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

Tuesday, June 9, 2020 – 7:00PM

1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE

Council President Ripma called the meeting to order at 7:01pm.

PRESENT: Council President Ripma, Councilor Lauer, Councilor Kranz, Councilor White, Councilor Moon and Councilor Hudson.

ABSENT: Mayor Ryan (excused).

STAFF: Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Chris Damgen, Community Development Director; Arini Farrell, Planning Associate and Erich Mueller, Finance Director.

GUESTS: See Attached.

Council President Ripma asked if there are any agenda updates.

Ray Young, City Manager, replied consent agenda item #3.5 is being pulled due to not being ready for Council vote yet. The presentation for agenda item #4 has been modified.

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

<0:02:2
Jason Hardin, Portland resident, stated he was invited by Chris Damgen to introduce himself and Steve Zebrowski to talk about a project with the park behind the Troutdale Outlet Mall and putting a pop-up disc golf course in. He explained there are ideas of doing leagues at the course and it would help bring some business to Troutdale.

<0:05:03>
Steve Zebrowski, Wood Village resident, stated he will be assisting Chris, Jason and Tim with the disc golf course proposal.

Chris Damgen, Community Development Director, stated this is a prelude for the Council as part of the Community Enhancement grant application that will be brought forward next week. This is an idea for temporary or pop-up use of the URA site with the ability to create a new recreational amenity while future development gets figured out.

<0:07:37>
Marcia Chiaudano, West Columbia Gorge Chamber of Commerce, asked if the City of Troutdale had any plans for helping businesses to recoup losses or anything like that.

Ray Young replied the one formal program is the significant reduction in commercial sewer rates for all the businesses in Troutdale. There are substantial resources on the City of Troutdale's website for businesses to direct them to federal and state resources.

Marcia Chiaudano asked if the City has any plans for meeting and greeting the visitors that will be coming to Troutdale after the end of June.

Ray Young replied yes, he has met with several city staff and they will be in contact with Geoff.

3. CONSENT AGENDA:

3.1 MINUTES: May 12, 2020 City Council Regular Meeting

3.2 RESOLUTION: A resolution directing the disbursement of the ninety-five one hundredths of one percent of the transient lodging tax dedicated for tourism promotion.

3.3 RESOLUTION: A resolution recognizing the completion of the public improvements associated with the Power Rents site development at 2030 NW 7th Street and accepting the improvements in the City's fixed asset system.

3.4 RESOLUTION: A resolution to quitclaim the right to divert outflow and release grant for a spring easement.

~~**3.5 RESOLUTION:** A resolution establishing City of Troutdale utility easements located in the Urban Renewal Area.~~

3.6 RESOLUTION: A resolution approving the extinguishment and vacation of Howard Estates street-side yard Public Utility Easements on Lots 10, 16, 17, 22, 23 and 28.

MOTION: Councilor Lauer moved to approve the consent agenda. Seconded by Councilor White.
Motion Passed 6-0.

4. PRESENTATION: An introduction of the Multnomah County Sheriff's Office Command Staff that will be serving as the City's Chief of Police as well as the Beach Deputy.

<0:12:51>
Ray Young stated command staff and the deputies are working very hard to deal with the situation primarily in Portland. Most deputies are on their 7th, 8th or 9th day of 12-hour shifts in a row, so they were not able to be here. It's hopeful that they can be at a Council meeting in the next 2 to 3 weeks to do the report themselves. He explained there are a couple things to make Council aware of. First, Captain Goldberg, who has been the Chief of Police for the last year and a half has been transferred to head the new TriMet division. The Sheriff has appointed Captain Steve Bevens to take the Chief position for Troutdale. Second, under the contract the Sheriff's Office is required to provide during the summer months a beach deputy and that deputy is Deputy Windowski. His shift will be Friday through Monday from 10:00am to 8:00pm.

5. PUBLIC HEARING / RESOLUTION: A resolution certifying the City of Troutdale's eligibility and election to receive State Shared Revenues for Fiscal Year 2020-2021.

<0:16:20>
Erich Mueller, Finance Director, gave a brief overview of the staff report.

Council President Ripma opened the public hearing at 7:19pm.

Council President Ripma closed the public hearing at 7:19pm.

MOTION: Councilor Lauer moved to adopt the resolution certifying the City of Troutdale's eligibility and election to receive State Shared Revenues for Fiscal Year 2020-2021. Seconded by Councilor Moon.

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

Motion passed 6-0.

6. PUBLIC HEARING / RESOLUTION: A public hearing and resolution adopting the City of Troutdale's Fiscal Year 2020-2021 Annual Budget and making appropriations.

<0:20:12>
Erich Mueller gave a brief overview of the staff report.

Tanney Staffenson, Budget Committee Chair, stated the budget process was different this year due to the Governor modifying the process to allow the committee to approve a budget to send to Council for approval. He thanked Council for the opportunity to serve.

Council President Ripma opened the public comment at 7:23pm.

