



Randy Lauer, *Mayor*

David Ripma	Alison Caswell
Geoffrey Wunn	Glenn White
Jordan Wittren	Sandy Glantz

Agenda October 24, 2023

Regular Meeting | 7:00 p.m.

Troutdale Police Community Center – Kellogg Room
234 SW 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:** September 26, 2023 Regular Meeting.
- 4. Report:** A report from American Medical Response (AMR) regarding lifeguards in Glenn Otto Park. – *Rob McDonald & Sean Rawson, AMR*
- 5. Ordinance (Introduction):** An ordinance adopting text amendments to Chapters 3 and 5 of the Troutdale Development Code (TDC) – *Dakota Meyer, Associate Planner*
- 6. Discussion:** A discussion on the franchise agreement with Waste Management. – *Ryan Larqura, Public Works Director*
- 7. Staff Communications**
- 8. Council Communications**
- 9. Adjournment**

Randy Lauer, Mayor
Dated: October 18, 2023

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday October 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, October 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, October 24, 2023 – 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, Councilor Caswell, Councilor Wunn, Councilor White (7:07pm) and Councilor Wittren.

ABSENT: Councilor Glantz (excused).

STAFF: Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Heather Jones, Interim Community Development Director; Dakota Meyer, Associate Planner and Ryan Largura, Environmental Specialist.

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.

Adrian Koester, Troutdale resident, stated that he was unfortunately unable to stay through the entirety of the previous Council meeting but regarding the discussion on the dog ordinance, it is important for the community and for Council to get the matter resolved sooner rather than later. He thinks a couple months is too long simply because the status quo, as has been pointed out by a number of staff and law enforcement, is fundamentally unenforceable. Dogs exist, people want to walk their dogs and paths should be available whether they're a park path or a sidewalk in the City with the same rules no matter what. It needs to be settled because the status quo is just going to be ignored.

3. CONSENT AGENDA:

3.1 MINUTES: September 26, 2023 City Council Regular Meeting.

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

4. REPORT: A report from American Medical Response (AMR) regarding lifeguards in Glenn Otto Park.

Rob McDonald, AMR, introduced himself and Sean Rawson of AMR.

Sean Rawson presented a PowerPoint (attached as Exhibit A).

Rob McDonald thanked Sean Rawson for the work he has done with the program.

Councilor White stated AMR does outstanding work. The river used to be worse but it's still dangerous and it's easy to get into trouble in certain spots.

Councilor Wunn stated prevention is number one. Great job. He stated to reach out if AMR needs anything from Council to keep the program going.

Mayor Lauer stated he enjoys watching the training. He had friends and family in town a couple of months ago and they watched the swift water rescue training. It was awesome. He really appreciates it, and the community appreciates it.

5. ORDINANCE (Introduction): An ordinance adopting text amendments to Chapters 3 and 5 of the Troutdale Development Code (TDC).

Dakota Meyer, Associate Planner, gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit B).

Mayor Lauer opened the public hearing at 7:30pm.

Paul Wilcox, Troutdale resident, read a self-prepared statement (attached as Exhibit C).

Taney Staffenson, Troutdale resident, stated looking at the economics, it looks like \$20,000 income from marijuana. Something that should be considered is not economic development but economic underdevelopment. Many businesses would prefer not to have one of these facilities next to them.

Mayor Lauer closed the public hearing at 7:37pm.

6. DISCUSSION: A discussion on the franchise agreement with Waste Management.

Ryan Largura gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit D) and did a demonstration of the locking roll carts.

Councilor Ripma stated he had a problem reaching a person at Waste Management. The automated system was fine for some choices, but the truck had taken his whole yard debris container and he needed it back. It was hard to get in touch with someone, ridiculous. They replaced it quickly. He suggested adding a "0" to talk to a live person. He added this is the only complaint he has.

Councilor Wunn stated the bungee cord on his cart broke and they replaced it right away. Now it's broken again. Troutdale needs something that locks.

