

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

**Call to Order**

Mayor Burge called the meeting to order at 7:00 p.m.

**Pledge of Allegiance**

**Roll Call**

Scott Burge	Mayor	Norm Miller	Police Chief
Megan Greisen	Council President	Susan M. Reeves	City Recorder
Joel Haugen	Councilor	Chris Negelspach	City Engineer
Josh Poling	Councilor	Laurie Oliver Joseph	City Planner
Brandon Lesowske	Councilor	Huell White	Program Analyst
Pete McHugh	Councilor		

Legal Counsel Peter Watts

Press: none

Also present: Council Candidate Tyler Miller

Remote: Interim City Manager Alexandra Rains, Marisa Jacobs, Pat Anderson, Kirsten Van Loo, Judy Bright and Matthew Van Loo.

**Approval of the Agenda**

Mayor Burge explained we are moving agenda item 3 to 4 and moving agenda item 7 Executive Session to next week's Council meeting.

Councilor Haugen moved, and Councilor Poling seconded the motion to approve the agenda as amended. Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye; and Councilor McHugh, aye.

**Public Comments**

Marisa Jacobs read over the letter she submitted to Council and staff. She explained her name is Marisa Jacobs and while I am an alternate on the City Planning Commission, I am speaking to you as a concerned citizen regarding the City's conceptual plan for the Grabhorn property. Today, Staff is requesting a vote on the conceptual design of the Grabhorn property. I'm asking you to delay acceptance of the park conceptual plan. Myself and Pat Anderson are the citizens who launched the online and paper petition. Within 1 week, we have educated and collected 285

signatures: 180 online and 105 on paper from residents in Scappoose. The majority are property owners who question the necessity for extending the road. I've attached the petition to this letter for your review.

The park design is fiscally irresponsible, environmentally unsound, and above all, lacks the cornerstone of safety for park patrons. All petitioners are in agreement to have the land developed as a park; however, the current design is holistically flawed. Send this back to Staff for a redesign and insist on creating a focus group of frequent park patrons and home owners living around the property between JP West and EJ Smith to contribute to the redesign. There appears to be rush, and the agreement is the Grant process. Staff can apply for the grant next year once a sound design is in place. Further, I appreciate the City publishing a response to the online petition dated December 1. Below is my rebuttal to City's response including the revised park plan presented at Council Meeting November 16: 1. The City's #1 and #2 argument for the road are to improve emergency services fire, police and medical, and secondary access to bridge failure or Smith road failure. Council, ask Staff to provide and publish the current data of response times from fire, police and medical that service NW Scappoose to date over the last 5 - 10 years. Then ask Staff to analyze the data compared to a road, an egress, and the 3 conceptual road connections listed in Figure 15 of the Master Transportation Plan the city is citing for the current road to understand what the improved times would be. A park can be designed with an egress for emergencies. This is a common design in many large parks across the US. Ask Staff to provide you with the evidence. Lastly, ask Staff to provide the times Smith road has failed and number of times the Bridge has failed over the last 10 years. Then ask Staff to compare this data to the three road connections listed on the Master Transportation Plan for NW Scappoose. How would those lower cost connections benefit the community compared to a road? My point, where is the data? Data should be utilized in sound-decision making. 2 This will be the 3rd park within a small cluster of parks. Both Concomly and Veterans has a separate entrance and exit. To keep in line with current Best-in-Class park models, the new park should mirror the same design. A park is to encourage outdoor activity not through traffic. Develop more walking, biking paths that allow for an emergency egress for fire, police and medical. This is common feature of other parks. Ask Staff to provide you with the last 15 years of data supporting the CLOSURE of streets running through parks as it is NOT SAFE for park patrons and decreases utilization. One reference:

[https://www.tpl.org/sites/default/files/files\\_upload/ccpe-Park\\_Road\\_Closures\\_Article.pdf](https://www.tpl.org/sites/default/files/files_upload/ccpe-Park_Road_Closures_Article.pdf)

3. The softball field and soccer field overlapping does not enable 2 games happening at once. A major design flaw and misuse park space. Council, ask Staff to redesign the space for a 100% utilization, not 50%. 4. Until the City publishes the cost for the annual maintenance of a community pool, take it out the proposal. Council, ask Staff to design the park utilizing the space to its fullest potential. The citizens are tired of the City waving this carrot in the wind. 5. The current design is not protecting scarce resources. In fact, it's destroying the natural landscape of the creek that feeds into South Scappoose Creek to be covered significantly by pavement for a through street with parking. Council, ask Staff why this plan was deemed acceptable to be presented to you given Oregon is known for protecting its natural spaces? (See attached photos of the stream during snow). 6. The transportation master plan does not specifically call out this road connection. Instead, Staff is referring to the "conceptual connections". There are 70 street/sidewalk/trail projects that are identified where the City (property owners) are listed as the funding source (13 of which the City and the Developer pay). By contrast, 55 projects are listed

as Developer only funded (SDC) and 13 are combined City-Developer funded. The funding source is still in question for the park expansion, and does not appear to be fully covered by SDC funds. Council, ask Staff how is the bid for the road only \$833K yet the road for Cpt Kucera Way cost \$1.5 million over 10 years ago? 7. A road is not dependent upon meeting ADA requirements for accessibility. Sidewalks, curb ramps and parking spaces are ADA infrastructure, a road is not. Reference:  
<https://www.oregon.gov/odot/Engineering/Pages/Accessibility.aspx>

