



Randy Lauer, *Mayor*

David Ripma

Alison Caswell

Jamie Kranz

Glenn White

Nick Moon

Sandy Glantz

Agenda

May 24, 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:** May 10, 2022 City Council Regular Meeting.
- 4. Update:** An update on the Parks Master Plan. -Jon Pheanis, MIC
- 5. Discussion:** Illegal fireworks enforcement. - Steve Bevens, Captain/Chief of Police
- 6. Discussion:** A discussion on the City's Response to Oregon Measure 109, Psilocybin Mushroom Services. -Ray Young, City Manager
- 7. Discussion:** A discussion on the new Court of Appeals decision regarding City Councilors and Public Records. - Ed Trompke, City Attorney
- 8. Staff Communications**
- 9. Council Communications**
- 10. Adjournment**

Randy Lauer, Mayor
Dated: May 18, 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 23rd** 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 23rd**. 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 24, 2022 – 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 Caswell (7:01pm), Councilor Kranz, Councilor White, Councilor Moon and Councilor Glantz.

ABSENT: Mayor Lauer (excused).

STAFF: Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney (7:09pm); Chris Damgen, Community Development Director; Tim Seery, Parks & Facilities Superintendent and Steve Bevans, Captain/Chief of Police.

GUESTS: See Attached.

Council President Ripma asked for agenda updates.

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

Council President Ripma asked for a moment of silence for the victims in Uvalde, Texas.

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

<0:03:48>

Greg Handy, Troutdale resident, stated he delivered an 18-page letter of opinion along with reference letters to City Hall addressed to Mayor Lauer and the Councilors on March 7th. The letter of opinion provided observations and concerns and included numerous questions and recommendations. 77 days have passed, and he has not received a reply from the Mayor or Councilors. He would appreciate knowing if council is prepared to respond to his letter.

Paul Wilcox, Troutdale resident, stated regarding the minutes from the May 10th meeting on the consent agenda, there is an error on page 6 under the public hearing on agenda item #7. Councilor Glantz's comment should say couldn't, and not could. He stated it's become very rare for local citizens to come to council meetings. When they do it's because they have a complaint. Some past complaints include unkempt property near Hensley and Sunrise Park. It's been addressed by city staff after years and years and it's been quite an improvement to

the neighborhood. Another was a request for no parking signs on a dangerous corner in a neighborhood and Public Works installed some signs. Sometimes it pays to complain, and people get results.

3. CONSENT AGENDA:

3.1 MINUTES: May 10, 2022 City Council Regular Meeting

MOTION: Councilor Glantz moved to approve the consent agenda and the minutes as amended. Seconded by Councilor White.
Motion Passed 6-0.

4. UPDATE: An update on the Parks Master Plan.

<0:14:00>

Chris Damgen, Community Development Director, gave a brief overview of the staff report and introduced Jon Pheanis, MIG.

Jon Pheanis presented a PowerPoint presentation (attached as Exhibit A).

Councilor Glantz stated she's sad that the one Council meeting she missed was the one in August that this was presented at. She stated that South Troutdale is basically ignored. The one tiny triangle park is not really a park because it is the school and you can't access it during school hours and in the afternoon/evening, older kids (15-25) take it over to play basketball and it doesn't feel safe. She's upset that South Troutdale has a lot of homes and kids and no parks close by.

Chris Damgen stated that South Troutdale does have the need that Councilor Glantz identified.

Greg Handy read from a page of his letter of opinion regarding Parks, funding and other topics. The City has advertised and promoted its commitment to parks and open spaces throughout their numerous plans, codes and goals for decades. It has created parks and open spaces addressing the needs in some areas of the City while ignoring the Halsey neighborhood for decades. The City continues to collect parks SDC fees but in 2003 was unable to provide an accounting of the fees collected. This is a funding issue. It has for years repeatedly identified in its park plans a lack of service for park or playground space in the Halsey area. Development has been occurring in that area at least since the 1979 park plan, if not before. It is advertised and promoted to develop park space when new development is being proposed yet has been unable to develop park space in the Halsey area in spite of many opportunities to act on its promises. During the application review of the 910 property the Community Development Director and Planning Commission Chair chose not to advance any deliberation on the testimony provided of its authority to initiate a collaborative effort with the land order to develop adequate park space, which is a public/private partnership which has been advertised for years. He stated that during his discussion with Ray Young, he stated the City has no money for parks while during the same time frame that the City was working with Metro to discuss potential projects for local share funding. The City needs to decide whether they're going to act on what they say they're going to do or remove the references.