Mayor Lauer stated he has no complaints or problems. He thinks locking carts are overdue.

Ryan Largura stated he was thinking that recyclables might be the first one to take on the cost because those materials are always loose in the bin versus garbage which should be bagged.

Mayor Lauer stated more bulky waste events would be beneficial. More opportunities throughout the year would be helpful. He asked about added costs.

Ryan Largura stated as far as the carts, Waste Management estimated \$1 per person per month or \$2 and some cents for 2 carts. For bulky waste events, they're thinking a flat rate for a large item, or the City might want to take on that cost. He's not anticipating a fee for the annual curb side events. That cost is rolled into the rate. It's very popular.

Councilor White asked how much longer until residents will have to do food scraps in separate containers.

Ryan Largura stated that the consultant, Chris Bell, has stated it's expensive to do because of the added weight in the carts.

David Huber, Waste Management, stated more cities are moving to the food waste. Unincorporated Washington County now includes food waste in the yard debris.

Mayor Lauer opened public comment at 8:08pm.

Tanney Staffenson stated Waste Management does a very good job, but he wonders about an 8-year agreement. The City finds themselves time after time getting into long term agreements and then part way through them wondering why they chose such a long agreement. Competition makes people better. He thinks it's strange that there's a guarantee of a rate of return on a private business. He stated that since 2006 rates have gone up 63%.

Mayor Lauer closed public comment at 8:11pm.

Ray Young stated a number of months ago staff did a survey and brought in results from other local cities and what they pay with different providers to give the Council a feel for price and quality of service and there was an option of going out to bid for other things. Going out for bid costs a lot of money and takes a lot of time and sometimes consultants are hired to compare services. The feedback from the survey was good and Council wanted to keep with Waste Management.

Ryan Largura stated that 8 years is on the short side of these agreements. They tend to be 10 or more years contracts. It's an expensive process to pay a consultant. He stated the longer the agreement is obviously Waste Management can amortize those costs over a longer period.

7. STAFF COMMUNICATIONS

Ray Young provided the following staff communications:

- Sunday was the Grand Opening of the dog park with at least 25 dogs in the costume contest and it was a great event
- Trick or Treat event on 10/31 from 4-5:30pm and the Outlet Mall from 5-7pm
- City Offices will be closed 11/10 for Veterans Day
- Planning Commission meeting on 11/8

8. COUNCIL COMMUNICATIONS

Councilor White stated he was at the League of Oregon Cities conference in Eugene, and he didn't really see anybody other than Ray that he recognized. There's a new LOC President and his legislative priorities are going to be property tax reform and permanent mechanism for funding the homeless.

Councilor Wittren stated he thinks the City is getting a good ROI on social media for the bulky waste and the high turnout it's had. The social media presence is paying off and he thinks optically it's a good investment.

Mayor Lauer stated the Public Safety Working Group met on 10/23 and they're just about ready to bring some items to Council for consideration with regards to the Fire & Police contracts that are coming up.

9. ADJOURNMENT

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

Meeting adjourned at 8:20pm.



Randy Lauer, Mayor

Dated: November 17, 2023

ATTEST:



Kenda Rimes, Deputy City Recorder

October 24, 2023 City Council Meeting Zoom Guests

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	10/24/2023 18:43	10/24/2023 20:20	98
MetroEast		10/24/2023 18:43	10/24/2023 20:20	98
speaker table		10/24/2023 18:43	10/24/2023 20:20	98
Sarah Skroch		10/24/2023 18:45	10/24/2023 20:20	95
Alison Caswell		10/24/2023 18:49	10/24/2023 20:20	91
Pat		10/24/2023 18:50	10/24/2023 19:22	32
Dakota Meyer (He/Him) - City of Troutdale Associate Planner		10/24/2023 18:50	10/24/2023 19:40	50
ray.young		10/24/2023 18:52	10/24/2023 20:20	89
Randy Lauer		10/24/2023 18:53	10/24/2023 20:20	87
Jordan Wittren		10/24/2023 18:54	10/24/2023 20:20	86
Dave Ripma		10/24/2023 18:55	10/24/2023 20:20	86
Carol Reynolds		10/24/2023 18:56	10/24/2023 20:20	85
becki		10/24/2023 18:57	10/24/2023 19:22	25



