



Randy Lauer, *Mayor*

David Ripma

Alison Caswell

Geoffrey Wunn

Glenn White

Jordan Wittren

Sandy Glantz

Agenda

January 9, 2024

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. Motion:** Election of 2024 Council President
- 3. 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.*
- 4. Consent Agenda:**
 - 4.1 Resolution:** A resolution approving an Intergovernmental Agreement with the City of Gresham for continued building inspection services.
- 5. Public Hearing / Ordinance (Introduced 12/12/23):** An ordinance updating Public Contract and Purchasing Procedures and amending Chapter 2.24 of the Troutdale Municipal Code. – *Erich Mueller, Finance Director*
- 6. Resolution:** A resolution approving the City's Financial Statements and Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended June 30, 2023, and accepting the Independent Auditors' Reports. – *Erich Mueller, Finance Director*
- 7. Report:** Next steps for Law Enforcement and Fire Services contracts. – *Ray Young, City Manager*
- 8. Staff Communications**
- 9. Council Communications**
- 10. Adjournment**

Randy Lauer, Mayor

Dated: January 2, 2024

Meeting Participation

The public may attend the meeting in person or via Zoom. Please email info@troutdaleoregon.gov by **5:00pm on Monday, January 8th** 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, January 8th**. 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, January 9, 2024 – 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, Councilor Wittren and Councilor Glantz.

ABSENT: None.

STAFF: Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Erich Mueller, Finance Director and Heather Jones, Interim Community Development Director.

GUESTS: See Attached.

Mayor Lauer asked for agenda updates.

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

2. MOTION: Election of 2024 Council President

Councilor White nominated Councilor Ripma for Council President.

Councilor Wittren nominated Councilor Wunn for Council President.

Vote for Councilor Ripma for Council President:

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

Motion passed 4-3.

Vote for Councilor Wunn for Council President:

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

Motion failed 3-4.

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

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

4. CONSENT AGENDA:

4.1 RESOLUTION: A resolution approving an Intergovernmental Agreement with the City of Gresham for continued building inspection services.

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

5. PUBLIC HEARING / ORDINANCE (Introduced 12/12/23): An ordinance updating Public Contract and Purchasing Procedures and amending Chapter 2.24 of the Troutdale Municipal Code.

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

Mayor Lauer opened the public hearing at 7:14pm.

None.

Mayor Lauer closed the public hearing at 7:15pm.

MOTION: Councilor Ripma moved to adopt the ordinance updating Public Contract and Purchasing Procedures and amending Chapter 2.24 of the Troutdale Municipal Code. Seconded by Councilor Wittren.

VOTE: Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz – Yes; Councilor Ripma – Yes; Councilor Caswell – Yes and Councilor Wunn – Yes and Mayor Lauer - Yes.

Motion passed 7-0.

6. RESOLUTION: A resolution approving the City's Financial Statements and Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended June 30, 2023 and accepting the Independent Auditors' Reports.

Erich Mueller gave a brief overview of the staff report.

Mayor Lauer stated over the past several years the City has had boring reports, which is great. He asked Erich to explain what a not boring report could lead to.

Erich Mueller stated there are compliance issues with state law, there are penalties and serious implications would be that the City would be out of compliance with the covenant on the publicly issued debt. There is an obligation to produce an audit annually and not doing that would impair values. It could also damage the City's credit rating.

Councilor Glantz asked if this is a pass/fail or if there are grades.

Erich Mueller stated he would call it grades. There are different categories of deficiencies, and the auditors can issue a clean opinion, or they can issue a qualified opinion where they say everything is fine except for one category, for example. A clean opinion is an A. He wouldn't say it's a pass/fail but there certainly can be a fail.

Mayor Lauer opened public comment at 7:41pm.

None.

Mayor Lauer closed public comment at 7:41pm.

MOTION: Councilor Wittren moved to approve the resolution approving the City's Financial Statements and Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended June 30, 2023 and accepting the Independent Auditors' Reports. Seconded by Councilor Wunn.

VOTE: Councilor White – Yes; Councilor Wittren – Yes; Councilor Glantz– Yes; Councilor Ripma – Yes; Councilor Caswell- Yes; Councilor Wunn – Yes and Mayor Lauer – Yes.

Motion passed 7-0.