8. Locating the new park will be no different than Chief Concomly or Veterans. Google will note the location of the new park and provide the location points. Staff can also notify Google directly. There will be no confusion. Provide directional signs to guide users how to walk to the field where their game is being played. Similar to Delta Park in Portland. 9. The overflow green multiuse parking now shows it being permanently cemented. That is sneaky. Council, ask Staff for a report of their outreach efforts to the neighbors who live surrounding that greenspace. I'll give you my report, I spoke with each of them this past weekend. Neighbors were surprised to this new development and outraged. This is unacceptable. This is a multiuse green space utilized year-round. Again, this is a park, stop trying to cover it up with cement.

So, I ask you, what is the real motivation behind the street? All of the issues presented by the City are easily addressed in a redesign. From a citizen who has spoken to over 150 neighbors on this subject, the majority believe there must be other reasons the City is pushing this street extension and this park design especially during a pandemic when it's more difficult if not accessible to the citizens. And, perception is reality. The lack of transparency and loose arguments for the road are suspicious. I urge you not to rush this process. Revise this plan to make it more community friendly and reflect the good work you did at Concomly and Veterans. Do not be hasty with this important addition to the community we love! Otherwise, you'll force my hand to writing a letter of opposition to the Oregon Commission of Parks and Recreation Department that there is not community support for the park design. I'll provide the petition and several dozen letters stating the same. I will call our legislative representatives tomorrow providing them an update of your vote, and my hope is that I will not need to request their intervention as it's already been offered. Do the right thing. Delay acceptance. Send this back to Staff and request Staff includes a focus group in the redesign that utilizes Best-in-Class standards for community parks. Thank you for your attention to this critical development opportunity.

Marisa Jacobs  
Scappoose, OR 97056  
End of letter

Pat Anderson read a letter into the record. She recapped the letter that she had submitted to City Council. I am a resident of Columbia River View Estates in Scappoose and my house is adjacent to Veteran's Park. More specifically, my backyard butts up against the greenspace that is used for overflow parking.

In September 2020, I sent an email that was distributed to City Council with concerns that I had regarding plans for the new Scappoose park on Grabhorn property and the changes that would impact Veteran's Park. I received one response from one City Council member, Peter McHugh,

who kindly acknowledged that he'd read my email, shared my concerns and encouraged that I continue to remain engaged.

I am writing again as more details of the City's plans are unfolding. Recently I found out from a neighbor about another planned change to Veteran's Park that included paving the greenspace overflow parking that is directly behind my house. Due to the proximity of my house to the park, I can attest that there is no parking issue at Veteran's Park on a normal day or weekend. The only time that parking is an issue is during baseball season. Even then, the vehicles that are arriving to the park for ball games head to the overflow parking area first and are not fully utilizing the designated parking lot or parking spaces. My point is: the availability of parking is a seasonal issue. By paving this overflow area, you are limiting how this space is used on a more frequent basis, daily and on weekends, year-round. I see daily how people utilize this space for activity and relaxation which is what we wish a city park to inspire. Many of these park patrons come to Veteran's Park because they don't have the greenspace available to kick a soccer ball, throw a frisbee, fly kites, etc. I have seen groups of friends/families gather to share a game of kickball on the ball fields then have a BBQ setup on this greenspace along with corn hole tournaments, volleyball, badminton, croquet, etc. The youngest soccer players have setup this space for their soccer practice and, being flat, it's much more desirable than other areas of the park. When snow falls, snow angels and snowmen built by children and families inhabit this greenspace for days. If this area is converted to a paved lot, none of these activities will be viable. This greenspace provides flexibility and utilization that far exceeds the need for a paved parking lot to accommodate the seasonal parking needs. In addition, the expense that would be incurred to convert this to a parking lot would be extensive and would diminish usability. Don't change what isn't broken and be responsible with the taxpayer's dollars.

With regard for my personal concerns and those of my close neighbors that share our backyards with Veteran's Park, the introduction of a paved parking lot raises safety and privacy concerns. I treasure the privacy and tranquility of my backyard. It was an adjustment when the park went in and the street lights, bathroom lights and park lights were installed which illuminated the inside of my house and bedrooms. The brightness was intrusive but we grew to tolerate it because we supported the much needed park for the city of Scappoose and the community. Having a parking lot directly behind us with lights that will further illuminate our backyard and the inside of our house will be unbearable. We will be forced to live in a cave-like habitat to avoid the bright light; installing blackout shades to block light and closed windows to minimize noise. Research has proven that high intensity city lights have health implications. The American Medical Association issued a warning that LED streetlights being used in cities across the country can increase the risk of serious health conditions, including cancer and cardiovascular disease, and it suppresses melatonin which leads to sleep deprivation, depression and obesity over time. It seems irresponsible and heartless to not consider the serious implications to health and lifestyle impact when planning an unnecessary parking lot and not communicating to the neighbors of this change and work on a collaborative solution.

