

**MONDAY, JUNE 1, 2020
CITY COUNCIL MEETING
Regular meeting 7:00 p.m.
Scappoose Council Chambers
33568 East Columbia Avenue**

Call to Order

Mayor Burge called the City Council meeting to order at 7:03 p.m.

Pledge of Allegiance

Roll Call (present/in person)

Mayor Scott Burge	Michael Sykes	City Manager
Council President Patrick Kessi	Susan M. Reeves	City Recorder
Councilor Megan Greisen	Norm Miller	Police Chief
Councilor Brandon Lesowske	Laurie Oliver	City Planner
Councilor Pete McHugh		

Remote/on the phone:

Councilor Joel Haugen
Councilor Josh Poling (7:05 PM)
Legal Counsel Peter Watts

Also present:

Joe Kessi, Applicant
Michael Leipzig
Amy Lindgren

Approval of the Agenda

Council President Kessi moved, and Councilor Greisen seconded the motion to approve the agenda.

Mayor Burge requested an amendment to the agenda by moving agenda item #6 up to #3.

Council President Kessi moved, and Councilor Greisen seconded the motion to approve the agenda as amended. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Public Comments

There were no emails/public comments received.

Consent Agenda ~ May 18, 2020 City Council meeting minutes and Appointment of Ivy Freimuth to Park and Recreation Committee and Michael Leipzig as alternate to the Economic Development Committee and alternate to the Park and Recreation Committee

Council President Kessi moved, and Councilor Lesowske seconded the motion to approve the Consent Agenda ~ May 18, 2020 City Council meeting minutes and Appointment of Ivy

Freimuth to Park and Recreation Committee and Michael Leipzig as alternate to the Economic Development Committee and alternate to the Park and Recreation Committee. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Old Business

Ord No. 890: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map and approval of SB1-19

Mayor Burge explained this item is on second reading, there was a motion on the floor from the last meeting. He read the ordinance title for a second time ~ Ord No. 890: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map and approval of SB1-19.

Council President Kessi stated he is still recused from this.

Councilor McHugh asked about the process and how normally this wouldn't come before Council, is that right?

City Planner Laurie Oliver replied the annexation and zone change would, the subdivision is normally a decision that rests with the Planning Commission.

Councilor McHugh stated the subdivision is the part that he has questions on. He stated he really appreciates what the developer is doing, and he thinks it is a good idea but there are just somethings about it that didn't add up to him. He stated it sounds like we are rubber stamping it anyway because we are code driven and all the codes have been met, right?

City Planner Laurie Oliver replied correct. She explained the subdivision is a limited land use decision, so there is no judgement involved, it is just "does it check all the boxes" and if it is meeting all of the requirements, then we are required to approve it.

Councilor McHugh stated he is concerned with all of that, personally. He asked couldn't we have like a design review committee or something that would review some of these things?

City Planner Laurie Oliver replied there is a list of architectural requirements that they have to meet. She explained the findings are in the Planning Commission staff report of how it is being met.

Councilor McHugh asked that is pretty much done by the staff or does the Planning Commission do that?

City Planner Laurie Oliver replied the Planning Commission does that review.

Councilor McHugh replied he just sees looking at this there are somethings that concern him. He stated apparently this isn't the time to bring it up because it is already a done deal, we are just approving it because that is what we are supposed to do.

City Planner Laurie Oliver replied the Planning Commission generally gets more in the weeds on subdivisions, but the last hearing we had was the public hearing on it when those things still could have been brought up by any member of Council to discuss.

Councilor McHugh replied it was a pretty extensive document and they didn't have much time to look at it.

City Planner Laurie Oliver stated staff is always able to answer any questions Council may have.

Councilor McHugh replied he just has concerns that it is on a dead-end street. He stated he does like a lot of things about it though. His concern is that it should be more vetted than what it was. He stated Council should have more input on development, such as, is it going to add to our City or takeaway from our City, how is it going to look ten years from now.

