m.

Troutdale Police Community Center – Kellogg Room
234 SE Kendall Ct, Troutdale, OR 97060

- 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. The Council and Mayor should avoid immediate or protracted responses to citizen comments.*
- 3. Consent Agenda:**
 - 3.1 Minutes:** April 12, 2022 City Council Regular Meeting and Urban Renewal Agency Special Meeting.
- 4. Proclamation:** Public Works Week. *-Mayor Lauer*
- 5. Discussion:** An update from Representative Hudson and Senator Gorsek on the 2022 Legislative Session and discuss any legislative priorities or funding requests for the 2023 Legislative Session. - *Representative Zach Hudson, District 49 and Senator Chris Gorsek, District 25*
- 6. Request:** A request by the Kiwanis Club of the Columbia Gorge for a \$5,000 donation to the American Medial Response (AMR) Lifeguard Monument. - *John Leamy, Kiwanis Club of the Columbia Gorge*
- 7. Public Hearing / Ordinance (Introduced 4/12/22):** An ordinance amending Troutdale Municipal Code Chapter 2.48 - Elections. - *Ray Young, City Manager*
- 8. Discussion:** A discussion on Fireworks. - *Councilor Glantz*
- 9. Staff Communications**

10. Council Communications

11. Adjournment



Randy Lauer, Mayor

Dated: May 3, 2022

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday, May 9th** to request Zoom meeting access credentials. You may also submit written public comments via email to info@troutdaleoregon.gov no later than **5:00pm on Monday, May 9th**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed 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/meetings 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

Tuesday, May 10, 2022 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

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

PRESENT: Mayor Lauer, Councilor Ripma (7:01pm), Councilor Caswell, Councilor Kranz, Councilor White, Councilor Moon and Councilor Glantz.

ABSENT: None.

STAFF: Ray Young, City Manager; Kenda Schlaht, Deputy City Recorder; Ed Trompke, City Attorney; Chris Damgen, Community Development Director; Travis Hultin, Acting Public Works Director and Tim Seery, Parks & Facilities Superintendent.

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, replied there are no updates.

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

None.

3. CONSENT AGENDA:

3.1 MINUTES: April 12, 2022 City Council Regular Meeting and Urban Renewal Agency Special Meeting.

MOTION: Councilor White moved to approve the consent agenda. Seconded by Councilor Glantz.
Motion Passed 7-0.

4. PROCLAMATION: Public Works Week

Mayor Lauer read the proclamation.

5. DISCUSSION: An update from Representative Hudson and Senator Gorsek on the 2022 Legislative Session and discuss any legislative priorities or funding requests for the 2023 Legislative Session.

<0:05:00>

Senator Chris Gorsek stated the legislation had their short session this past winter and they are told they cannot have more than 2 bills and don't do anything complex and don't ask for money. Some of the most complex bills come from our own leadership. He would like to see them transition to an annual session that's several months long instead of taking really important topics and cram them into such a short period of time. The ones that he worked on had to do with constituents. There are a lot of floating homes along the Columbia River and some of those are in Portland and some are in Gresham and Troutdale. He was approached by a constituent who lives on one of those homes. There's an old rule that said that if you have a floating home you have to tell the county assessor about its value mid-way through the year. If you forget or you don't do it, you can be fined up to 50% of what your property taxes are. The auditor didn't see a need for this. There are a number of folks that are snowbirds so they're not always here and they may not find out about this. There is no continuing need for this. It passed and the governor signed it. The other one that he continues to work on is Mt Hood Community College to find adequate funding. One of their problems is they have not been successful in passing bond measures to improve facilities. The senate is working on something with the community college association to try and find a way to assist in the match to get the monies out to colleges like Mt. Hood. It's an ongoing discussion.