7. REPORT: Next steps for Law Enforcement and Fire Services contracts.

Ray Young gave a brief overview of the staff report and Exhibit A. He pointed out a typo in Section #1 of Exhibit A. It should say, "To be done under C. below" not D.

Mayor Lauer asked if there is a way to include budgetary metric when looking at comps.

Ray Young stated it could be included.

Councilor Wittren asked if staff could find out what the feel of the service levels are when looking at comps.

Councilor Glantz stated she would like to see something with date charts. She's concerned because she doesn't think there is a lot of time.

Ray Young stated he thinks a standing report once a month to Council with progress on how it's going would be good to do.

Mayor Lauer stated he thinks this is a good direction and the Public Safety Working Group (PSWG) did a good job coming up with the questions.

Councilor Ripma stated he thinks the PSWG should reconvene. In Section #7 of Exhibit B, it says consult with a bond levy/fire district vote firm. He assumes that is being explored with Wood Village, Fairview and Gresham.

Ray Young stated yes, he is in constant communication with the other cities. The 3 cities gave a letter to the Gresham Mayor to discuss this.

Councilor White stated he is against redlight cameras mentioned in Section #2 of Exhibit A, especially in a tourist town like Troutdale. Glenn Otto Park needs someone there more. It could be a park ranger or security guard. It's also good to look at the lease because Troutdale is the only one paying for the police building. He's willing to pay officers more money and backup with the County. He thinks the focus should be more on Troutdale. If Troutdale had their own law enforcement, it could contract with Wood Village and Fairview.

Ray Young gave a brief overview of Exhibit B, determining the best path forward for Troutdale fire protection. He stated that Chief Lewis from GFES will be at the February 27th Council meeting. He explained that he did some research on numbers and generally Troutdale response times are about 15-30 seconds behind what Gresham residents get. Seconds matter. He asked if a fire district is something the City wants to do. Troutdale is one of the few cities that pay for Fire out of the General Fund. Almost every city on the west side joined Tualatin Valley Fire so their General Funds are not burdened with the fire cost anymore. The City of Sandy has a Sandy Fire District and it's a separate tax line item. They have their permanent tax rate and then the Sandy Fire District has a separate tax rate. However, they don't have a Sandy Fire Department. They can take that money and contract with Clackamas County Fire District 1. He stated that the City already has the Public Safety Working Group but asked if the Council would want to appoint 3 Councilors to just the Fire side and maybe the PSWG could do Law Enforcement. There could be 2 groups to be expert groups on each issue.

Mayor Lauer stated he likes the suggestion of the 2 groups. He stated that staff and himself crafted a letter and sent it to Gresham Mayor Stovall and by extension his interim City Manager. They had a council meeting in November where Gresham City Council presented information and Stovall made comments stating that they're coming up short by at least \$5 million in their fire services budget line items and that the other 3 cities that contract with Gresham need to start paying their fair share. They had another councilor speak up and basically ask if they could just invoice the 3 cities now. Mayor Stovall said no because it's all under a current contract. There was vocal support for them to show up at City Hall's doorstep and issue an invoice for the 3 cities fair share immediately. In their opinion, it's owed to them to continue to fund their fire department. The letter was crafted with the help of the city managers and served it to Mayor Stovall asking for better talks and negotiations centered around this upcoming contract instead of doing it in their public meetings and blindsiding the other cities with their comments. He stated he's not even sure where the \$5 million price tag comes from.

Ray Young stated he asked where the number came from, and he still has received no response.

Mayor Lauer stated the essence of the letter was to have conversations in good faith to enter negotiations in good faith and there's more than just Gresham demanding money from the 3

cities. The letter was delivered today. The Mayors are going to meet more regularly to talk about this conversation. He stated that Mayor Stovall wants to keep discussions at a Mayors level but he's not comfortable with that.

Councilor Glantz stated when the Gresham bond failed, they had a work session on budget shortfalls related to police and fire and part of that \$5 million shortfall at that time was coming from money they had used as part of the COVID money and since it was no longer coming in that was where that percentage went.

Ray Young stated when Gresham got their COVID money they made the cardinal mistake of using some of it for ongoing expenses. That COVID money only lasts a couple of years and now they're having to pay for stuff without that money.

Councilor Wunn suggested getting a timeline from the working group so Council knows when this will all be done. It needs to be done quickly.