City Planner Laurie Oliver explained she hears Councilor McHugh's concerns. She explained we don't have an architectural review committee here at the City, the City has never implemented that, it is something that we could do. She explained that does add additional time to the process so people aren't building as soon, and it could be that costs go up for the developer. She explained perhaps that is something that is of interest to the City and it is something that could be considered.

Councilor Lesowske asked for clarification from Councilor McHugh. He asked does Councilor McHugh feel as though the Council itself should have some oversight in approving the developments or do we keep that within the Community Development permitting process that we have with the City staff.

Councilor McHugh replied we don't even look at drawings of the development that is going to go into the City that we are City Councilors for, he thinks we are missing something. He is not sure he likes the process that we are facing here.

Councilor Lesowske replied, reflecting the vision of the City; he is absolutely in agreement with Councilor McHugh as well. He stated as citizens and residents, he can still go to the Planning Commission and be a part of that process. He doesn't think it is about this particular permit that Councilor McHugh is bringing up, he thinks it is about the process that we have.

City Planner Laurie Oliver explained there are a few things to look at here because one of the suggestions was that we streamline our permitting process for housing and this came out of the affordable housing tools we were looking at; that we streamline some of that so it takes even less review. She stated in other words, don't even send it to the Planning Commission, just let it be a staff decision based on our code. She explained the trade off there is it means that those projects get to permits faster, it means that the person is not holding that land as long and it means that housing is developed at a faster rate. She stated is there a tradeoff there, she doesn't know, as far as the quality that is going to come out the other end of that. She stated they are still meeting the same codes, so there should be no difference in what comes about.

Mayor Burge stated doesn't the new housing codes include design standards that we previously did not have at all?

City Planner Laurie Oliver replied correct.

Mayor Burge stated the Council could always take another look at those design standards and make that decision of what the vision is and put them into that standard.

Councilor McHugh replied he thinks it is more important that we get a structure or development that is going to add to our community.

City Planner Laurie Oliver replied she appreciates that and also when we are developing the code and looking at that, obviously what you have in your code book is going to be pretty important if everything is driven by the codes. She stated in 2018 when we went in and revised fourteen chapters of the development code related to housing, we added things like having the architectural standards for multi family buildings where we didn't have that before, unless they were in the downtown overlay. She stated in the changes we made we tried to bring that level of having it look a little bit nicer to all the parcels in the City as opposed to just the ones that were within this very defined downtown overlay. She stated at the time we are putting the codes into the book is the time to really get clear on what we want moving forward. She stated that being said, that is something that is always changing and something we can always amend in the future, so it is possible to have an architectural review committee. She stated it is possible to have those things, it is just a matter of making that a priority and saying this is what we want, and we are going to move forward with those code changes and implementing them.

Councilor Greisen asked is this something that can happen without being a formal Council Goal or do we have to wait to make that a Council Goal in order for it to be on the priority list for staff?

City Planner Laurie Oliver replied she thinks we can do it either way, that being said it would require a rewrite of the development code and for that, just so she can prioritize her time since she is a department of one, it would be terrific if it comes as a Council Goal that way we can also assign funding to it so we can actually have a consultant lined up to take us through the process. She explained again, because she is a department of one, she has to respond as quickly as possible to the applications submitted by the public, as opposed to pigeonholing into just one project.

Councilor Haugen stated he hears Councilor McHugh's concerns, but he is wondering about the function of the Planning Commission.

Legal Counsel Peter Watts stated the requirement under State Law is that we have clear and objective standards for housing and the goal in that is that a developer could read through the code and work with an architect, builder and designer and come up with something that complies with our code, and at that point, once it complies with all the clear and objective standards it would be approved automatically. He stated if the Planning Commission were to determine it complied with those standards then it would be approved. He stated that is a State Goal and a State Law. He stated if you want to be more prescriptive in what gets built there are two ways that could potentially happen. He explained if you want it to happen on all projects then it would be to write the design code very tightly so that everything looks the same. He stated an example of a community that has done that would be Sisters, Oregon. He stated in order to incorporate that into your code it takes a tremendous amount of work because you are describing things down to what sort of siding can be used, does something have to have a certain percentage of brick, it is a very time extensive project and the end result is everything that gets built looks

pretty similar. He explained the other way that you are able to weigh in is if anyone needs a variance or adjustment to the design. He explained, so if you are entitled to a three-story apartment building, but you want a fourth, then something that someone could look at to get that bonus floor is compelling architectural. He stated unless they are looking for an adjustment or unless you are willing to go ultra-prescriptive on what your code allows, you are going to get whatever meets the code. He stated if you are interested in having more influence, then the way to do it would be through design code revisions. He explained his experience with architectural review boards is that often times in communities they will stifle development.