Representative Zach Hudson stated he represents the 49th District in the state legislature which includes Troutdale, Wood Village, Fairview and the northern part of Gresham. The 2022 legislative session was a short session and was very rushed. There was a lot packed into 5 weeks. He thinks they got a lot done and he's proud of many of the things that they were able to bring to people all over Oregon. One of the big priorities was economic recovery. They passed bills that increased loans to start-ups and to small businesses. They passed bills that increased investments in high-speed broadband. They created funds for restitution to small businesses after burglaries and made direct payments to low wage workers who were the most impacted by the pandemic and the subsequent economic downturn. Another big priority was fighting the epidemic of houselessness which is affecting so many communities. The state allocated \$400 million across the state to help fight homelessness. Multnomah County did get a large piece of that. He stated his office is working with cities and the county to make sure that those funds get used in a way that includes east county and the Troutdale residents as well. They are looking into programs to clean up camps, mitigating trash and all the other impacts that houselessness has but also programs that help people get back on their feet to get them into the workforce, housing and move on from there. Personally, just for this particular district, they made a request from capital funding, which is separate than the \$400 million, to bring in \$2.9 million to House District 49 for a project helping Cultivate Initiatives, which is a services provider, to build out their workforce development hub. They also made a \$150 million investment in summer learning, violence intervention, climate resilience, wildfire prevention and other important things.

Councilor Moon stated he was curious about HB4008, specifically on the limiting of law enforcement's ability to respond to riots and crowd control.

Mayor Lauer stated that dovetails into SB1510, requiring police officers to inform stopped persons of right to refuse consent but there's also other language that otherwise limits police authority to stop for minor traffic offenses.

Senator Gorsek stated he believes there were 5 or 6 of those that they singled out. He was not in favor of.

Representative Hudson stated HB4008 actually expands police ability to respond from where it previously was. It's a bit of a correction bill. It was brought forward by Representative Bynum who worked during the 2021 session on many bills to do with police accountability. She came back in the 2022 session with some things that didn't get done right the first time and wanted to fix them.

Senator Gorsek stated they have been going through a process where they've been reviewing law enforcement practices and changing some things. That process is still ongoing, and it has not been an easy process as far as compromise. SB1510 was a revisitation of the bill that came up in the long session. That bill was even more draconian in terms of what it allowed police to do or not do. In investigating the issues around traffic stops, one of the reasons he had a problem with the bill is that the Supreme Court of the State of Oregon already mandated what the police may do on traffic stops. Police officers are only supposed to speak to a driver on a traffic stop about the reason that they stopped them. Unless there was some sort of obvious probable cause they could not push further for searches. He stated that it would appear that the police are not following that case and they are basically still pushing to do searches that would be banned under that Supreme Court decision. He is hoping to go back, and make it very clear based on what the Supreme Court decided, what you can and cannot do on traffic stops. He stated he is not anti-police, he doesn't believe in defund, but he does believe in accountable law enforcement. He explained he is working on better training at DPSST, which is the state training system. He doesn't like the idea of saying, here's a laundry list of 6 things that you can't stop people for and then thinking that that is going to stop the problem. He hopes to have a useful product during the next long session.

Mayor Lauer stated he has some questions about the homelessness issues and the monies Multnomah County received.

Representative Hudson stated there was a statewide \$400 million investment that was dispersed to cities and counties where the state felt it most necessary. That was something that was largely done through the housing committee and the house leadership of where it actually goes. The individual ask was something that he put forward and that was from a different pot of money. That's largely because his office built up a connection with Cultivate Initiatives and wanted to support their work and knew the immediate need they were facing. The whole enterprise could have folded if they didn't have this money that would let them move to a new location. His office saw how this could benefit the community, they made the request

and they were successful in getting the funds. The county efforts through the Joint Office of Homeless Services are definitely going to support and hopefully dovetail with this.

Mayor Lauer asked why Cultivated Initiatives was chosen to receive the money.

Representative Hudson replied they are the only provider of their type who was specifically situated in East Multnomah County that was sort of the local grassroots organization that was doing this work. They are local and they were filling a niche that really no one else was poised to.

Mayor Lauer opened public comment at 7:44pm.

None.

Mayor Lauer closed public comment at 7:44pm.

6. REQUEST: A request by the Kiwanis Club of the Columbia Gorge for a \$5000.00 donation to the American Medical Response (AMR) Lifeguard Monument.