Councilor White stated that a map would be helpful if the map included parks that are in progress like Drovers Trail. He stated he always advocates for showing College Park even though it's Metro. Also parks just outside the city limits like Lewis & Clark should be included.

Chris Damgen stated Metro owns the portion of College Park that is the far northeastern corner of that general area. Mt. Hood Community College owns the bulk of the rest.

5. DISCUSSION: Illegal fireworks enforcement.

<0:44:46>

Ray Young stated at the last meeting the Council discussed if and how the City should respond to legal and illegal fireworks over the 4th of July. The Council was trending toward exploring enhanced enforcement or dealing directly with the illegal fireworks issue. The Council wanted input from the Sheriff's Office on what it's like on July 4th and the couple of days before.

Captain Bevins stated that the 4th of July Multnomah County Sheriff's Office (MCSO) will partner with the City of Gresham through dispatch, and they will make it clear that they are not responding to fireworks calls. He stated that they receive gunshot calls during that time as well. They have to decide if they're shots or fireworks. This year BOEC is extremely short handed, and citizens will be waiting on 911 or non-emergency. He stated they do ask deputies that are not on a call to patrol and try to break up illegal fireworks. Overtime rates are \$98 an hour and a Sergeant is \$129 an hour. He stated that they are shorthanded with deputies and extremely short handed on patrol. He doesn't think he could get anyone to volunteer/sign up for overtime.

Councilor Glantz stated she hoped that it could be said that MCSO will write a ticket for illegal fireworks and make it an example and put it on social media that there will be tickets and Troutdale will be enforcing.

Captains Bevins stated that is something he could get Deputy Bohrer to do.

Councilor White suggested putting a message in the Champion to say there will be enforcement and to have a fun/safe holiday. Maybe stiffen the message this year.

Council President Ripma stated he's not in favor of giving someone a ticket as an example without general enforcement being possible.

6. DISCUSSION: A discussion on the City's Response to Oregon Measure 109, Psilocybin Mushroom Services.

<1:02:00>

Ray Young gave a brief overview of the staff report.

Ed Trompke stated that he knows of at least one lawyer that's been approached by real estate agents who are asking questions about where these facilities can be located so they can advise their clients.

Councilor Kranz asked if there is any tax revenue associated with this.

Ed Trompke replied there is a tax revenue portion of the bill. If it's prohibited the cities are not allowed to receive it.

Councilor Glantz stated when they discussed marijuana on the Planning Commission, they made sure a dispensary couldn't be within 1000 ft. of a childcare facility or schools. She's fine with keeping the marijuana rules.

Council President Ripma asked if Troutdale banned it if it would stick.

Ed Trompke replied yes. You would have to refer it to the voters. If the voters voted to ban it, then it would stick.

Councilor Moon stated he likes referring to the citizens, but he thinks it should be the same as the marijuana rules. He's in favor of treating it like marijuana and he's okay with referring it to the voters.

Diane Castillo-White, Troutdale resident, stated she was involved in the discussion of marijuana when that decision was made.

Paul Wilcox, Troutdale resident, stated his response is a saying, solution in search of a problem.

Councilor White asked if this would be similar to marijuana with licensed manufacturing facilities and dispensaries.

Chris Damgen replied yes, and you could make, through a development code, a distinction between what is permitted or conditional.

Ed Trompke stated that only one variety is allowed, and it must be grown in a matrix that doesn't include wood products or a couple of other things and in a completely hydroponic and sterile solution. It won't be anything that is grown outdoors. There's a testing lab, a growing facility and a use facility.