Exhibit A
October 24, 2023 Council
Meeting Minutes

Troutdale City Council
October 2023



AMR River Rescue Program-2023 Season Review

Program Overview

- Team made up of 23 EMTs and Paramedics trained in swift water rescue and open water lifeguarding
- Program is certified as an Advanced Agency of the United States Lifesaving Association
- Program has been active at Glenn Otto Community Park since 1999 and High Rocks Park since 2002



Program Overview

- Two-week training academy in May and then in service at both Glenn Otto and High Rocks parks every day from Memorial Day weekend until Labor Day
- Hours of Operation at Glenn Otto park: 10:00 am to 8:00 pm
- Staffing: minimum 2 River Rescue EMTs, up to 4 depending on weather



Historical Data (2002-2023)

- Total census: 1,165,968
- Total assists: 2,089
- Total rescues: 112



2023 Statistics- Glenn Otto Park

- Assists: 50
- Rescues: 2
- PFDs loaned: 1500
- Preventative Actions: 696
- Info talks with public: 982





Program Activities

Prevention:

- PFD advisories with the public
- Safe swimming recommendations
- Warnings for at-risk behavior
- Guiding swimmers, tubers and paddleboarders around hazards

Response:

- Entering the water to assist swimmers in distress
- Activating a 911 Water Rescue response when needed
- Medical emergencies on-land
- Responding with allied agencies as mutual aid

Rescue incident at Glenn Otto: July, 2023

- “RRT 282 made contact with subject river right of Pilot Rock where subject became entrapped by root wad strainer and his entire body submerged under water. 282 surface dived and contacted subject underwater and pulled subject above water to maintain airway. 282 maintained contact with subject as subject’s lower body remained entrapped on root wad strainer...281 met 282 and subject at the submerged root wad strainer and assisted in extricating subject.”



Other Program Activities

- Public Education events:
 - Sweetbriar Elementary School and Fairview Sunday Market safety talks
- Removing hazards in the river
- Media interviews to discuss water safety

Partner Organizations

- City of Troutdale
 - Troutdale Public Works Department
- Troutdale Booster Club
- Gresham Fire Department
- Corbett Fire Department
- Multnomah County Sherriff Department







Thank you to Troutdale City Council for being such a supportive partner over all these years!