Rich Allen, Troutdale resident, stated he wouldn't create 2 groups. Fire and Law Enforcement should be discussed together.

Councilor Wunn stated he thinks 2 groups would be good to tackle each issue individually.

Mayor Lauer stated he thinks splitting the group up will accomplish 2 things. In the original PSWG, there was a lot of information and a lot of information all at once and a lot of topics. He thinks the group did a great job, but he thinks a better and more efficient job can be done by splitting it up each issue.

Councilor Ripma stated it seems like the PSWG should continue working on both fire and law enforcement.

Councilor Wittren stated they do seem like 2 separate matters. It would be helpful to have 3 councilors to help.

Councilor Glantz stated she wouldn't say only police because the budgets are interdependent. What is spent on one will impact the other and how it's spent.

Councilor White stated he agrees with Rich Allen's perspective. He doesn't think they should be split up.

Councilor Caswell stated she thinks it's important to keep it concise and simplified. She thinks 2 groups working at the same time will help it get done quickly and have some structure.

Councilor Wunn stated it's a fact-finding mission to then present to Council. Negotiations will happen at a different forum. He thinks there should be 2 groups.

Mayor Lauer opened public comment at 8:55pm.

Paul Wilcox stated listening to Ray providing the options for police services, one option he didn't hear was a 3 cities police department. He heard Councilor White kind of alluding to a Troutdale Police Department being a lead agency with possibly contracting with Wood Village and Fairview. He's also heard Ray mention comparing a Troutdale Police Department with cities of a similar size where if you're doing a 3 cities police department rather than look at a population of 15,000, you might want to look at a population of 30,000. He stated Troutdale has a 3 cities police department now, really, with the sheriff's department covering the 3 cities with their deputies. He gets the feeling that the 3 cities deputies are pretty much used interchangeably.

Mayor Lauer closed public comment at 8:58pm.

Mayor Lauer stated the direction for staff would be to reconstitute the PSWG to look at law enforcement services and then start a 3-councilor group to look at fire services. There will be a framework presented next week of what that is going to look like.

8. STAFF COMMUNICATIONS

Ray Young provided the following staff communications:

- Parks Advisory Committee met on 12/20 and talked about additional dog park recommendations and on 1/23 they will bring it before Council to discuss
- Monday is Martin Luther King, Jr Day and city offices will be closed
- Keep an eye on the weather, possible snow Friday and into Saturday and crews are preparing
- Meeting next Tuesday, 3 in a row, and a copy of letter to Gresham was emailed

9. COUNCIL COMMUNICATIONS

Councilor Ripma wished everyone a Happy New Year.

Councilor Wunn thanked everyone for his first year of his term. Be careful this weekend and plan ahead.

Councilor Caswell wished everyone a Happy New Year.

Councilor Glantz stated she serves on several transportation committees and in a recent work session there was a pretty lengthy discussion about what the priority for transportation and roads should be. Should it be safety or the environment? She would like feedback from Councilors on what they think.

Mayor Lauer stated he had a sit down with the Assistant District Attorney, Nathan Vasquez, and had a great conversation centered around his views and his direction. He's running for District Attorney for Multnomah County. The Mayors also had a sit down this morning with Mike Schmidt and had more great conversations centered around his continued vision and his views moving forward. One thing that came out from both of the conversations is the community District Attorneys, a neighborhood district attorney program that was started under DA Underhill and cut by DA Schrunk due to budgetary cuts. It is being talked about bringing the program back. He stated he is working on having the DA or assistant DA's come out and join a council

meeting and give updates and the state of matters in East County. He thinks it could be a great program.

Councilor White stated he wants to give a shout out to Len Otto, his picture was in the Metro monthly flyer for being successful in getting handicap parking at the Oxbow boat ramp.

Councilor Wittren wished everyone a Happy New Year. Council has a lot on their plates and it's important to stay focused. He stated everyone is communicating really well and he hopes it will keep up.

10. ADJOURNMENT

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

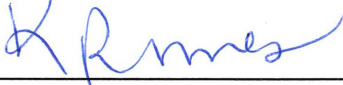
Meeting adjourned at 9:08pm.