<0:46:06>

John Leamy, Troutdale Business Owner, stated that he is going to do a synopsis of what is in the packet and adjust some numbers because his numbers were not all inclusive of the project. He stated due to the high number of lives being lost at the Sandy River at Glenn Otto Park, the Troutdale Boosters contacted AMR and formed a partnership to bring on-site river rescue to the park. After a few years of funding by the Boosters, AMR was able to take over the financial responsibilities. In 2019 there was community support to memorialize the 20 plus years of service provided with a monument. It would also be a reminder to all the visitors of the dangers of the Sandy River. Chad Caswell was contracted to create the monument consisting of 2 lifeguards, male and female. The Kiwanis Club of the Columbia Gorge was asked to be the fiducial agent for the project, collect the funds and disperse at agreed times. The cost of the project was set at \$147,918.00 but it changed due to in-kind funds of which \$72,500.00 has come from 2 grants that were received. \$65,768.00 have been raised from donations and in-kind donations. This leaves a balance of \$9,450.00 due at the time of installation. There is a \$17,400.00 payment due, and they have \$7,950.00 of donations in the bank right now. The installation was set for 2021 but due to the pandemic and a change to make the monument more culturally diverse, the monument is scheduled for installation in May with the dedication set for 11:00am on Friday, May 27th. Due in part to the issues of the past couple years, total funds have not been raised and as the fiducial agent he asked the Council to approve a donation of \$5,000.00 for the project.

Councilor Caswell stated she is not an owner in the foundry, but she thinks she might have to recuse herself.

Ed Trompke stated the government ethics commission says that he has no authority to say what is right or wrong, only they do. Take what he says with a grain of salt. It might be wise for Alison to recuse herself because it is a business that her husband is part owner in.

Councilor Caswell stated she will recuse herself.

Councilor Ripma asked how much has been donated through the community enhancement program.

John Leamy replied \$72,500.00.

Ray Young stated for the record, that is not City of Troutdale money. It's community enhancement money which comes from Waste Management through Metro to Troutdale. Technically, the city itself has not provided any funding to this project.

Councilor Kranz stated she made a comment in 2020 during the approval process of the community enhancement grant that stated that about ¼ of the funds granted was going to bronze sculptures.

Councilor White asked if there will be a plaque associated with the sculpture.

John Leamy stated there will be a plaque.

Councilor White asked if there was a picture of the plaque or if John knows what the plaque will detail.

John Leamy replied that he doesn't know what it will be. His understanding is that AMR is putting the plaque together. He stated that some fundraising will be attempted at the installation event.

Councilor White stated the community enhancement program is how art projects are funded. He thinks the Council needs to be careful about donations. He likes the project and it's a worthy project, but the funding mechanism needs to come through the community enhancement program. He doesn't want to break away from that. He would like more details about what the plaque is going to say.

Councilor Glantz stated she's afraid if this is approved there will be a lot of other equally good requests and she's a little uncomfortable donating city money.

Councilor Ripma stated the City has funded an awful lot of the project through the community enhancement program. This is very last minute, and he doesn't like that.

Mayor Lauer stated the community enhancement program is not dead.

Ray Young stated there are 2 problems with the community enhancement program. He is working with Metro and their current pace is probably the summer of 2023 until the program gets up and running again. Second, under the Metro rules that the City operated under, and they have to operate under for the plan is that the City has already given 50% of the total cost

of the project. Technically under the community enhancement grant rules, you can't give more than 50%.

Mayor Lauer stated he shares the same concerns.

Mayor Lauer opened public comment at 8:09pm.

None.

Mayor Lauer closed public comment at 8:09pm.

Mayor Lauer stated that he would entertain a motion.

No motion was made.

7. PUBLIC HEARING / ORDINANCE (Introduced 4/12/22): An ordinance amending Troutdale Municipal Code Chapter 2.48 – Elections.

<1:11:18>

Ray Young gave a brief overview of the staff report.

Councilor White stated there was the question of having this automatically reviewed.