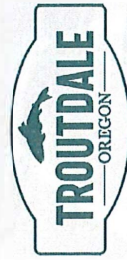
**MARIJUANA FACILITIES &
PSILOCYBIN TEXT AMENDMENT
(75-14)**

Exhibit B

October 24, 2023 Council Meeting Minutes

City Council

October 24, 2023



THE APPLICATION

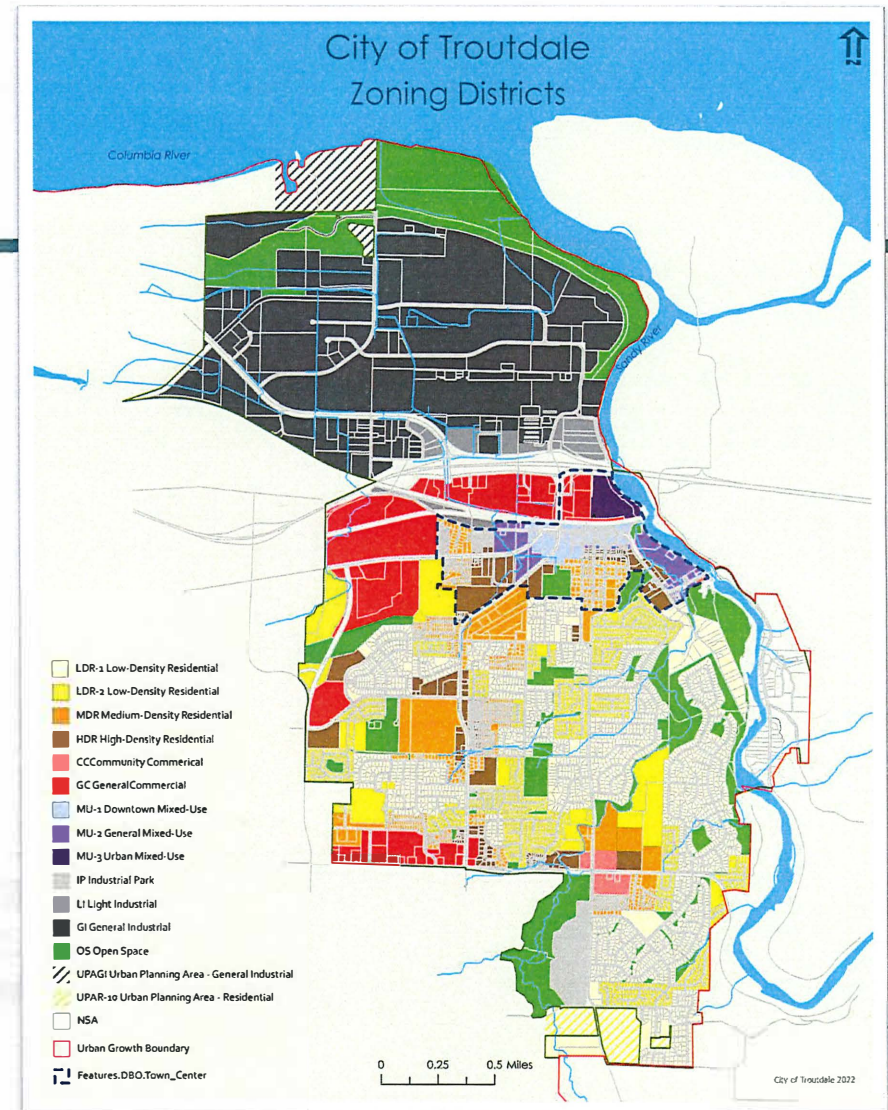
[CASE FILE 75-14]

Zoning Map

- The following areas represent the zones affected by this application: **Red** General Commercial (GC), **GRAY** Light Industrial (LI), and **DARK GRAY** General Industrial (GI).

Requests:

- Update the Use Tables for the GC, LI, and GI zones to change the Marijuana Facilities use from a “Conditional” to “Not Permitted” use.
- Minor edits to Chapter 5 to reserve Section 5.900 for future code on Psilocybin Standards.



TDC SECTIONS, PROPOSED AMENDMENTS

- TDC Chapter 3
- TDC 3.320 – Use Table for Commercial Zoning Districts
 - Change Marijuana Facilities from Conditional Use in the GC zone to Not Permitted.
- TDC 3.420 - Use Table for Industrial Zoning Districts
 - Change Marijuana Facilities from Conditional Use in the LI and GI zones to Not Permitted.
- TDC 5.000 – Miscellaneous Uses & Standards
 - Reserve a section in Chapter 5 under Subchapter 5.900 for future Psilocybin Standards.



PROPOSED TEXT AMENDMENTS

- TDC 3.320 - Use Table
 - Change Marijuana Facilities from *Conditional Use* in the GC zone to *Not Permitted*.
- TDC 3.420 - Use Table
 - Change Marijuana Facilities from *Conditional Use* in the LI and GI zones to *Not Permitted*.