Randy Lauer, Mayor

Dated: February 29, 2024

ATTEST:



Kenda Rimes, Deputy City Recorder

January 9, 2024 City Council Regular Meeting - Zoom Guests

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Troutdale Conferencing	troutconf@troutdaleoregon.gov	1/9/2024 18:38	1/9/2024 21:08	150
speaker table		1/9/2024 18:38	1/9/2024 21:08	150
Anthony Evans		1/9/2024 18:40	1/9/2024 18:42	2
Sarah Skroch	troutconf@troutdaleoregon.gov	1/9/2024 18:41	1/9/2024 21:08	147
Anthony Evans		1/9/2024 18:42	1/9/2024 21:08	146
Carol Reynolds		1/9/2024 18:45	1/9/2024 21:08	143
Jordan Wittren		1/9/2024 18:51	1/9/2024 21:08	137
Alison Caswell		1/9/2024 18:55	1/9/2024 21:08	133
Paul Wilcox		1/9/2024 18:55	1/9/2024 21:07	133
Geoffrey Wunn		1/9/2024 18:56	1/9/2024 21:07	132
Randy Lauer		1/9/2024 18:57	1/9/2024 21:08	131
Sandy Glantz		1/9/2024 18:59	1/9/2024 21:08	129
Heather Jones - City of Troutdale		1/9/2024 18:59	1/9/2024 20:32	93
Troutdale Conferencing	troutconf@troutdaleoregon.gov	1/9/2024 18:59	1/9/2024 21:07	129
Glenn White		1/9/2024 19:25	1/9/2024 21:08	103

Exhibit A

January 9, 2024 Council Meeting Minutes

Mayor and Councilors,

Since Sarah is at tonight's meeting, I wanted to nominate her for MVE, Most Valuable Employee. She has been invaluable in providing me with the information that has been most useful to me.

Before I get into my main comment topic, I wanted to share a somewhat personal recent experience. We were at home and heard shouting outside, followed by "popping" sounds. Looking out a side rear window, we could see huge flames up the front of a house across the street around the corner. When we went outside to see closer, two MCSO patrol cars were just arriving, followed very shortly by several Gresham fire trucks. I can't say for certain what the overall response time was since we didn't make the 911 call, but it seemed within minutes. Once the first fire trucks had arrived and the crew had hooked up to the nearby fire hydrant the flames lapping at the front second story bedroom were extinguished in a matter of minutes. The separation between houses in our development is in some cases as little as 7'. We were very impressed with the prompt response and actions taken upon arrival by the first responders.

This is my next installment on issues with the Troutdale City Charter, Section 28, Filling of Vacancies. Last time I addressed Mayoral vacancies. Tonight it will be Councilor vacancies. The Charter reads "A vacancy in the office of councilor shall be filled by appointment by a majority of the council." A literal reading of this would allow for a departing Councilor to participate in selecting their replacement. This is in fact what happened in 2016 after Councilor Anderson announced at the Jan. 26th meeting that he would be resigning effective March 31st. His replacement, Corey Brooks, was ultimately sworn in on April 12th. Since Councilor Anderson had given two months' notice, the City Attorney had advised that the selection process could occur prior to his resignation date. The Council chose to follow that advice, although there was some dissension as to filling the position while it was still occupied. Councilor Anderson did not offer to abstain, and in fact offered himself up as a possible tie-breaker. In the end, a majority of four votes was reached without his participation. It's also worth noting that Councilor Anderson participated fully in the candidate interviews during the March 14th Work Session, which strikes me as highly inappropriate and irregular. Of course, those who were there will remember that there was also a huge controversy over who the appointee would be, but that was an entirely different issue unrelated to whether the outgoing Councilor would participate in the final vote. Anyone interested in those details can read the March 22nd meeting minutes.

Most cities use language identical or similar to the LOC Model Charter language, which reads “A mayor or councilor vacancy will be filled by appointment by a majority of the remaining council members.” The key word here is “remaining”. All of the above-described angst could have been avoided if the word “remaining” had been included in the Charter language. I will acknowledge that there are four of twenty other area cities surveyed that allowed for simple majority vs remaining, so Troutdale is not alone in this perceived language flaw.

I will point out also that there are weaknesses in the LOC Model Charter as well. For example, it goes on to say “The appointee’s term of office runs from appointment until expiration of the term of office of the last person elected to that office.” A literal reading of this statement would allow for up to a four-year appointment. Most cities have added language allowing for an appointment to only last until the year end after the next General Election.

Submitted by:

Paul Wilcox

Troutdale

1-9-24