Ray Young stated that would have to be an amendment to the ordinance.

Councilor Ripma stated the last time the Council adopted this there was a subsection that repealed the change after the November election.

Ed Trompke, City Attorney, stated the amendment would be to add sub-section C which could say, "the City Council shall discuss the continuation of this section on or before June 1, 2024."

Councilor Glantz stated she thinks it should be left as it is. There is no reason that a review couldn't be brought up at the appropriate time.

Councilor Kranz stated she agrees with Sandy.

Councilor Moon stated he agrees that it can be brought up at any time.

Councilor Caswell stated she agrees with Nick.

Mayor Lauer opened the public hearing at 8:18pm.

Paul Wilcox stated he didn't appreciate Councilor Ripma trying to create a back door expiration date for this. He read a self-prepared statement (attached as Exhibit A).

Mayor Lauer closed the public hearing at 8:21pm.

MOTION: Councilor Glantz moved to approve an ordinance amending Troutdale Municipal Code Chapter 2.48 – Elections. Seconded by Councilor Moon.

VOTE: Councilor White – No; Councilor Moon – Yes; Councilor Glantz – Yes and Councilor Ripma – No; Councilor Caswell – Yes; Councilor Kranz – Yes and Mayor Lauer - Yes.

Motion passed 5-2.

8. DISCUSSION: A discussion on Fireworks.

<1:22:41>

Councilor Glantz gave a brief overview of the staff report.

Councilor Kranz stated she felt unprepared to make a decision at the last-minute meeting last year. She decided to allow fireworks last year, but she felt bad and awkward because where she lives there are a lot of old growth trees, and her neighbors were shooting aerals out there. She had to tell them to not burn down her house.

Councilor Ripma stated he doesn't favor a ban. He believes the legal fireworks stands support worthy causes. People will set off fireworks whether they're banned or not.

Councilor Caswell stated people need to have their holiday and their freedom.

Councilor Moon stated he thinks Deputy Bohrer should get some overtime hours and patrol for illegal fireworks and give out fines.

Councilor White stated he doesn't want to get to the point where the City starts banning BBQ's and birthday candles. He suggested designating an area to let off legal fireworks, don't ban them.

Mayor Lauer stated he likes the idea of Deputy Bohrer doing extra patrol and enforcing the law on illegal fireworks. He doesn't support banning legal fireworks.

Mayor Lauer opened public comment at 8:37pm.

Sam Barnett, Troutdale resident, asked Council to not ban legal fireworks. Non-profits would suffer. He trusts Troutdale citizens to do a good job.

Paul Wilcox stated he likes Councilor Moon's idea of enforcing illegal fireworks and supports overtime for Deputy Bohrer.

Mayor Lauer closed public comment at 8:44pm.

Ray Young stated under the fireworks statute it's only a civil \$1,000.00 penalty. It's not criminal. Council needs to give staff direction on what they want to accomplish, and staff can come back on the 24th with a proposal.

Councilor Ripma stated he doesn't think it should be enforced to death. He suggested putting an article in the Champion indicating there is a \$1,000.00 civil fine for illegal fireworks.

Mayor Lauer stated he doesn't think Council should dig into this any further. The City could ask for a deputy to do extra patrol.

9. STAFF COMMUNICATIONS

<1:56:57>

Ray Young provided the following staff communications:

- Several recycling events that are happening. On 5/11 you can have 5 extra bags of non-hazardous household and non-yard debris picked up on your normal garbage pick-up day. On 5/14 residents on the west side of Troutdale Road can have volume equivalent to one large couch and up to 5 garbage bags of bulky items picked up. On 5/21 the east side will have the same pickup.
- Committee volunteer applications are due 5/13.
- Tomorrow night the Planning Commission will be discussing HB2001 and the changes for middle housing.
- Starting 5/24 through Labor Day a permit will be needed to see waterfalls in the Gorge.

10. COUNCIL COMMUNICATIONS

<2:01:00>

Councilor White thanked AMR for the great work they do in Troutdale.