Councilor Glantz asked what needs to be done next.

Ed Trompke stated talk about it as a council and see if there's a consensus that you want staff to do something. Otherwise, staff will put it aside and see what happens.

Council President Ripma asked how much staff time it is going to take.

Chris Damgen replied that it has to be done within 120 days. If staff gets direction soon it could be wrapped up in September.

Council President Ripma suggested directing staff to put it on the next agenda and Council can think about it.

Sarah Skroch, City Recorder, stated she pulled up the numbers from Multnomah County for the Measure 109 vote in the 2 Troutdale districts. In District 4904 it passed, there were a total of 8,244 votes with 4,158 in favor. In District 4905 it failed, there were a total 306 votes with 104 in favor.

7. DISCUSSION: A discussion on the new Court of Appeals decision regarding City Councilors and Public Records.

<1:36:08>

Ed Trompke, City Attorney, stated he has a lot to do with this case. It was litigated by his firm for a City Councilor in Clackamas County Circuit Court, and he helped write the briefs. The trial court said that a City Councilor who kept notebooks and writes things down in the notebook when she bumps into constituents and writing dry cleaning, grocery lists, etc., is a mixture of very personal notes and public meeting notes. She attends council meetings and writes notes and city committee meeting notes. She had a bookshelf full of notebooks with 25 years of being involved in community activities in the City of West Linn. The case is Bialostosky v. Cummings and Bialostosky is now also a City Councilor in West Linn. He had filed a public records request to find out about parking behind the high school and some debates and discussions that had taken place back when he was in high school, and he got a parking ticket. The Circuit Court Judge said that it didn't apply, that these were not public records because they were personal notes and the definition of a public body to whom the public records laws apply did not include local government officials. It does include state officials. That's always been a distinction in the statute. The Court of Appeals didn't agree. They said that a council member is a public body in addition to being a member of a public body. Because of that, any public records that a council member prepared, owned, retained or relied on, is a public record. If it pertains to the public's business. Public's business is communications between an elected official and electors and people who are elected with meetings. It doesn't even have to be a constituent if it has to do with the public's business. There is a duty to treat them properly under the state laws and state administrative rules. Writings coming into the hands of public officers in connection with official functions should generally be accessible to members of the public so there will be an opportunity to determine whether those who have been entrusted with the affairs of government are honestly, faithfully and competently performing their function as public servants. Any writings that come into your hands that have to do with the public business are public records that anybody can get a hold of. That includes your agendas if you write on them or mark them up on the pdf. Those records need to be delivered to the City Recorder. The Recorder then looks at it and determines the retention.

Councilor Glantz asked if she marks in the books she reads about the RDPO about cyber security if she has to turn those books in to the City Recorder.

Ed Trompke replied he doesn't know if it's the public's business. The court declined to define what the public's business is.

Ray Young suggested every council member gets a city issued journaling book.

8. STAFF COMMUNICATIONS

<1:59:26>

Ray Young provided the following staff communications:

- Monday is Memorial Day and city offices will be closed.
- Tuesday are the committee interviews with dinner at 6 and interviews starting at 6:30.
- June 1st is the CAC meeting and will finish up the Transportation System Plan and will discuss council stipends. Please don't speak at the meeting.
- The Sandy River Trail Metro Grant (handout) has an online survey to vote for Troutdale's project.
- Spring Cleanup is over and went great. Recycling was down a bit but everything else was well.

9. COUNCIL COMMUNICATIONS

<2:01:22>

Councilor Glantz stated she already took the survey. There are 2 Troutdale projects, and you can do them both.

Councilor Ripma stated he attended the Art Festival. It was perfect weather and there were a lot of vendors. He hopes they all did well. There were a lot of people, music and enjoyment.

Councilor White stated he attended the Art Festival, and it was nicely done. Shannon Chism was hired to handle it and it was very well put together. He thanked Shannon, Martha, Donna and Ellen. The week before there was the Kiwanis Chili Cook-off and it was a fun community event.

10. ADJOURNMENT

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

Meeting adjourned at 9:04pm.



