

**MONDAY, NOVEMBER 5, 2018**  
**EXECUTIVE SESSION ~ REAL PROPERTY, ORS 192.660(2)(e) 6pm**  
**Scappoose Council Chambers**

Mayor Burge called the Executive Session to order at 6:00 p.m.

**Present:** Mayor Scott Burge, Council President Mark Reed, Councilor Patrick Kessi, Councilor Megan Greisen, Councilor Natalie Sanders, Councilor Joel Haugen, Councilor Josh Poling, City Manager Michael Sykes, Legal Counsel Peter Watts, City Recorder Susan Reeves and Office Administrator Kim Mann.

Mayor Burge adjourned the Executive Session at 6:32p.m.

**WORK SESSION ~ FOOD CART DISCUSSION, 6:30pm**

Mayor Burge called the Work Session to order at 6:33 p.m.

**Present:** Mayor Scott Burge, Council President Mark Reed, Councilor Patrick Kessi, Councilor Megan Greisen, Councilor Natalie Sanders, Councilor Joel Haugen, Councilor Josh Poling, City Manager Michael Sykes, Legal Counsel Peter Watts, City Recorder Susan Reeves and Office Administrator Kim Mann

**Present in the audience:** City Planner Laurie Oliver, Assistant to City Manager Alexandra Rains, and Courtney Vaughn with the Spotlight

City Manager Michael Sykes announced the Food Cart Discussion Work Session.

City Planner Laurie Oliver went over the Food Cart Discussion. The following items were discussed regarding food carts at the September 17, 2018 work session: Council is not in favor of above ground utility connections under any scenario. Type I pods should be self-contained and Type II pods should be either self-contained or have permanent underground utility connections. Food carts should be allowed in the LI and PUA zones through the Conditional Use process. Length of approval for Type I pods should not last four years. Two years seems more appropriate, with the option to renew the permit after two years. Type II approvals should not expire. Signage for Type II pods should follow the same standards as for any other business, not be limited to an A-frame sign only. Landscaping requirements should be added to Type II approval standards, with the option to provide some of the required landscaping with potted plants/containers. May want to consider a requirement to provide a covered seating area for pods with three or more carts.

All of the above considerations and topics raised at the September 17th work session have been incorporated into the current draft of the food cart ordinance. All edits that have been made to the draft ordinance since the last work session have been double underlined for ease of review. Two items for further discussion have been left highlighted: Do we want to allow metal portable carport type of coverings, or specify that only site-built wood structures are allowed for covered

seating? Do we want to require food cart pods with three or more carts to provide on-site bathrooms and covered seating?

Mayor Burge asked can they have the portable style bathrooms if they have hot running water?

City Planner Laurie Oliver replied yes, they have to have hot running water on site in conjunction with the restroom.

City Planner Oliver asked what are your thoughts on metal type buildings versus site built?

Mayor Burge asked what if we're doing a smaller one?

City Planner Laurie Oliver replied it's totally different and its less for start-up costs.

Mayor Burge asked about the development costs on something if you have 3 or more, whoever owns the pod, is it still lower start-up costs?

City Planner Laurie Oliver replied yes, it's the property owner or the person who's making that initial investment who's putting that in.

Councilor Poling stated he has concerns with the porta potty part, he doesn't think it conveys the image of a higher end pod. For him, he's a little concerned about that.

Councilor Kessi replied he'd rather see something more permanent in a structure.

City Planner Laurie Oliver replied that's absolutely legitimate. She had written it that way, and she agrees that the image we're talking about is of something a lot more permanent. The struggle is trying to allow this type of development to move forward at a lower start-up cost and trying to keep options open. We're creating this, so it's whatever our vision is for this, so we get to set the standards.

Councilor Greisen asked are we setting the bar too high?

Mayor Burge asked if the standard allows the portable style unit, can't we have a requirement for a screen around it? He says in Portland around 28<sup>th</sup> & Division they had portable bathrooms inside a small structure, like a shed, and that way they were able to do the lower cost. You see that a lot with the City of Portland Park sites where they have small structures built around the portable bathrooms to give it a more pleasing look.