Land Use	CC	GC	Specific Standards
Vehicular and equipment services			
Fueling stations	C	P	
Repair shops	N	P	
Sales or rentals	C	C	
Lodging facilities	P	P	
Bed & breakfast inns	N	N	
Entertainment facilities (major)	C	C	
Entertainment facilities (minor)	P	P	
Storage facilities	N	N	
Marijuana facilities	N	€N	3.325.A

Land Use	IP	LI	GI	Specific Standards
Restaurants and bars	P	N	N	3.440.H
Mobile Food Vendor operating a Food Stand, Food Cart, and Food Trailer	P	P	P	5.200
Financial institutions	C	N	N	3.440.D.1
Hotels, Motels, Convention Halls	C	C	N	
Marijuana facilities	N	€N	€N	3.440.F
Medical and dental clinics	C	P	P	3.440.D.1
Personal services	C	N	N	3.440.D.1
Product sales, service, and/or display accessory to any manufacturing, fabricating, or processing use	N	P	P	3.440.K

tion outlets	N	C
	N	N
s otherwise listed in table)	N	N



PROPOSED TEXT AMENDMENTS

- TDC 5.000 –
Miscellaneous Uses &
Standards
 - Reserve a section in Chapter
5 under Subchapter 5.900
for future Psilocybin
Standards.

CITY OF TROUTDALE

Chapter 5 – Miscellaneous Uses

Chapter 5 – Miscellaneous Uses and Standards

5.000 MISCELLANEOUS REGULATIONS

5.900 Psilocybin Chapter - RESERVED



PROPOSED FINDINGS [TDC 6.1120] TEXT AMENDMENT APPROVAL CRITERIA

- A. The proposed change to the Development Code does not conflict with applicable Comprehensive Land Use Plan goals or policies.
- B. The proposed change is consistent with the applicable Statewide Planning Goals.
- C. The proposed change is consistent with the applicable provisions of Metro Code.
- D. Public need is best satisfied by this particular change.
- E. The change will not adversely affect the health, safety, and welfare of the community.

These criteria are met.



PROCEDURE [TDC 2.065]

- Type IV Land Use Application
- PC Recommendation to Council
- City Council is the decision-making body

- Notice
 - Newspaper
 - Online
 - DLCD
 - Measure 56



COUNCIL ACTION

- PC recommends approval to City Council
- City Council Hearings
 - October 24th, 2023 (Introduction)
 - November 14th, 2023 (Adoption)
- Actions: TDC 15.030
 - Confirm, amend or reverse PC's recommendation
 - Enact or defeat all or part of ordinance
 - Remand some or all of the proposal to PC



Exhibit C

October 24, 2023 Council Meeting Minutes

Mayor and Councilors,

During the Planning Commission meeting Associate Planner Meyer was asked what would happen to the TDC language regarding marijuana facilities if the voters rejected the Ordinance 882 ban. His response was that they would be going back to conditional uses in the three development zones. Planning Commission Chair Staffenson also stated they would re-do the code. Community Development, Planning Commission, and City Council are not obligated or required to do that. The across the board prohibition could remain in effect, or where facilities are allowed could be altered in any number of ways. This also leaves voters in the dark as to what will be allowed post Ordinance 882 if the ban is not upheld. Prior to changing all three development zones from conditional to not permitted, the major scrivener's error omission had been corrected.

I learned recently that Oregon HB 4016 put into effect a moratorium on new marijuana licenses submitted between Jan. 1, 2022 and March 31, 2024 to address imbalances in supply and demand. In the short term anyway, this may have made Troutdale Ordinance 882 unnecessary.

One effect of Ordinance 882 has been the city's loss of state shared tax revenues in the tens of thousands of dollars until voters have an opportunity to weigh in. Those losses would of course continue beyond the election if voters uphold the ban, but would also continue if the TDC language remains the same as approved here.

In the staff report under cons it reads "Changing Marijuana Facilities from a Conditional to a Not Permitted Use may lead to loss in potential tax income. The city should consider what the opportunity cost of its proposed amendment could be in terms of lost economic development opportunities." This appears to contradict that the code would revert back to the previous code language if Ordinance 882's ban is not upheld by voters. My understanding is that the tax spigot was turned off back in March when 882 was passed.