Paul Wilcox, Troutdale resident, stated on page 2 of the staff reports under current status there's a status that says, "The Budget Committee approved budget was published on the City website", but he was unable to find it on the website. He saw the proposed budget but there wasn't one identified as the committee approved budget. His other item is salary adjustments across different departments and ran across a few on page 84 and page 90 that shows a reduction year over year in the salary for those positions and he questions those figures.

Erich Mueller replied the approved budget was published as prescribed by the local budget law and it was published on the website and the other items will be corrected as part of the general ledger upload in the final approved budget.

Council President Ripma closed the public hearing at 7:27pm.

MOTION: Councilor Lauer moved to adopt the resolution adopting the City of Troutdale's Fiscal Year 2020-2021 Annual Budget and making appropriations. Seconded by Councilor Hudson.

VOTE: Councilor Kranz - Yes; Councilor White – No; Councilor Moon – Yes; Councilor Hudson – Yes; Councilor President Ripma – Yes and Councilor Lauer – Yes.

Motion passed 5-1.

7. RESOLUTION: A resolution imposing and categorizing ad valorem taxes for Fiscal Year 2020-2021.

<0:27:26>
Erich Mueller gave a brief overview of the staff report.

MOTION: Councilor Lauer moved to adopt the resolution imposing and categorizing ad valorem taxes for Fiscal Year 2020-2021. Seconded by Councilor White.

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

Motion passed 6-0.

8. DISCUSSION: A discussion of State and Local gun control laws.

<0:29:26>
Councilor Hudson stated in 2014 Multnomah County passed a series of new rules relating to firearms and Troutdale City Council at the time reacted pretty immediately and convened and passed a home rule measure saying, we are not bound by any rule that the County makes at all but it was specifically in reaction to this particular firearms ordinance. From reading documents, it sounds that the Multnomah County measures were not really considered or scrutinized or taken seriously as a suggestion. It seems to him that if City Council immediately said no, it doesn't apply to us, passed the resolution and then waited to see how things would play out. Things did play out and there have been changes to how cases have been handled since then. Everyone will be happy to know that the County prosecutors have recognized Troutdale's home rule in this instance and have thrown out cases specifically because people were in Troutdale at the time and Troutdale has it's own gun laws and the Multnomah County laws don't apply. A specific instance is the one that's included in the packet relating to Joseph Powell. He stated he slightly confused on the details of the case, reading 2 different articles gives you 2 slightly different senses of exactly what happened. Right after the Reynolds High School shooting, a gentleman named Joseph Powell showed up at the high school with a gun. His rationale was that he wanted to come protect his sister. He admitted afterward that it was not a very good idea to show up at a high school with a gun after a shooting had just happened and said he wouldn't do it again. In the first article it made it seem that this was an unlicensed concealed handgun that was confiscated from him. Although in the second article that was included it seems that the County was interpreting it as an open carry situation. It was in the waist band of his pants. Whether it was concealed, or open carry is maybe one of the things that was discussed in the details of this case. The case was thrown out. He was found not to have been breaking any laws. Or at least the County didn't want to go ahead with any

prosecution because it recognized Troutdale's sovereignty on this measure. It's the only instance so far, he knows in which this has come up. He wanted to point out that Troutdale's decision on this matter has had consequences and has been recognized. Troutdale's ability to assert its own rules has now been recognized by County authorities so that seems like it's safe. However, he would really like to go back to the gun laws that Multnomah County passed for the County as a whole, not applying specifically to Troutdale. Did Council really look at everything that they suggested and ask if maybe if Troutdale should adopt them. Not because the City is a pushover and not because Troutdale does whatever the County tells them to, but because they passed a comprehensive package of gun laws that they thought would be useful for everyone in the County and maybe they're right. Maybe they have some great ideas. If nothing else, if Troutdale doesn't decide to simply adopt the Multnomah County proposal in its entirety, while still asserting the home rule prerogative. Maybe now would be a good time to look at Multnomah County's suggestions, look at Troutdale gun control laws and ask if maybe there needs to be changes. Either to bring them more closely in line with one or more aspects of the County's changes because they deserve consideration. He would like to put on a future agenda for a chance for Council to have a look at what Multnomah County passed, Troutdale's current gun laws and see if there's any change Council would like to make. Then have a discussion and give directive to staff to create measures that we can then put on future agendas, take testimony and maybe see a way to making some changes. Two of the biggest things in the Multnomah County 2014 changes had to do with open carry and with safe storage of firearms. Both of those changes are ones that he likes and would argue in favor of. The one highlighted tonight is open carry. Right now open carry is legal in Troutdale which means that somebody could pull up into the Columbia Outlet stores, open up their trunk, take out an AR-15 and walk across the parking lot and it would be perfectly legal. If this seems outlandish, please realize that many people have done this in other places across the United States. This happened at the Clackamas Mall. Someone carrying a loaded assault rifle is not breaking the law as they walk into a shopping center until they point and start pulling the trigger. We know that mass shootings occur, they happen all the time.