Randy Lauer, Mayor
Dated: June 30, 2022

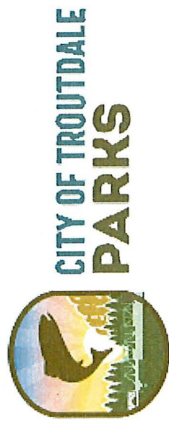
ATTEST:



Kenda Schlaht, Deputy City Recorder

5/24/2022 Council Regular Meeting - Zoom Guest List

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	5/24/2022 18:44	5/24/2022 21:04	141
Oasis Team		5/24/2022 18:44	5/24/2022 21:04	141
Sarah Skroch	sarah.skroch@troutdaleoregon.gov	5/24/2022 18:45	5/24/2022 21:04	140
Testimony Table		5/24/2022 18:50	5/24/2022 21:04	135
Sandy Glantz		5/24/2022 18:52	5/24/2022 21:04	132
Nick Moon		5/24/2022 18:52	5/24/2022 18:53	1
Nick Moon		5/24/2022 18:53	5/24/2022 21:04	132
Paul Wilcox		5/24/2022 18:56	5/24/2022 21:04	128
Jon Pheanis MIG (Jon Pheanis)		5/24/2022 18:56	5/24/2022 19:45	49
Dave Ripma		5/24/2022 18:57	5/24/2022 21:04	128
tim.seery		5/24/2022 18:57	5/24/2022 20:37	100
Jamie Kranz		5/24/2022 18:59	5/24/2022 21:04	126
Ray Young		5/24/2022 19:00	5/24/2022 21:04	124
Alison Caswell		5/24/2022 19:01	5/24/2022 21:04	123



City of Troutdale Parks Master Plan

Exhibit A
May 24, 2022 Council Meeting Minutes

Project Update

May 2022



Presentation Overview

- Project process update
- Community engagement to date
- Park access and equity
- Plan goals and key needs
- Next steps

Planning Process



Figure 1: "What park qualities are most important to you and your family?" Top Responses

Natural (topography, river or creeks, trees, nature)



Active (sports, large group gatherings, programs, joyful noise)



Comfortable (shade, drinking fountains, benches)



Big (variety of activities, lots of space to explore)



Q15. If the City had more money to invest in parks and recreation, which of the following should be our top priorities?

Town Center - west of 257th

- Increase routine maintenance (e.g., litter pickup, mowing, restroom cleaning)
- Repair or replace worn or older park features
- Investments that would support the local economy such as community events and festivals 30.8%

Town Center - east of 257th

- Increase routine maintenance (e.g., litter pickup, mowing, restroom cleaning) 39.5%

Wood Village

Cherry Park Area

- Repair or replace worn or older park features 41.4%

Beaver Creek Area

- Repair or replace worn or older park features 47.1%

Cherry Ridge Area

- Build more trails and paths 44.4%

Walt Morey Area

- Add more or a greater variety of features in parks 50.0%

Sandee Palisades Area

- Increase routine maintenance (e.g., litter pickup, mowing, restroom cleaning) 29.0%