Councilor Moon stated he has a short presentation on the 2022 Mt. Hood Jazz Festival that was held last weekend (pictures attached as Exhibit B).

Councilor Glantz stated she took over Mayor Lauer's seat on the RDP (Regional Disaster Preparedness Organization). She stated it covers everything from the COVID coordination to earthquake preparedness and anything that constitutes disasters or emergencies. It looks like a \$200,000 grant is coming through for Troutdale, Fairview and Wood Village to come up with an emergency operations plan.


Councilor Ripma stated the City and Troutdale Historical Society opened the Visitors Center and held their ribbon cutting 4/30. The Troutdale Historical Society Depot Museum is open and there are more exhibits to come. The other museums are open 3 days a week.

Mayor Lauer stated the food carts are open and they're amazing.

11. ADJOURNMENT

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

Meeting adjourned at 9:12pm.



Randy Lauer, Mayor
Dated: June 2, 2022

ATTEST:



Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE

City Council – Regular Meeting
7:00PM
Tuesday, May 10, 2022

PLEASE SIGN IN

Name – Please Print	Address	Phone #
Zach Halson	755 St Benet Creek Ln	503-322-7679
PAUL Wilcox	TROUTDALE	
Sam Barnett	Troutdale	

May 10, 2022 City Council Meeting - Guest List

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Kellogg Room Audio	troutconf@troutdaleoregon.gov	5/10/2022 18:55	5/10/2022 21:12	138
tim.seery		5/10/2022 18:55	5/10/2022 20:42	108
Sen Chris Gorsek he/him/his		5/10/2022 18:55	5/10/2022 19:46	51
Nick Moon		5/10/2022 18:55	5/10/2022 21:12	137
Kenda	troutconf@troutdaleoregon.gov	5/10/2022 18:55	5/10/2022 21:13	138
Oasis Team		5/10/2022 18:55	5/10/2022 21:13	138
Randy Lauer		5/10/2022 18:55	5/10/2022 21:12	137
Alison Caswell		5/10/2022 18:55	5/10/2022 21:12	137
Testimony Table	troutconf@troutdaleoregon.gov	5/10/2022 18:55	5/10/2022 21:13	138
Glenn White		5/10/2022 18:56	5/10/2022 21:13	138
Ray Young		5/10/2022 18:57	5/10/2022 21:12	135
Jason Hitzert (he/him) - Sen. Gorsek's Office		5/10/2022 18:58	5/10/2022 19:46	48
Jamie Kranz		5/10/2022 18:59	5/10/2022 21:12	134
sandy		5/10/2022 18:59	5/10/2022 19:00	1
Sandy Glantz		5/10/2022 19:00	5/10/2022 21:12	132
Dave Ripma		5/10/2022 19:00	5/10/2022 21:12	132
Neil Vonhof		5/10/2022 20:25	5/10/2022 20:48	24

Exhibit A

May 10, 2022 Council Meeting Minutes

Mayor and Councilors,

I really liked the approach that Councilor Moon was advocating at the last meeting. It makes no sense to make the fee option temporary again, especially in light of the fact that Troutdale is the only city in Multnomah County that doesn't offer the fee option. As Councilor Ripma acknowledges, it would be difficult to rescind something that's been allowed for two consecutive election cycles. I don't know what argument could be made for making it more difficult for candidates to run. If Councilors Ripma and White are such fervent supporters of the signature requirement, the principled thing to do would be for them to continue to choose that option the next time they run. When I hear someone say that it's just as easy to collect 25 signatures as pay \$50.00 the word that comes to mind is hyperbole – exaggerated statements or claims not intended to be taken literally.

As Councilor Moon suggested, the fee option can be withdrawn at any time by Council action, assuming of course that four Council members choose to do so. It also doesn't make sense that the fee option should need to be "renewed" every two years.

During the course of surveying which cities offered the fee option in addition to signature petitions, the residency requirement was often in that same section, whether the Charter or the Municipal Code. The residency requirement was overwhelmingly 12 months. The only city I found other than Troutdale that had 6 months was Milwaukie. I haven't heard anyone suggest that Troutdale should have a longer residency requirement. Of course, that is in the Charter, so would require voter approval.