Having a birds-eye view of the activities that occur at the park, in addition to my daily usage of the park, I would like to raise another set of concerns. Over the years I have witnessed an upswing in park behavior and activity that is unpleasant, suspicious, disturbing, and sometimes

alarming. Here are samples of things that I have personally experienced to provide you some insight on what neighbors contend with:

- After park close and past midnight, I am frequently awoken and/or kept awake for hours by loud laughing, singing, talking, or yelling.
- Cars and motorcycles use Capt Roger Kucera Way as a dragstrip at night.
- People from the park have tried to climb the wooden fence to gain access to our yard and have damaged the fence which the city is not responsive to fixing.
- Suspicious meet ups that appear to be drug exchanges in and around the park.
- People having “romantic rendezvous” in their vehicle.
- Homeless individuals frequently camped in the baseball dugouts overnight.
- This summer I called 911 due to a female screaming “rape” and crying hysterically. The responding officers were not able to locate anyone. It is disturbing and traumatizing to hear the distress in someone’s cry and having to make the decision of should I call 911 or is this a false alarm?

This is a sampling of what we currently experience and I firmly believe that paving this area will be a welcome mat for people to park here first and we will be exposed to a variety of nefarious behavior just outside our backdoor or from the view of our windows. I have always felt safe in Scappoose, still feel safe but more on edge as I have seen an upsurge in crime recently. To add to the shift from feeling secure and safe, developing a new through street to connect between JP West to EJ Smith will further contribute to the influx of the irresponsible and undesirable activity and behavior.

At the time that I had written the email on 9/8, I was addressing the extension of Captain Roger Kucera Way, the increased dangers that I foresee, the impact to our beautiful park setting by the stream, and the dog park. Since then I have conducted research on roadways in parks. What I learned validates my concerns:

1. Many cities across the country have and continue to close roadways that run through their parks because of the negative impact to the park experience, namely lack of safety and increased crime. In doing so, the number of people using the parks increased dramatically.
2. Roads that dissected the park and were only wide enough to accommodate cars made people avoid the park due to safety hazards and negative user experience. Award-winning plans converted the roads to walking and biking trails and the city is rewarded with compliments not complaints from park visitors.
3. Some fundamental principles for designing parks include:
  - Retain as much of the pre-existing landscape as possible.
  - Minimize non-porous surfaces like roads, parking lots and paved trails. Porous surfaces help recharge ground water, reduce erosion, lessen flooding events, and filter out pollutants.
  - Protect wetlands and streams. Avoid placing construction projects, active recreation areas and roads or parking lots nearby.
  - Retain and enhance existing habitats for wildlife and outdoor activities.

- Understand the needs and wants of the community.
- It should be sustainable.

Each of the proposed changes to Veteran's Park conflict with these basic principles. The residents of this community have spent millions of our taxpayers dollars to have this beautiful park built and maintained. Substantial effort was put into revitalizing the Scappoose Creek a year ago. This park is a source of pride for Scappoose and with the addition of the next phase it could stand out as a flagship park of Columbia County. Veteran's Park is an invaluable asset to our community and it is being sacrificed for a paved city street which will degrade the usability of the park significantly. I hope that by providing you with this additional insight you will reconsider the current plan and explore other options for the problem that you are trying to solve. I would strongly encourage the City of Scappoose to formulate a **focus group of citizens** that live next to the parks, live near the parks and those that use the park for different purposes to get feedback and input before proceeding with a final plan. Having a more collaborative approach instills trust and confidence in our city leaders. As of now, there is a sense of distrust and suspicion as a result of the lack of transparency and visibility of the details. I appreciate your time and consideration and would welcome a conversation regarding this matter so do not hesitate to email or call me.

Best regards,

Pat Anderson

**\*\*end of letter\*\***

### **Consent Agenda ~ November 16, 2020 City Council work session minutes and November 16, 2020 City Council meeting minutes**

Councilor McHugh moved, and Councilor Haugen seconded the motion to approve the Consent Agenda ~ November 16, 2020 City Council work session minutes and November 16, 2020 City Council meeting minutes. Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye; and Councilor McHugh, aye.

### **Old Business**

#### **Ordinance No. 893: Amendments to Scappoose Municipal Code Chapters 8.20 and 12.12**

Program Analyst Huell White explained this is a second reading.

Mayor Burge read the ordinance title for the second time ~ Ordinance No. 893: Amendments to Scappoose Municipal Code Chapters 8.20 and 12.12.

Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye; and Councilor McHugh, aye.

### **New Business**

#### **Ord No. 894: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map**

Mayor Burge read the opening statement and opened the public hearing at 7:12 p.m.

City Planner Laurie Oliver Joseph went over the staff report. She explained Matthew Van Loo and Judy Bright request approval to annex 0.44 acres of land adjacent to City limits. The site is located south of E Columbia Ave and just west of Jay Davis Lane, at 33946 E Columbia Ave. Based on the requirements of the Scappoose Development Code, if this property is annexed it would automatically receive Low Density Residential (R-1) zoning since the site has a "Suburban Residential" Comprehensive Plan Map designation. Council may recall that earlier this year, Matthew Van Loo and Judy Bright requested early connection to City sewer services due to a failing septic system that was unable to be repaired, in exchange for recording an annexation agreement, as permitted by ORS 222.115. The annexation agreement was recorded on July 29, 2020 under Columbia County recordation number 2020-007 432 and the property has since been successfully connected to the City's public sewer system. The annexation and zone change land use applications were submitted within the timeframe required by the annexation agreement and the first public hearing on the request was held by the Planning Commission on November 12, 2020. The Planning Commission voted unanimously to recommend approval of the applications by Council. The Planning Commission staff report, dated November 5, 2020 (attached as an exhibit to the ordinance) contains the findings related to how the applications meet the applicable approval criteria. An ordinance to approve the annexation and zone change is attached for Council's review. Approval of the ordinance would constitute a final decision since an election is not required for annexation in the City of Scappoose. Staff recommends that Council approve the annexation and zone change applications and adopt Ordinance 894, as presented.

Kirsten Van Loo, consultant, explained they are shirt tail relatives. She thanked staff for their efforts and stated she is thrilled to work with them. She explained staff has already given exceptional details about the reasons why they submitted this application. She stated they completely concur with staff's findings and she doesn't believe any additional testimony is necessary. She explained they respectfully request approval at Council's earliest opportunity.

Mayor Burge asked if there were any other proponents, then he asked if there were any opponents, seeing none he closed the public hearing.

Councilor Haugen moved, and Councilor Lesowske seconded the motion that Council approve the annexation and zone change applications and adopt the findings in the ANX1-20/ZC1-20 Planning Commission staff report dated November 5, 2020. Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye; and Councilor McHugh, aye.

Councilor Lesowske moved, and Council President Greisen seconded I move that the Council adopt Ordinance 894, as presented.

Mayor Burge read the title of the ordinance for the first time ~ Ord No. 894: An Ordinance Approving Annexation of Property to the City of Scappoose and Amending the Zoning Map.

### **Park Conceptual Plan ~ Review SPRC Recommendations**

Interim City Manager Alexandra Rains explained what she wants to stress is that staff has taken some time to speak with the grant funders at the Oregon Parks Department and they have discussed their funding sources and what the staff at the Oregon Parks Department has shared with the City is that the next couple of years it looks like their funding sources are actually in better shape than they initially thought. She explained this isn't a guarantee of anything, of course, because things could change, and they did also extend the number of years that we could use the purchase of the property as match. She stated, so there is a little more flexibility then there has been in the past because they changed the program. She wants to reiterate that staff has worked hard to come up with recommendations for Council based on their professional opinions, however she does think it is really important that Council feel comfortable and feel good with the decisions that you are making. She stated whatever that is, of course will be the right decision and staff will be here to implement that decision as directed.

Program Analyst Huell White went over the recommendations from the Park and Recreation Committee. He explained at the direction of Council from the last meeting, staff shared the park conceptual plan with the Park and Recreation Committee. He explained generally the topics of discussion were very similar to those shared by the City Council. He stated ultimately the Park and Recreation Committee came to two recommendations that they voted on and passed to the City Council. Those recommendations were: Move the trail portion of Phase 2 into Phase 1. and Consider reducing the amount of parking included for the proposed park. He explained the cost to construct the sidewalk portion that is included in terms of the trail in Phase 2 is listed at approximately \$40,000. He explained how mobilizations costs would change if the Council decided to shift around where that trail is, that is currently unknown and it may require reevaluation of some of those items that are included in Phase 1 should Council decide to move that trail up. He explained the dog park would remain in Phase I. He explained in terms of the Park and Recreation Committees recommendation regarding parking, staff estimated the park requirements for the proposed park plan except for parking requirements for the proposed pool. Staff estimates a need for 257 parking stalls to accommodate maximum simultaneous use of the fields and park amenities. The proposed conceptual plan includes 282 new parking stalls. He explained that includes Phase 1 parking lot next to the proposed pool, includes the 100 stall parking lot that is currently used as an auxiliary overflow parking, just west of Veterans Park and that includes the lower parking area in Phase 2. He explained the following are Exhibits attached to the staff report: Exhibit A: SPRC Letter of Recommendation, Exhibit B: Phasing Map, Exhibit C: Cost Estimate, Exhibit D: Required Parking, Calculations and Assumptions and Exhibit E: SPRC 11.19.2020 Minutes (Unapproved).