Hensely Area

- Repair or replace worn or older park features 21.7%

Southside Area

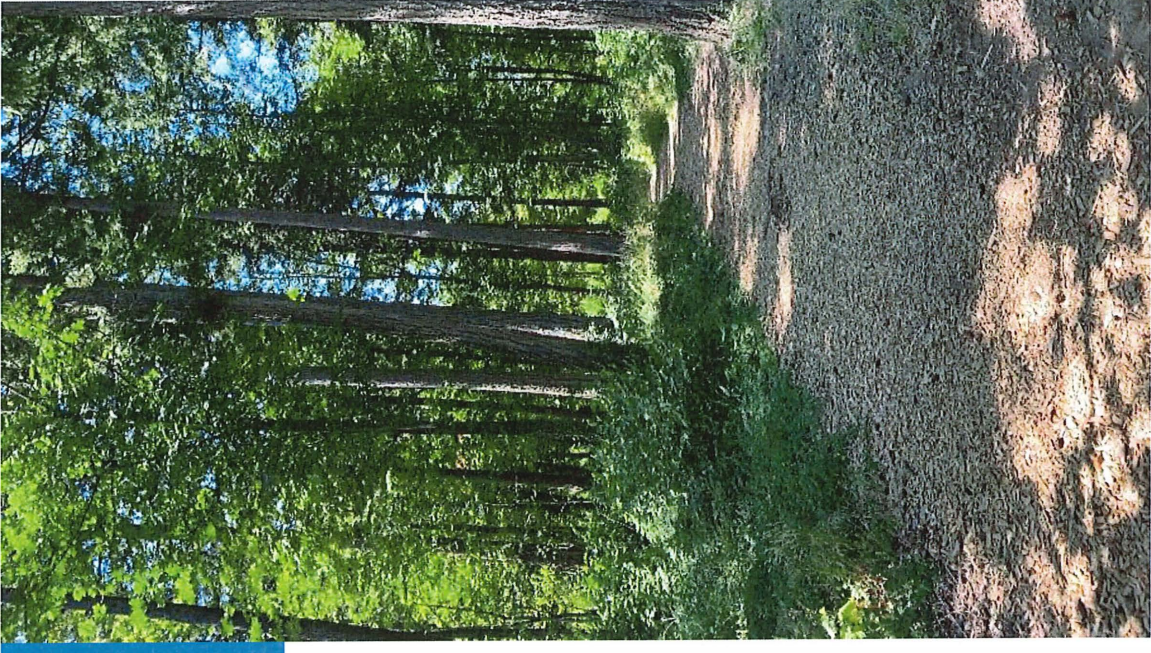
- Repair or replace worn or older park features 30.0%

Sweetbriar Area

- Increase routine maintenance (e.g., litter pickup, mowing, restroom cleaning) 42.1%

Council Meeting Discussion (8/21)

- Adequate funding
- Improved connectivity
- Maintenance
- Opportunities for all-ages
- Park access in South Troutdale



Plan Goals

1. Ensure that all neighborhoods within the city are adequately served by a **variety** of recreation areas and facilities.
2. Encourage **community participation and stewardship** by creating volunteer opportunities and structured educational programs for all age groups.
3. Provide safe and enjoyable **natural areas** that preserve wildlife habitat and ecological functions, provide opportunities for enjoyment, and create educational and interpretive opportunities.

Plan Goals

4. Create and maintain an **interconnected trail system** that provides connectivity throughout the park system and community.
5. Design parks that meet community recreational needs and are **safe, accessible, and inclusive**.
6. **Maintain parks** to ensure safety, designated function, and the integrity of natural systems.
7. Pursue diverse sources and opportunities for **funding** parkland acquisition and improvements and continue to support and build **partnerships**.