Councilor McHugh stated he thinks we should have some control over our own town.

City Planner Laurie Oliver explained it gets into a little bit then of property rights and people needing to know when they are purchasing that property what they can do with it.

Mayor Burge stated in same ways he considers land use planning a facade of local control because a lot of it is State driven and the rules don't allow us the flexibility to decide exactly how things are going to be built on what property. He stated we have to give a broad range of the zoning code and people can build within that. He stated we can change it, tighten it up, do whatever we want, but again, it still comes down to once they meet those check marks they get to move forward.

City Manager Sykes stated it might be useful if we have City Planner Oliver come to a future work session and explain how the process works now and then get feedback on how it can be changed. He stated we did change our ordinances to try and encourage smaller cottage housing and so we are fortunate that Mr. Kessi is going to invest in that and he followed all of the code and tried to do something that he thinks is going to be a real asset to the community because he has to sell it.

Legal Counsel Peter Watts stated the less flexibility people have, the harder it might be for them to do a project. He stated the pro side of a very prescriptive design code is that you know exactly what you are going to get and the con side of that is that is all you are going to get. He explained what he and City Planner Oliver would both need to point to is clear and objective standards, if someone could follow and if they follow them, they will get approval.

City Planner Oliver stated the other balance in that also is absolutely we can have an architectural review standard that they still have to meet, but they are more detailed and they are vetted by Council so that if it does get approved according to that code, Council already knows it is something you are proud of to have in your City because you went through the process of making that list of what had to be included. She stated the balance in that, and what she is always thinking about when we add those things to our code, is what's the end result and how much is the cost for the developer to provide those things. She asked, are they going to build here with those standards in place, and how affordable is that unit to the end user. She stated there is always that desire to balance those two.

City Manager Sykes explained fortunately we have Mr. Kessi on our City Council and he thinks it would be really good to hear his input at a future work session about these kinds of requirements, is it a good thing or not. He stated in the meantime, we have an application that is on the second hearing and he thinks he has met the requirements.

Mayor Burge asked if there was any other discussion on the application?

Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

New Business

Municipal Court Judge Recommendation

City Manager Michael Sykes went over the staff report. He explained our Municipal Judge Cindy Phillips is retiring July 1, 2020. The City Charter requires the Mayor and Council to select the Judge for the City. The Mayor selected Councilor Josh Poling and Councilor Megan Greisen to serve on the selection committee with him. The City has advertised for a replacement Judge on two different occasions. After the first round of interviews, the committee opted to reopen the advertisement in hopes of attracting additional applicants. After the second round of interviews, the selection committee was unanimous in their recommendation to select Amy Lindgren to serve as the new Judge for the Scappoose Municipal Court. Ms. Lindgren is presently serving as Municipal Judge in St. Helens and appears to have the experience to step right into this position. Her schedule would allow her to be available on Wednesday's, which is the date when court is held. The City would develop a contract that would pay Ms. Lindgren \$150 an hour. This is a higher rate than has been budgeted in the past, but comparable to her rate in St. Helens. Staff recommends Council authorize the City Manager to negotiate a one-year contract with Ms. Lindgren for the position of Municipal Court Judge.

Councilor Greisen stated the committee did not take this decision lightly. They had one round of interviews and they were a little bit unsettled with the results and they asked City Manager Sykes to open it up again and Amy applied the second time and there was no question about who we would pick, it was definitely a decision to go with Amy.

Mayor Burge concurred with Councilor Greisen.

Councilor Poling explained he also would agree. He explained they went through a pretty in-depth process and didn't feel that the first interviews turned out how they wanted, and he feels very strongly that the candidate that the committee picked is the right one for us in moving forward.