He explained options for Council: 1. Accept the Conceptual Plan as-is, 2. Accept the Conceptual Plan with modifications or 3. Delay acceptance of the Conceptual Plan.

Councilor McHugh asked if we weren't to build the pool how many parking spaces would we be required to put in?

Program Analyst Huell White replied as mentioned the 257 parking stalls that does not include the pool. He explained staff assumed a worse case scenario for the maximum amount of parking



needed, including spectators for one of the ball games. He stated that doesn't take into consideration parking requirements for the pool.

Mayor Burge stated we had some earlier testimony on the park, and he has read through the items received. He pulled the actual bid from the construction of Veterans Park where the road, including all the walking paths, was about \$484,000, or about \$600,000 when you include sewer, water and storm. He wants to make a couple of recommendations on the plan based on feedback he has heard about the road. He explained on NE 2<sup>nd</sup> Street we have banned trucks. He stated for him the road isn't really about the park, it is about connectivity in the NW sector of our City. He stated if we remember a few years back when the water pipe broke because there wasn't redundancy or connectivity, the entire NW section of town lost water until we fixed it. He stated if a bridge goes out or if Apple Valley washes out during the same event, these people are trapped and that is why he is trying to look at something where it creates that type of connectivity. He explained his recommendation would be to have tabletop speed bumps on the road that goes through the park if we move forward with this plan, and on top of that, we could ban trucks and delivery vehicles from using the road. He stated this road should really just be for the connectivity of a future event as well as access to the park for the residents. He would also recommend putting on Onna Way, at the edge of the park, one of the tablespots so if people are turning that way to go into that neighborhood, they have to slow down. He explained when it comes to the Phase 1B parking, he thinks we just leave it as overflow parking without paving it at this point. He stated maybe while we are waiting to get to Phase 3, maybe the new spot for the dog park is where the pool would be located, right next to the parking, kind of pushed away from houses. He agrees with moving the trail along the creek into Phase 1. He explained he is trying to find a way to look at the City's need for that connectivity, but also address the neighbors' concerns. He thinks there is a way to compromise and find a route for us to do that.

Councilor Haugen stated he thinks we can achieve that connectivity issue with simply having a service road that is available for emergency purposes and he actually had a conversation with Sheriff Pixley yesterday and he thought he was going to connect with the Council on his approach to that. He stated what that resolves is this whole huge conflict with the through street and he absolutely agrees with the petitioners. He stated this to him is a terrible idea for putting a through street through a park. He stated if this was an important issue, then why wasn't it in the 2016 Master Plan. He stated there are some convoluted arrows there for local connectivity, but there is no mention of it and there are over a hundred projects listing in the TSP, and there is no listing whatsoever of this connection from Kucera to Smith Road, it does not exist.

Mayor Burge replied that is what the arrows are for, they give guidance that there needs to be a residential road, so when someone comes in with a design staff can say we need a new road in this area to keep the flow. He explained the plan isn't that prescriptive because you don't know how someone is going to lay something out.

Legal Counsel Peter Watts explained it is difficult to decouple these two items because the park plan shows a street on it, but it is really two separate projects, because the funds we can use for one and the funds we can use for the other are different. He explained we can't use any State funds for road construction. He explained the concept plan that we would give to the State they are looking at the other things, that is what the grant would fund. He explained we also have, on

the map, that arrow that is roughly proportionate to where the street that is on the park plan is, it is a conceptual proposed "local street" on the map. He stated that local street could theoretically happen without a park and the park could theoretically happen without a local street, but if we are looking at how do we efficiently provide amenities, normally if you had an opportunity like this you would do it all in one shot because in order to have the parking for the park you need at least a driveway. He explained the cost of paving, engineering, etc., if it is all done as one thing versus separate projects, there are usually a lot of cost efficiencies that can be built into that. He explained if it isn't done concurrently there are a lot of inefficiencies and just by nature, repetition that occurs. He stated he understands why people are saying this street is part of the park, but it really isn't. He explained it is a separate street that from a financial standpoint may make sense to coordinate with the building of the park. He stated if Council were to take this connector out and say that you do not believe it is appropriate for a local street, because this is an approved TSP, it's been approved by the State, that doesn't mean everything on it needs to be built, but anytime you remove something you have to provide that alternative. He stated as far as our Urban Growth Boundary expansion, housing needs in the future, all of that, it is kind of a domino effect. He explained you are the elected decision makers responsible for carrying out the vision and the values of the community, he is just the lawyer, but if we are going to go down that route of taking things out of the TSP, from a legal risk standpoint, he thinks it would make sense on the front end to say if not there, where could this road be built. He stated from a fiscal standpoint, people in Scappoose pay very close attention and they have demonstrated a lot of trust in the Council. Could that local connector be built as fiscally efficiently in another location as it could be here? As you look at this and make those decisions, these are two perspectives that you would need to account for on the front end. He stated, because again, we are not in the middle of deciding what our TSP is, we have an adopted TSP, and it has been confirmed by DLC staff, so it is a little bit different.