<0:42:28>
Councilor Kranz stated she thinks it's a very important topic for Council to have as an agenda item and she fully supports reviewing it.

<0:43:55>
Ed Trompke stated this is a very complicated issue. The State statutes severely limit what cities and counties can do under their home rule powers. For example, the example of the Ukrainian fellow who carried a loaded firearm into a shopping mall, cities and counties are prohibited from adopting ordinances that would prohibit someone from carrying an unloaded AR-15 into a shopping mall. That's entirely permitted of right under the statute and cities can't stop that. There are only 3 areas that cities and counties can regulate. If it would be helpful for the City Council, he could put together a short one-page explanation of what is not pre-empted. The State has expressly pre-empted city authority in most areas of regulation. That might help to explain to the public because there could be all sorts of comments that may be ill informed by people who would like to see things done that the City Council simply has no authority to do.

<0:45:51>
Geoff Kenway, Troutdale resident, stated he appreciates Zach's discussion on the issue. The problem he has with trying to adopt a new resolution, whether you do or you don't, is there is no way to prevent someone coming into any establishment with or without a loaded weapon no matter what you decide you want to pass. Unless there's a better resolution to prevent people from doing that I don't see the real purpose in bringing that forward for discussion when anyone that owns that firearm could do that with or without regulation.

Councilor Hudson stated if someone is determined to murder as many people as they can as quickly as they can, they are going to try to do it and not necessarily think of their own survival. Most mass shooters are planning to go down in a blaze of glory anyway. Of course, passing a law is not going to stop them. Passing a law would do 2 things. One, it would permit much faster police response. The other thing is it would prevent stunts like Mr. Andreychenko's stunt.

Councilor Hudson asked if its possible to get direction from Council to staff that this should be on a future agenda at a time that all agrees.

Councilor White stated he thought Council was going to be given time to do some research and hear from Ed's report.

Councilor Lauer stated he is a licensed conceal carry in the state of Oregon and he believes in his rights for that, but he also appreciates conversation. He doesn't necessarily mind having the topic brought in front of Council, but he does like Ed's idea of at least having our parameters and borders brought to our attention.

Councilor Kranz stated she would like Mayor Ryan to chime in on this conversation. It looks like the furthest date out on the Council meeting schedule is July 14th. She proposed maybe having that information available by July 14th so Council can pivot from that.

Council President Ripma proposed inviting Ed to do his summary and have it available to Council by the July 14th meeting.

Ed Trompke stated he can get the summary ready by the July 14th meeting.

9. STAFF COMMUNICATIONS

<0:55:09>
Ray Young provided the following staff communications:

- Tuesday, June 16th the Urban Renewal meeting starts at 6:00pm then at 7:00pm will be the Community Enhancement Grant meeting.
- June 23rd will be a Regular Council meeting.
- June 30th is a Work Session discussing the Goal Setting meeting earlier this year.
- Wood Village, Fairview and Troutdale put together some banners congratulating the 2020 graduates of Reynolds High School.
- The League of Oregon Cities, before every legislative session, takes a survey of all the cities as to what the City believes are important legislative issues the League should put their energy into, Council members can forward their thoughts to Ray.

10. COUNCIL COMMUNICATIONS

<0:58:37>

Councilor Kranz asked if it would be possible to have an Excel file sent out with the information for the Community Enhancement grants. She suggested the Council possibly doing a Diversity, Equity and Inclusion (DEI) training.

Councilor White cautioned residents of the new traffic pattern that's a little confusing at the east side of the Troutdale Bridge and a reminder of no lifeguards this summer at Glenn Otto Park.

Councilor Moon stated he lives in Troutdale and has a business in Gresham and with all the protests he was a little uneasy, but he's been inspired by all the groups locally in Troutdale. They were good movements and everybody well behaved. He informed Council that July 31st and August 7th the City will be putting on Movies in the Park.

Councilor Hudson stated he would like to recognize the ongoing calls for racial justice in the wake of the killings of George Floyd and Breonna Taylor and Ahmed Aubrey. He thanked everyone in Troutdale and the surrounding areas who showed up to walk in support of this issue but also the Sheriff's Department who did a wonderful job keeping people safe and showing their support as well. He thanked Mayor Ryan for being an outspoken supporter.

Council President Ripma thanked the citizens of Troutdale and MCSO. Be kind and stay safe.

Councilor Lauer stated our country is in an important time right now and everyone needs to be patient and show some grace and make changes to come out better. Be kind.

11. ADJOURNMENT

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

Meeting adjourned at 8:06pm.

Casey E Ryan

Casey Ryan, Mayor
Dated: July 15, 2020

ATTEST:

K Schlaht

Kenda Schlaht, Deputy City Recorder

CITY OF TROUTDALE

City Council – Regular Meeting
7:00PM
Tuesday, June 9, 2020

PLEASE SIGN IN

Name – Please Print	Address	Phone #
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