Park Access and Equity

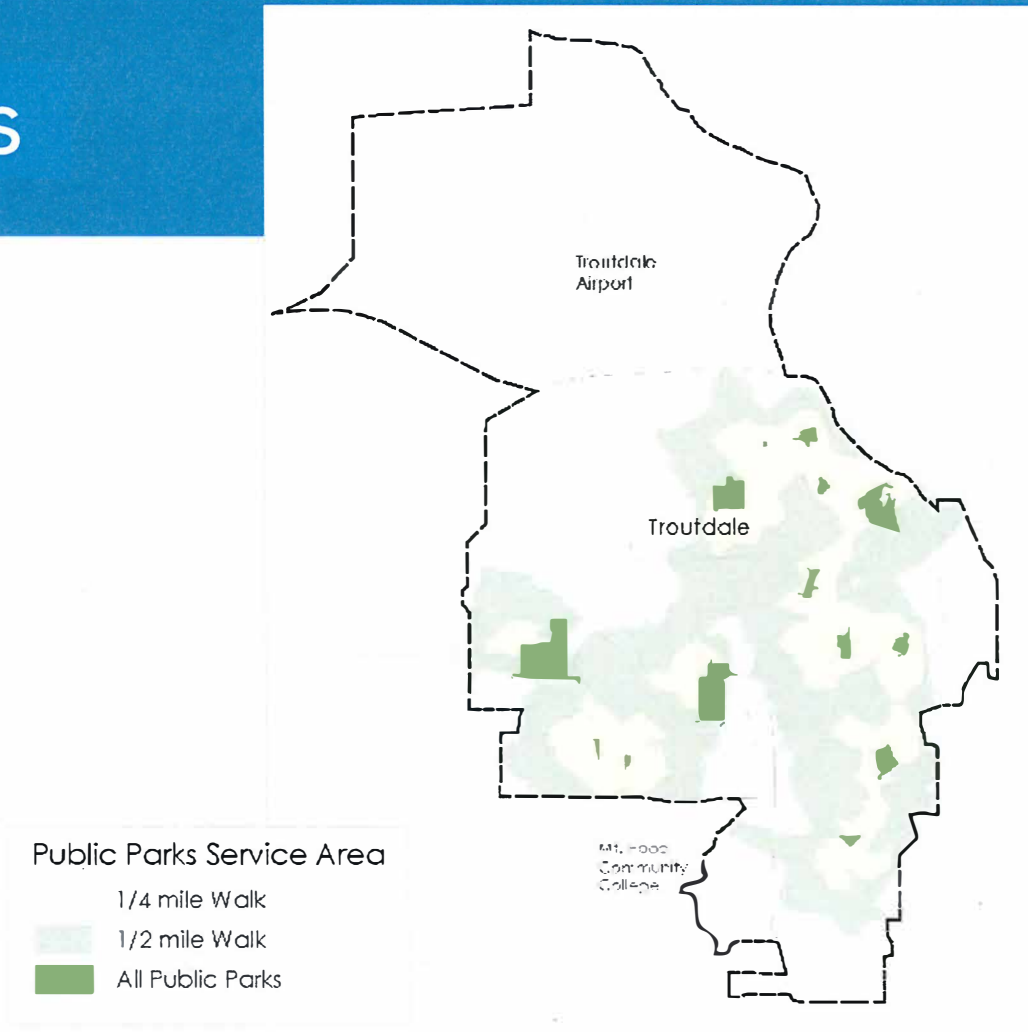
The just and fair quantity, proximity and connections to quality parks and green spaces, recreation facilities, as well as programs that are safe, inclusive, culturally relevant and welcoming to everyone.

Park Access and Equity

The absence of avoidable, unfair or remediable differences among groups of people, whether those groups are defined socially, economically, demographically or geographically, or by other means of stratification.