Councilor Haugen asked about the proposed street that would go through Chief Concomly Park. He asked where did you change that one?

City Planner Oliver Joseph replied that the TSP future street connections did not take into account the floodplain. She explained that portion of the site where the road would get built through the center of Chief Concomly, all of that portion of the site is in the 100-year floodplain. She explained there is a requirement for a cut fill balance, meaning there is no net fill permitted in the floodplain. She explained so what that meant is there was no way to construct the road and meet our cut fill balance on site. She explained staff wrote findings to support why we could not provide that and then they provided the pedestrian and bike connectivity since that was still possible.

Councilor Haugen stated you are not obligated to put a road where one of the arrows is on the TSP?

City Planner Oliver Joseph replied, in the case of the Grabhorn parcel, we can show that the cut-fill balance with the road works. To answer the question about not being obligated to put a road where one of the arrows is on the TSP, she stated she is relying on Peter's advice.

Legal Counsel Peter Watts talked about some proposed connectors not being able to be built because of the floodplain. He explained you would have to articulate where you would put a street that connects those two areas.

Councilor Haugen stated in his mind from an aesthetic, environmental, community sense, why would you want to put a through street in a park, while other communities are taking streets out of parks and they are finding that usership goes up. He stated to him this is degrading to our community. He stated at a minimum, tonight he hopes that we will take option 3 and defer the conceptual plan. He stated in one week Pat & Marisa gathered roughly 285 signatures. He talked about Dave Powers comments. He stated don't push this thing through without some more thought, what is the rush?

Councilor McHugh asked with this opposition, how much damage can they do to our grant application?

Legal Counsel Peter Watts replied what they can't stop the City from doing is building the road. He stated the risk here is that the road gets built and the park doesn't. He stated again, the road and park are separate issues. He stated it would financially make sense to coordinate them. He stated anytime you have a State grant you want to have support. He stated again, it is possible to change the TSP, but based on what he knows with that properties topography, he doesn't think that we can go any further east with a road and he doesn't see an obvious alternative and then it becomes very difficult for us to argue that we can't feasibly build the road to the State of Oregon when we are the property owner of both parcels.

Mayor Burge stated if we send it back to be reviewed more, we will most likely miss this grant cycle.

Interim City Manager Rains replied yes, at this point it would be very difficult to prepare anything for this grant cycle.

Mayor Burge stated when people are out gathering signatures and they are putting out that it is a two-million-dollar road, when it is only a \$600,000 road, there is some deception there. He stated that he gets the idea of these trucks and other drivers flying through where the kids are, which is why he wanted to come back with rules that wouldn't allow trucks in addition to speedbumps that protect kids. He asked if the speed modifications are worth talking about to the neighbors, or is it all or nothing?

Councilor Haugen stated a through road can be a service road. He stated let's do this right and by doing it right we can involve the community in addition to the Park and Recreation Committee.

Council President Greisen asked staff if there are any other points, they would like Council to hear?

City Planner Oliver Joseph replied, Council are the policy makers, and she understands you are in a difficult position. She explained she is not opposed to slowing this down. She feels staff has done a great job at putting this together and trying to meet as many needs as we can in the

community. She stated staff thought there would be enough time since we started working on this earlier this year and we wouldn't have this crunch for time. She stated in the grand scheme of things, we don't have to go this fast, we certainly could have a larger discussion and the fact that we still have the ability to use the property purchase as the match is huge.

Program Analyst White stated he would like to echo the City Planner's comments.

Mayor Burge went over the options for Council to decide this evening ~

1. Accept the Conceptual Plan as-is
2. Accept the Conceptual Plan with modifications
3. Delay acceptance of the Conceptual Plan

Mayor Burge explained he thinks delayed acceptance would be making the decision tonight that we are going to refine our work on this, take a closer look at this, and maybe bring in some of the suggestions and go back after it in a year.

Councilor Lesowske stated when he first heard about the purchase of this property he was extremely excited and saw this as a great opportunity to build out on what could potentially be a focal point of our community to bring folks together. He stated as we have moved through this process, 2020 has been difficult in itself, but trying to get more engagement has also created more barriers with restrictions around getting together. He wants to see this as an opportunity for us to do it correctly. For him he thinks we do have the time, and he is happy to hear that the grant with the purchase match has been extended, and that really helps us by saying that we can reevaluate this and also reach out to stakeholders. He stated his only request is with that stakeholder group, that it is diverse with all voices of the community, not just by those based on their address. He would say we move to delay acceptance of the conceptual plan until more engagement has been conducted.