Councilor Greisen moved, and Councilor McHugh seconded the motion that Council allow City Manager Sykes to negotiate a one-year contract with Ms. Lindgren for the position of Municipal Court Judge.

Council President Kessi stated with the billing rate of \$150 an hour is that within what we projected for budgeted hours?

City Manager Sykes replied we think that we are probably going to be overbudget on that line item, but we have enough money in the budget to accommodate it and we will probably come back in the spring with a supplemental budget at that time. He stated this is the going rate for a municipal judge with experience.

Mayor Burge stated the budgeted price has been the same for the last year.

Councilor Greisen explained this whole process brought up a lot of things that they didn't know before about how the municipal court works and the processes behind it. She explained Ms. Lindgren is open to meeting with Council and educating them on what the municipal court looks likes now so they have a better understanding in making things more streamlined and efficient. She is eager and excited for Ms. Landgren to start and for her willingness to be open and educate Council on all of that.

Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Community Enhancement Program Presentations

City Manager Michael Sykes explained there are a number of Community Enhancement Program Presentations that Council will hear tonight. He explained we have appropriated \$30,000 to this program. He explained Council will make appropriations at the next meeting.

Amani Center ~ Beth Pulito called in and gave an overview of what their organization does and why they are requesting funds.

Council thanked Beth.

CASA for Children ~ Jacqueline Curry gave an overview of what their organization does and why they are requesting funds.

Council thanked Jacqueline.

Grant Watts Parent Organization ~ Stephanie West gave an overview of what their organization does and why they are requesting funds.

Council thanked Stephanie.

Scappoose Community Club ~ Angela Hammond gave an overview of what their organization does and why they are requesting funds.

Council thanked Angela.

Scappoose Community & Senior Citizens, Inc. ~ Julie Stephens gave an overview of what their organization does and why they are requesting funds.

Council thanked Julie.

Scappoose Historical Society ~ Karen submitted an application but did not attend in person due to concerns about COVID-19.

Scappoose Kiwanis ~ Sean McNabb gave an overview of what their organization does and why they are requesting funds.

Council thanked Sean.

Scappoose Middle School ~ Cindy Krieck gave an overview of what their organization does and why they are requesting funds.

Council thanked Cindy.

Scappoose Public Library District ~ Jeff Weiss gave an overview of what their organization does and why they are requesting funds.

Council thanked Jeff.

Society of St. Vincent de Paul St. Wenceslaus ~ Mike Bradley gave an overview of what their organization does and why they are requesting funds.

Council thanked Mike.

VFW ~ David Sleightam gave an overview of what their organization does and why they are requesting funds.

Council thanked David.

Mayor Burge reminded Council to submit your appropriation forms to Susan.

“If I Were Mayor” Contest

Mayor Scott Burge explained this is the most submittals we have ever received. He asked Council to let Susan know their top three rated, by Wednesday at noon. He explained we will calculate them out and let Council know who the winner is.

Resolution No. 20-10: A Resolution Declaring that a State of Emergency Exists within the City of Scappoose and Rescinding Resolution No. 20-05

City Manager Michael Sykes went over the staff report. He explained on March 13, 2020, the City of Scappoose adopted Resolution No. 20-05 declaring that a state of emergency exists within the City as a result of the COVID-19 virus. This resolution stipulated that a state of emergency shall last, so long as the COVID-19 virus poses a threat to our City, or three months, whichever is less. This emergency order will expire on June 13, 2020, unless the Scappoose City Council passes a resolution to extend it. Although the virus has only affected 16 individuals in Columbia County and the Governor approved Columbia County for Phase 1 reopening, the threat to our City still exists, particularly given our proximity to the Tri-County area. Continuation of the Emergency Order will also qualify the City for funding from state and federal relief funds. The citizens of Scappoose have been very disciplined and dedicated in taking the Pandemic seriously and following the emergency orders of both the State and the City. This approach has

contributed to minimizing the effect of the COVID-19 virus on our community. It is staff's recommendation that we continue to be vigilant in our efforts to combat this contagious virus that has taken the lives of over 350,000 people around the world. Staff is proposing this resolution declaring that the City's Emergency Order be extended for two months, or so long as the COVID-19 virus poses a threat to our City. Staff recommends that Council adopt Resolution No. 20-10 to extend the State of Emergency.