With the only pre-existing marijuana retailer grandfathered in, that property owner has total control over whether there will be any retail marijuana within Troutdale, depending of course on the length and terms of the current lease agreement.

My position was that the current code language should have been left in place so that a return to pre Ordinance 882 would seamlessly occur if the voters rejected the ban. There would be no harm in leaving it in place since the language in Ordinance 882 would disallow any application prior to the November 2024 election.

I might add that there's nothing in the ballot measure language saying what happens if the measure fails.

Submitted by:

Paul Wilcox

10/24/23



A Discussion on the Franchise Agreement with Waste Management

City of Troutdale
Public Works Department
October 24, 2023

Exhibit D
October 24, 2023 Council
Meeting Minutes

Franchise Agreement Timeline



2 **Franchise Agreement Discussion** November 8, 2023

Discussion Topics



Format Changes



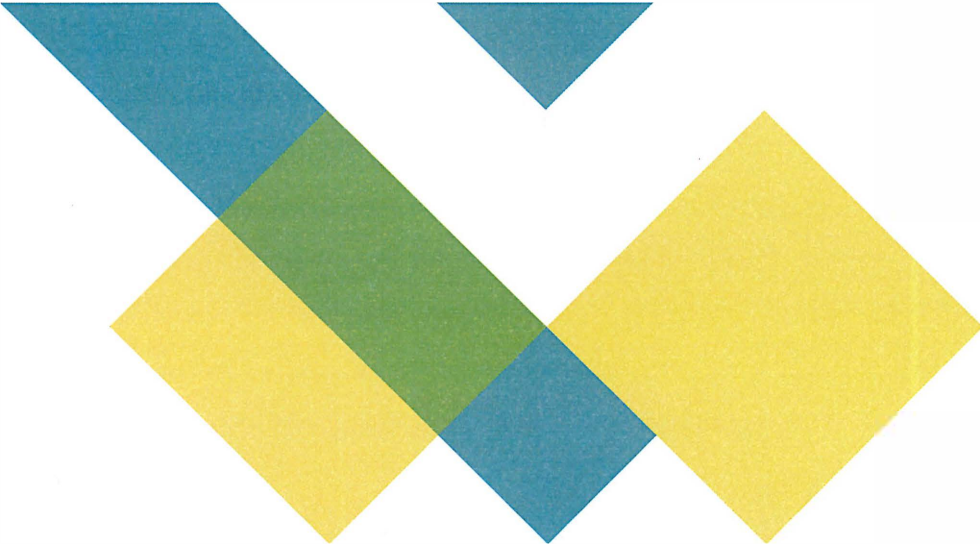
Customer Service



Transfer Station Services



Support For



Receptacles

Format Changes

1.0 Agreement

**2.0 Collection
Support and
Management**

**3.0 Service
Standards**

4.0 Compensation

**5.0 General Terms &
Conditions**



Collection Support & Management

Billing