Council President Greisen replied she does agree with Councilor Lesowske that we should delay acceptance of the conceptual plan. However, she does suggest as Council during that time, that we go out to the community and make a final decision, it is now you voice it or now it doesn't happen, regarding what is going to happen with the pool. She stated so when we look at this conceptual plan we can just take it off the list and make the plan the way it needs to be made and that we can pay for the park improvements that will serve this community long term. She stated she thinks if we are going to do this and do it right, all those components need to be looked at.

Councilor McHugh stated there have been a lot of comments about how terrible this plan is and for whatever it is worth he has listened to all those comments and read everything that has been presented and he still thinks the basic plan we have here is the right thing to do. He stated running a road across the top of the property of the park is to him an advantage for this community. He thinks some good things will come out of this. He has said for a long time, we need to get that pool off the table. He stated we are not going to build an outdoor pool that is used a couple months a year, that just doesn't make any sense at all. He stated if we could get a broader base to build an indoor pool that would be best. He stated if the road wasn't there we would be hearing about the other things on the plan. He stated it just doesn't make sense not to run a road through.

He stated that being said, he thinks we have to be responsive to the people who brought this to our attention. He doesn't want to set a bad precedence for not listening to our constituent's.

Mayor Burge stated he is going to agree that we go ahead and put this off for a year. The reason he was suggesting the traffic calming devices and new rules for the road is to try to find that middle ground where we can get the overall needs met within the park, but also connectivity and transportation issues while addressing some of those concerns about speed. He thinks where we may have failed is we have the park, but we didn't explain why and how the road works and there is nowhere else to go west to build the road, there is nowhere east before the creek to build the road. He stated whether it is gated or not maybe that is an in depth discussion we need to have or maybe the neighbors would say, if we did the tabletop speed bumps and rules not allowing trucks, maybe that would work, with the contingency if it doesn't work, then we gate it. He thinks we need to have more time to have this discussion.

Councilor Poling stated we all were pretty excited about the purchase of this property. He wants to thank staff for all their hard work and reaching out and taking all the suggestions and coming up with a plan. He does agree that we move this out and put more thought process behind it and come up with a plan that works for the community as a whole. He stated this is a park that is going to be a part of the community for the rest of its future, so let's do it the right way.

Council President Greisen stated she fully agrees with Legal Counsel Watts explanation that that road and the park are two separate projects. She stated it just so happens that it makes sense to do them at the same time. She stated when we are holding off the conceptual plan of Grabhorn park, does that include the extension of Captain Roger Kucera Way?

City Planner Oliver Joseph replied you may recall staff talking to Council earlier this year about updating our Transportation System Plan and our CIP list and designating a certain area in the northeast area of the City that would be an industrial zone, that is going to start after the first of the year at some point. She explained it just so happens that we are going to be opening all of that up again so it is the perfect opportunity to us to look at those conceptual connections and see where there might be an opportunity to make a different connection. She stated that connection is showing on the park property, so it is part of the park plan. She explained functionally, you are going to have almost an entire road there anyway because of the driveway that leads to the parking lot.

Mayor Burge stated he thinks given more time, we can have a group that is looking at this, we can explain here is why we need to do this, here is a plan.

City Planner Oliver Joseph explained what she doesn't want to see happen is that we don't provide enough parking in the park, because then you will certainly have people parking in the neighborhood to the west since parking is not allowed on JP West Rd or on EJ Smith Rd.

Councilor Haugen stated we can look at the options and we can look at alternatives and we have the time to do that over the next year.

Councilor Lesowske moved, and Councilor Poling seconded the motion that City Council delay the acceptance of the conceptual plan until further notice and outreach to the community before bringing back to Council for approval. Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye; and Councilor McHugh, aye.

### **Res No. 20-21: COVID-19 Emergency Resolution**

Interim City Manager Alexandra Rains went over the proposed resolution. She explained one item she wanted to bring to Council's attention is that one of Oregon Health Authorities new requirements for recreational facilities is that each park in the City would need a monitor to be in the park to watch people to make sure they are following the guidelines. She explained with limited staff we couldn't meet that requirement unless we were to organize a volunteer program and would essentially have to close the parks because we can't meet this.

Councilor McHugh stated we couldn't have someone there 24/7.

Mayor Burge wants the City to demand the science behind this because when you read any article on this, everyone knows the lowest risk is being outdoors.

Legal Counsel Peter Watts replied, unfortunately, the thing that would have the least legal risk would be closing your parks. He gets how that is not going to be acceptable to a lot of people and that will create some real hardship. He explained he recommends Council point out some of these things to the Governor and ask her to trust that citizens in Scappoose would adhere to the rules. He stated this is where it is going to take some public advocacy in order to get a change, and absent that change, he just can't think of a feasible way for our City to be able to meet the requirements of the Governor's Orders and keep our parks open. He explained OSHA is actively doing enforcement and the City and the individual would get written up.

Councilor Lesowske asked what happens if Council doesn't adopt this resolution?

Interim City Manager Rains replied, by Council adopting the resolution it allows the City to be eligible for emergency funding that would come from the State, it extends our contracting rules so we could move quickly to make purchases if absolutely necessary, and it outlines current closure and other information for the City.