Councilor Greisen talked about the signs being removed by the playground at Veterans Park.

City Manager Sykes explained we have had an issue with people taking the signs and we will continue to replace them.

Councilor Greisen asked if staff could put caution tape around the playground structures, so it is clearly visible that it is closed. She doesn't know how we make this message clearer.

Chief Miller explained Public Works has been battling the sign problem. Staff puts the signs up a couple times a day and they continually get taken down. He stated staff can put up caution tape around the playgrounds at each park.

City Manager Sykes explained Norm, Dave and he will meet to talk about this.

Councilor Lesowske moved, and Councilor Haugen seconded the motion that Council adopt Resolution No. 20-10: A Resolution Declaring That a State of Emergency Exists Within the City of Scappoose and Rescinding Resolution No. 20-05. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Announcements ~ information only

Calendar

Mayor Burge went over the calendar.

City Manager, Police Chief, Councilors, and Mayor

City Manager Sykes explained Council has a copy of the department head report. He wanted to start by sharing the Scappoose City Guide that hopefully you have in front of you. He explained staff worked with Dan Rocha and put it together. He thinks it is a good start with information about the City, the School District, the Library and some of our other partners. He stated we are pretty happy to have it out there. He explained the Police Department is working on filling a sergeant position. He explained by the end of the week we should have three bids for sidewalk improvements and minor street improvements for Old Portland Road, SE 3rd and Vine Street. He explained we are pretty excited about those projects. He stated hopefully we will be giving you an update in another two weeks.

Councilor Haugen stated he would like to note, reading the "If I were Mayor" entries, was the most fun he's had on Council to date. He loved the wall of imagination suggestion.

Council President Kessi explained he does think a work session regarding the earlier discussion regarding a design committee would be great because he does have some ideas on that.

Mayor Burge stated it has been a busy week. He explained a week ago everyone saw what happened to Mr. Floyd and he thinks as things have happened with the protests and riots you just reflect on a lot of things. He explained he has spoken with Chief Miller about the department and there are a lot of things that we should be proud of, of what our Police Department has done over the last five – six years to really become more of a community police department than a law enforcement. He stated first names on their shirts so they are more approachable, uniforms are much more approachable uniforms, we have a school resource officer that works with the schools and the students, they do annual mental health trainings so they know how to react with somebody who has a mental health issue, which is really important and then the number of events that they do to reach out and be in the community is just amazing. He stated he read a really good article ~ The difference between a peace officer and law enforcement officer and he shared a little bit with Chief Miller. He handed out copies to the Council. He explained it is just interesting when you think about how you want police to interact with people. He read over some of the article and said these are just great things to think about. He stated he thinks it is important that as a Council they continue to say that is what they want their police department to be. He explained they don't want officers to think that every law needs to be 100% enforced every time, they have discretion. He explained he wants our officers to know this is what the Council wants from them, this is what they like, being a peace officer. He said this is emotional to him because he has been a part of the City for so many years and our officers are getting the same tarnish because of what one guy did in Minnesota. He stated anything we can do we should do to support our police officers and also support our community and solving the problems that the community needs solved and not coming off like robots.

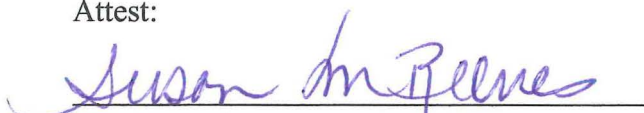
Councilor Haugen explained what you also are describing is smart policing and he thinks Chief Miller has set a really good example for the community and he continues to follow through and he represents the kind of leadership we can be proud of.

Adjournment

Mayor Burge adjourned the meeting at 8:49 p.m.


Mayor Scott Burge

Attest:


City Recorder Susan M. Reeves, MMC