I appreciate those Council members who have been open-minded to my proposal and request, and I would be perfectly comfortable with a 4-3 approval vote.

Thank you for your consideration.

Submitted by:

Paul Wilcox

Troutdale

5/10/22

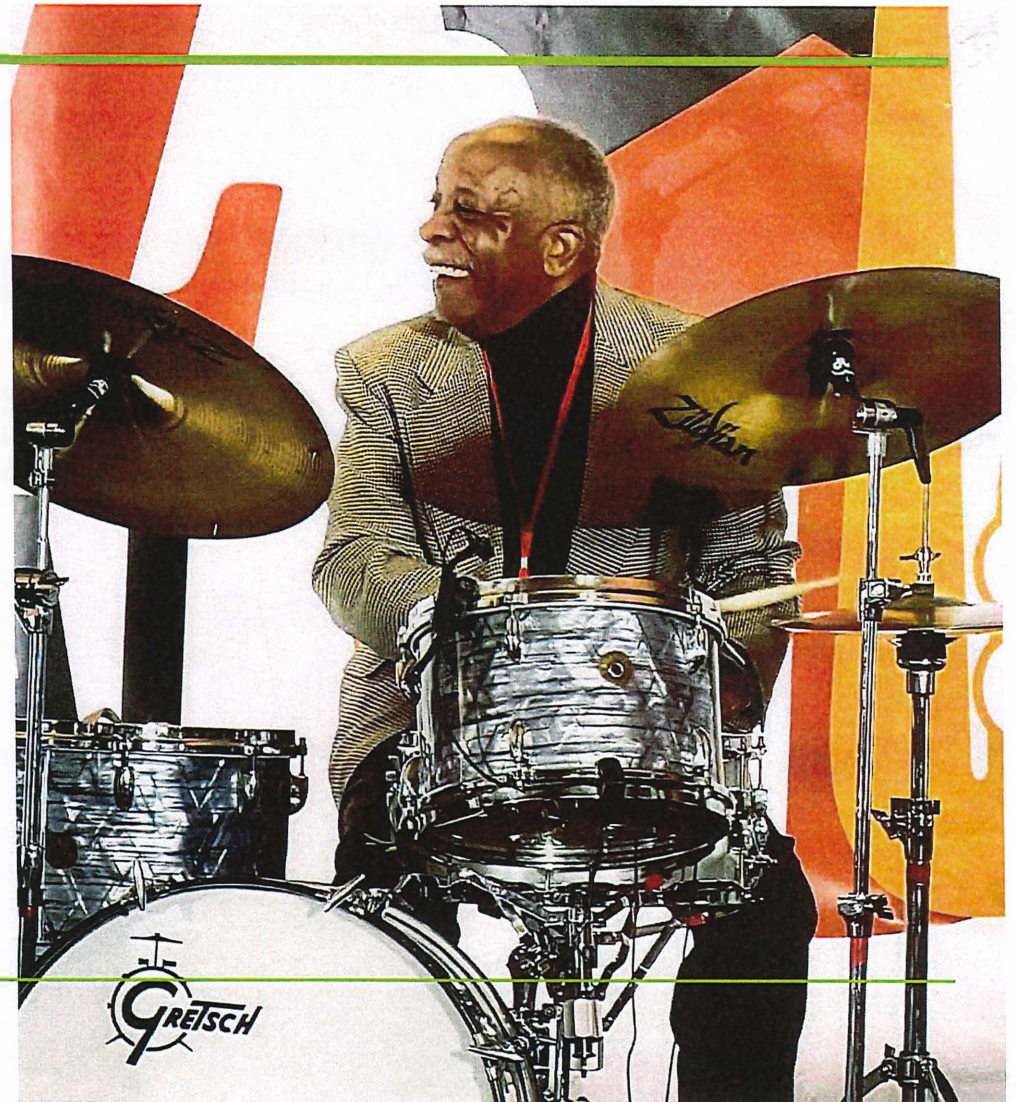
Thank you Troutdale!