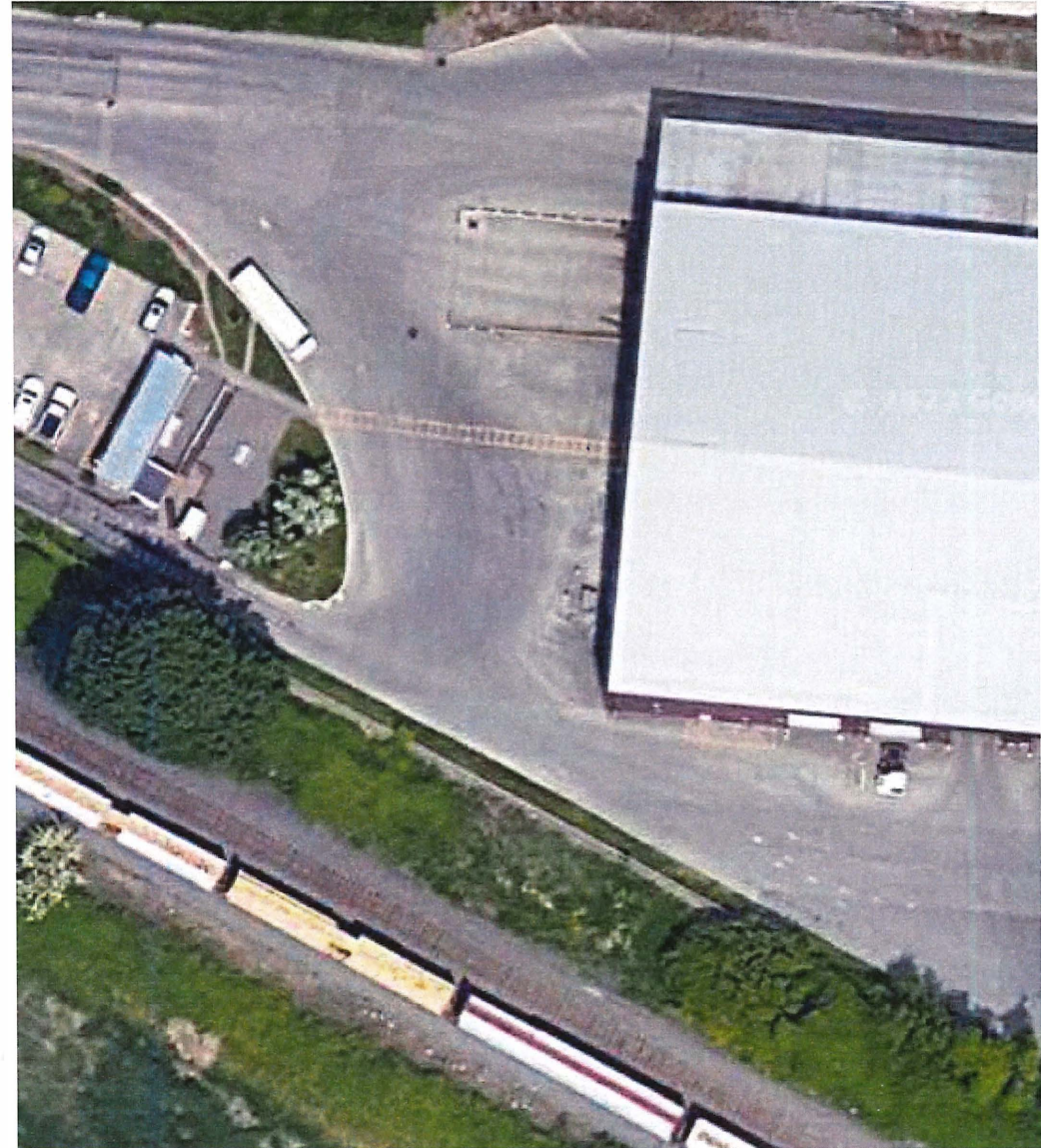
- Expand language for credit risk guidelines
- Simplify vacation credit rules

Communication

- 2022 survey of 76 responses indicated positive telephone customer service.
- This year automated calls and technology dependent communication has become more pervasive.
- Have heard from public and senior residents in particular.
- How do you make it easier for the public to reach a “live” agent?

Transfer Station Services

- Quarterly bulky waste events open to the public on Saturday morning
- Flat rate cost of service
- Items may include:
 - Household bulky waste items
 - Non-curbside recyclables
 - Sharps containers
 - Tires



Support for

Emergency Response

- Assist City in the event of a natural disaster or emergency declaration
- Assist City in developing any reports or applications necessary to seek Federal assistance

Community Events

- Potential support of First Friday events in the summer
- Other City-led events

7

**Franchise Agreement
Discussion**

October 24, 2023

Receptacles

- Need to match Metro regional standards for multi-family containers
- Require single-family carts with automatic locking mechanism
- Could roll-out for only recyclables and/or garbage





CITY OF TROUTDALE
PUBLIC WORKS
DEPARTMENT

Questions?

Thank you for your time.

City of Troutdale
Public Works Department