Councilor Greisen thinks we have a really great vision here, but she wonders if this is feasible for our town, is it something they will want to come out here and do? Some people have been coming to our meetings and showing interest, but are they willing to put in money to create something like that? With the weather would people really eat there or go there? She gets that we do need to have a structure, and she's not saying that we can't do metal; we want it to look a decent way, but she wonders if it would thrive out here.

Mayor Burge replied he doesn't really have a problem with metal covers. When it comes to onsite bathrooms, if what's feasible for them to develop is a porta potty, then he thinks we need a standard that says it can't be a free-standing porta potty, it has to be enclosed so it doesn't look like it's a porta potty.

City Planner Laurie Oliver replied yes, it has to be buffered by fencing and landscaping.

Councilor Greisen commented something like a trellis where it is covered and obscured.

Mayor Burge replied it needs to be enclosed into a shed so it doesn't look like a porta potty.

Councilor Sanders said she's been to one where their handwashing station was under the roof; it had a porch roof that came off and the handwashing station was there along with the 2 porta potty's.

City Planner Laurie Oliver replied she's struggling with this because we have design standards for this, but we don't for our buildings. We do for downtown overlay but not for anywhere else.

City Planner Laurie Oliver replied she likes the idea, she can change the wording to something like, "Obscured by wooden enclosure."

Mayor Burge replied that there has to be some kind of wording that relates to that kind of structure, and that's only allowed if they can meet the hot water requirements.

Councilor Greisen replied in regard to the metal covering, someone might do wood posts and a metal roof, so what's the difference if it has metal poles? It could look trendy or funky.

Mayor Burge replied if you look at the one on 12<sup>th</sup> & Hawthorne, it just has bigger tents and covered sides, and they have fire pits. When you go back to their porta potty's, they're also covered in some sort of enclosure, they're not just out there. That's why he's fine with it, that one looks really nice how they've decorated it and set it up.

Councilor Haugen asked if there was some ambiguity with the notion of the facility being within a quarter mile?

City Planner Laurie Oliver replied that's from the OAR (for food handlers), it specifies it has to be within that distance.

Councilor Haugen asked does it conflict with anything required for sanitation onsite?

City Planner Laurie Oliver replied no. If it's a type 1 they can use a different facility with the owner's written permission. If it's a type 2 and there's more than 3 carts then they have to have something onsite.

Councilor Haugen asked is it specifically for type 2 or more?

City Planner Laurie Oliver replied it's specific to 3 or more. The operator or owner of the food cart pod is going to decide what they feel like their market is and what they want to provide.

Mayor Burge commented if they can find the one to provide that, we can give them some choices and flexibility.

City Planner Laurie Oliver replied if they're doing really great and they want that site built then they can do that.

Mayor Burge replied ultimately if they're a type 2 they would have some sort of site planning. He thinks it would be up to them and it would give some flexibility.

City Planner Laurie Oliver stated that we are not going to specify that it has to be a site built wood framed covering. She will add language in to say that if a portable bathroom and portable hand washing facility is provided then it has to be screened from view with a wooden enclosure.

Mayor Burge and Council agreed it doesn't need to specify that it has to be wooden, just screened from view.

City Planner Laurie Oliver replied okay, just screened from view. That gives them flexibility.

Councilor Sanders commented regarding the covering piece if we should put something in there stating that it's not temporary, that it has to be a permanent covered structure. Like carports, how are they going to anchor it to the ground? Are they going to have to have cords coming out that are under cinder blocks, because that would create a tripping hazard.

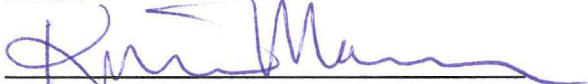
City Planner Laurie Oliver replied she will check with the building official, but her understanding is they still have to meet the building codes. They have to pull information for wind load and snow load so there's no uplift, so yes, it would have to be attached securely to the ground. She will double-check to see if we need to specify this.

Mayor Burge replied it looks like we are ready to move forward on this.

Mayor Burge adjourned the Work Session at 6: 48p.m.

  
Mayor Scott Burge

Attest:

  
Office Administrator, Kimberly Mann