Exhibit B
May 10, 2022 Council
Meeting Minutes



2022 Mt Hood Jazz Festival

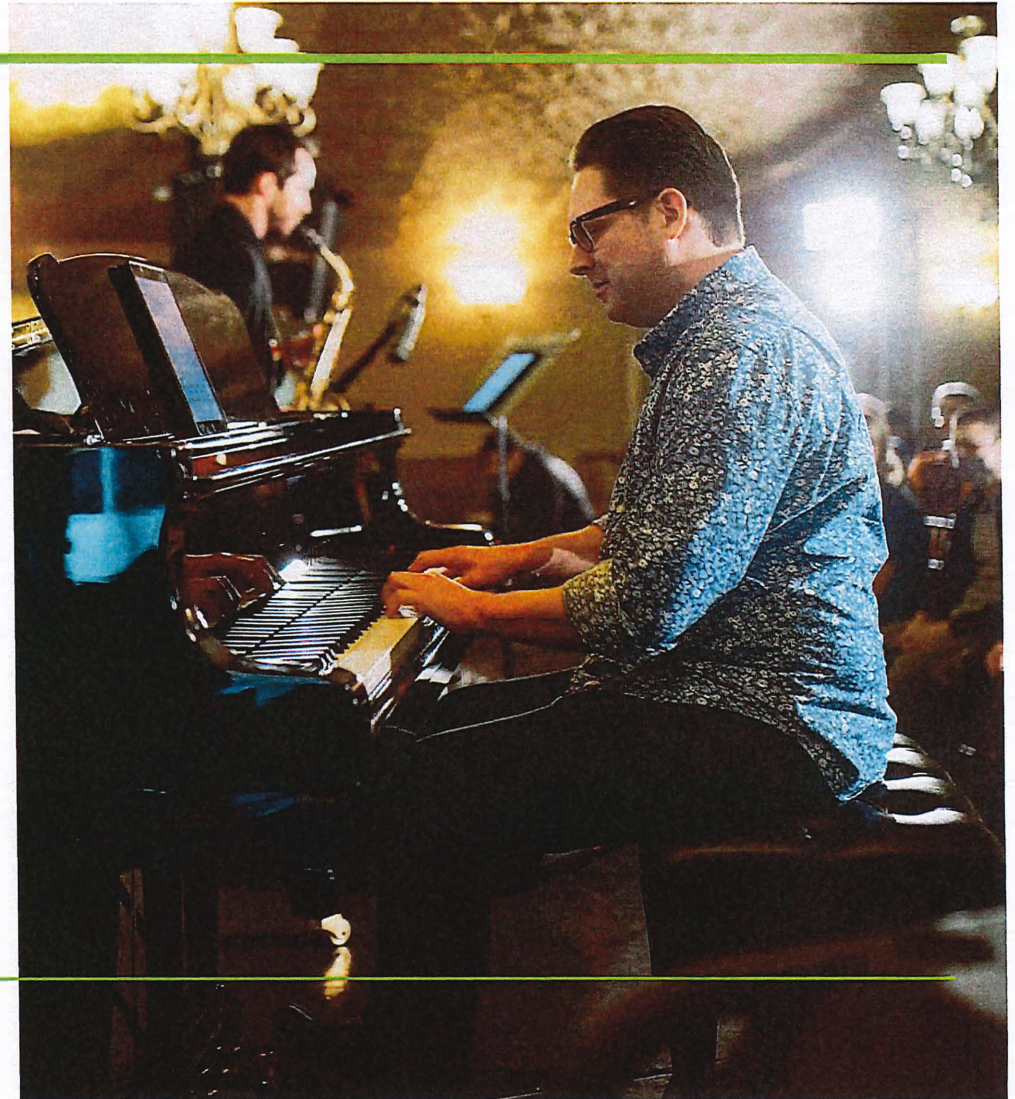
RAIN!
Although the event
moved indoors the
event continued with
world famous
performers !