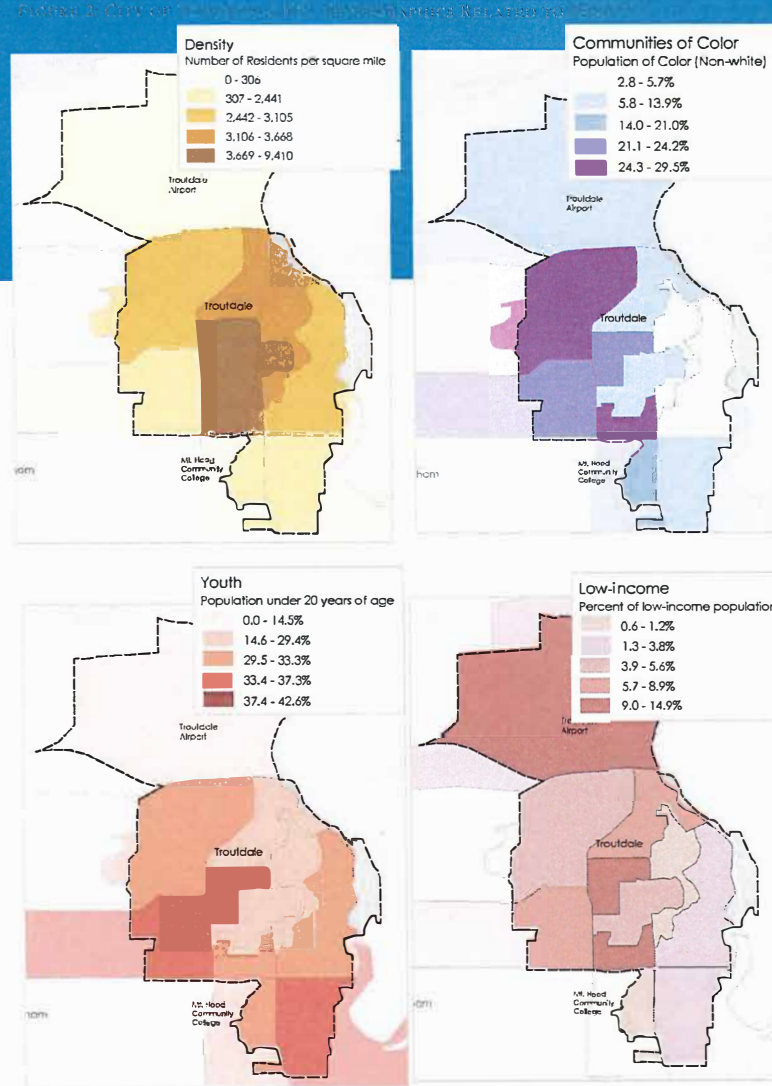
Park Access

- Identify areas that have a close distance to a developed park
- Address areas that don't have nearby developed park access



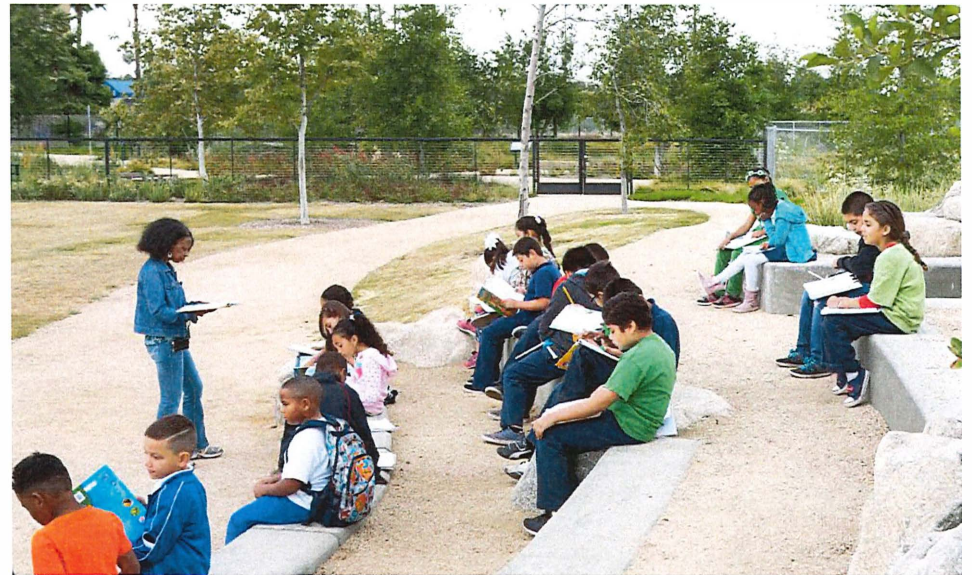
Park Equity

- Communities of color (non-White population)
- Residential density
- % low income
- Higher youth population



Key Needs

- Equitable park access:
 - » Northwest (near Halsey)
 - » South/Central (near SE Stark)
 - » South (east of MHCC)



COMPTON CREEK PARK, COMPTON, CA



Key Needs

- Activating and maintaining parks
- Safer connections and interconnected trails
- Supporting downtown



PROMENADE AT RIVERFRONT PARK, SPOKANE, WA

Key Needs

- Play for all ages
- Inclusive park and recreation opportunities
- Increase access to nature



HARPER'S PLAYGROUND INCLUSIVE PLAY AREA, PORTLAND, OR

Next Steps





CITY OF TROUTDALE
PARKS

City of Troutdale Parks Master Plan

Project Update

May 2022