Mayor Burge read a statement from the Governor's page ~ "COVID safe winter adventures, getting outside has helped many of us cope with COVID related stress". He said it lists all these parks you could go to, which none of them would have enough people watching.

Councilor Haugen suggested that each Councilor contact the Governors office this coming week because this is simply not tenable.

Councilor Lesowske stated we could move to adopt this resolution at the next Council meeting so it would give us time to reach out to the Governors office.

Councilor Haugen moved, and Councilor Lesowske seconded the motion that Council postpone this resolution until the next Council meeting.

Council President Greisen asked if there are any recommendations from Chief Miller?

Chief Miller replied if Council adopts this resolution, and the order from the Governor does say that, his position is they need to uphold what they are supposed to do, but he is not going to arrest anybody. Instead, they will educate and help the public out the best they can. He stated we are all struggling with this because our lives have changed. He doesn't think putting everybody in their house is the answer to this, but everybody needs to be safe too and he wants people to be safe.

Councilor Poling stated he will definitely email the Governor because he feels the parks are super important and with everything going on people need to get outside.

Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye; and Councilor McHugh, aye.

#### **Res No. 20-22: Canvassing Results of the November 3, 2020 Election**

Interim City Manager Alexandra Rains explained there is a resolution before Council Canvassing Results of the November 3, 2020 Election.

Councilor Poling moved, and Council President Greisen seconded the motion to approve Res No. 20-22: Canvassing Results of the November 3, 2020 Election. Motion passed (6-0). Mayor Burge, aye; Council President 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**

Interim City Manager Rains explained the City app is underway and we could be finished with that in early January. She explained Municipal Court is now able to hold virtual arrangements. She explained she has located another funding program for a municipal well that might be able to address the basalt well project that was not funded. This would be through the State Drinking Water Revolving Loan Fund, which are forgivable funds. She explained she would like to submit

a letter of intent to that program, which wouldn't obligate us to apply or participate, but it would notify the State that we are interested and would provide information to them so they could actually look at the project. She thinks this could be a viable option for us, so she is going to explore that some more.

Chief Miller stated he really appreciates staff. They have worked very hard on a lot of projects and they have done a great job. He stated it has been a rough year, and he really appreciates the work that they do. He explained he really appreciates the Police Department. They are fully staffed, as of today. He explained Councilor McHugh had asked in a previous meeting about the training that the Police Department does. He explained he contacted Councilor McHugh and explained the training that the Police Department goes through. He explained one of the things that they do is all the Police Officers go through Critical Incident Training, for mental health and he is an instructor too. He gave an overview of that training and other training they do. He explained they do a lot of training through CIS. He explained at the end of the year he gets a review from the Lieutenant, which has information on all the pursuit, use of force and all grievances and they sit down and review them. He stated they have a lot of checks and balances in place throughout the department.

Councilor McHugh stated he just wanted to ensure the Council that the staff is getting the right training. He stated he appreciates Chief Millers input, and he feels good about it.

Councilor Lesowske stated next week the Police Department will have Doughnut Day, which is a great opportunity to support the local food drive and our community. He hopes everyone is safe and well during this Holiday Season.

Council President Greisen explained an 8<sup>th</sup> grader from Sauvie Island School contacted her about becoming a mentor for her. She explained they have a class project that requires a mentor to help guide them and she happily accepted. She explained the student is looking to set up a food pantry similar to a lending library. She explained they have worked with City staff and the Library just trying to find a good, safe location. She stated she appreciates staff for all their time and energy. She stated you have the utmost dedication to our City and to this Council and she knows that when you receive the goals that Council sets in front of you, staff takes them on whole heartedly and she appreciates their passion. She stated staff is always willing to find information for people or the public or for the Council in order to give them answers and they might not always be understandable to Council or the public, but staff gives Council what they ask for and helps them to decipher that information, and she appreciates that.

Councilor Haugen stated he wants to build on Council President Greisen's comment, sometimes he can come off as being critical on certain things and he doesn't mean it in a mean sort of way. He absolutely appreciates the confidence and the quality and the exceptional staff and Council we have and sometimes you can get misinterpreted, and that is not his intent whatsoever. He stated wearing your mask for the next three months is probably going to be more important than ever.



Councilor Poling reiterated again that he appreciates staffs work as we get towards the end of the year. He stated staff has done a phenomenal job and he really appreciates that. He explained we are nearing a holiday time where people are usually in a very giving mood but it is a different time with COVID and there are not as many groups putting together baskets like in the past because of limitations. He stated if there is any way people can donate, please do.


Mayor Burge stated ~ wear a mask, avoid close contact, avoid close spaces, avoid crowds, stay safe!

### **Adjournment**

Mayor Burge adjourned the meeting at 8:50 p.m.

  
\_\_\_\_\_  
Mayor Scott Burge

Attest:

  
\_\_\_\_\_  
City Recorder Susan M. Reeves, MMC