**Performances from
grammy winners to
students and
faculty alike played
across the 3 Days**

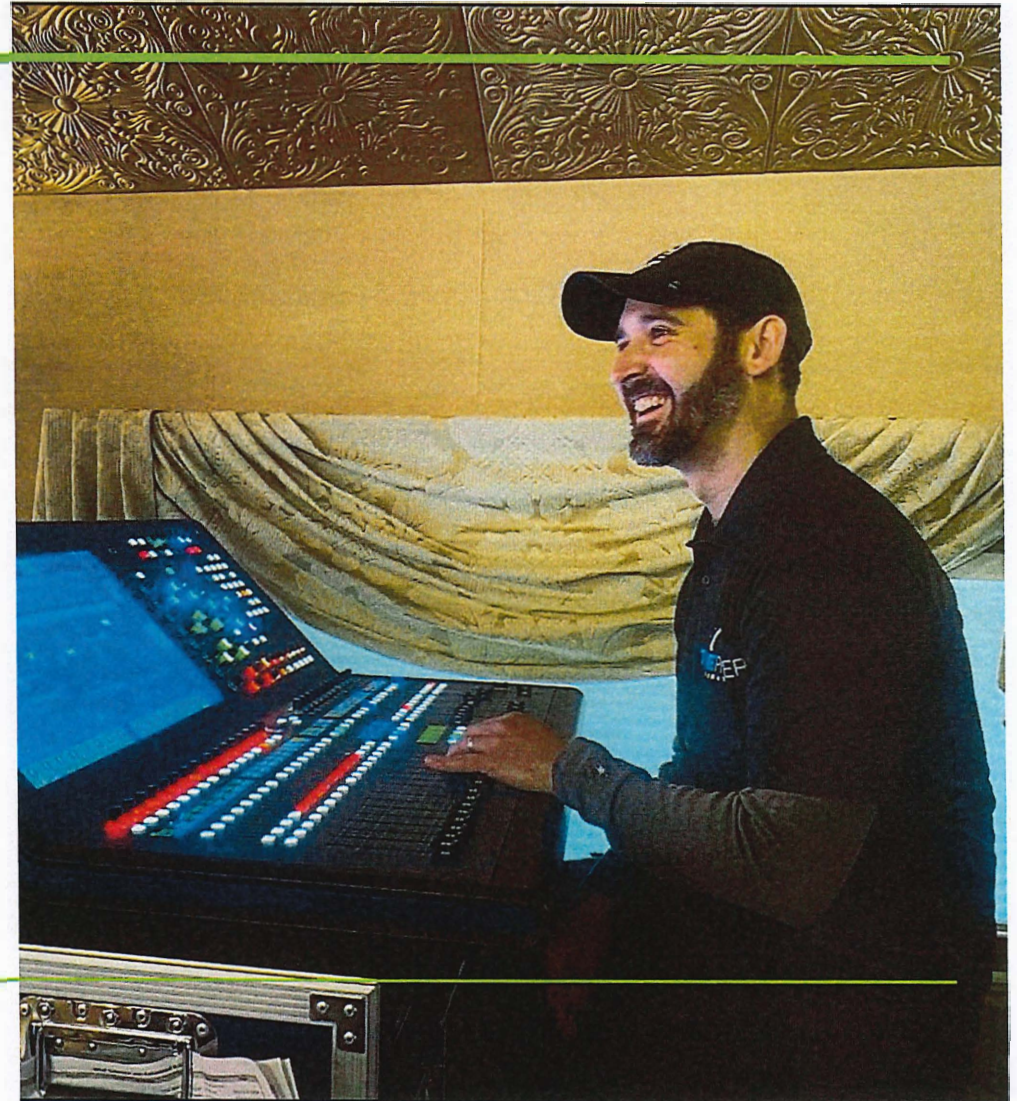
**The entire event
was live streamed
using students as a
learning
experience**





**Because of
contributions like
those from the City of
Troutdale the event
was able to happen**

Nick Moon donated nearly 60 labor hours of planning and execution on the event. These events are crucial long term investments. I hope we continue to support them!



Thank you for supporting!

Photos used with permission from Red Fred Productions
