

MONDAY, MARCH 1, 2021
CITY COUNCIL MEETING
Regular meeting 7:00 p.m.

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 Reeves	City Recorder
Joel Haugen	Councilor	Laurie Oliver Joseph	City Planner
Josh Poling	Councilor	Huell White	Program Analyst
Brandon Lesowske	Councilor		
Pete McHugh	Councilor		
Tyler Miller	Councilor		

Legal Counsel Peter Watts

Press: none

Remote: Interim City Manager Alexandra Rains and Program Analyst Intern Isaac Butman.

Approval of the Agenda

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

Public Comments

There were no public comments received.

Consent Agenda ~ February 16, 2021 Work Session minutes and February 16, 2021 City Council meeting minutes

Councilor Haugen moved, and Councilor Lesowske seconded the motion to approve the Consent Agenda ~ February 16, 2021 Work Session minutes and February 16, 2021 City Council meeting minutes. Motion passed (7-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye, Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye and Councilor Miller, aye.

Old Business

Ordinance No. 896: An Ordinance Amending Scappoose Municipal Code Title 12, Adding Chapter 12.24 Street Renaming

Mayor Burge explained this is on second reading. He read the title for a second time ~ Ordinance No. 896: An Ordinance Amending Scappoose Municipal Code Title 12, Adding Chapter 12.24 Street Renaming. He asked City Planner Laurie Oliver Joseph if she has anything to add.

City Planner Laurie Oliver Joseph replied she does not.

Mayor Burge asked if there was any discussion by Council, seeing none he asked for a vote.

Motion passed (5-2). Council President Greisen, aye; Councilor Haugen, aye, Councilor Poling, aye; Councilor Lesowske, aye, and Councilor Miller, aye. Mayor Burge, nay, and Councilor McHugh, nay.

Councilor McHugh stated he does appreciate everyone's work on that, and he know it's a lot of work to do what they did.

Mayor Burge explained he just kind of agreed with Councilor McHugh, he made very good arguments.

City Planner Laurie Oliver Joseph replied thank you. She did just have one quick comment not in relation to the code itself, but we did propose setting the fee, this was included in your packet last time it also is on page 29 in this packet. She explained really what we were going for is cost recovery of staff time and that's what the proposed fee is based on. She explained there is a breakout of the explanation for that. She stated her question then for Council tonight is, did you want to have a discussion during the next meeting about that or did you want her to just bring the fee resolution and be ready to adopt?

Mayor Burge replied there will be discussion during the adoption of the resolution and he is fine with it being brought to Council at the next meeting.

New Business

2021-2022 Council Goals

Interim City Manager Alexandra Rains went over the staff report. The staff report explains on Saturday, February 6th, 2021, City Council held a Goal Setting Session to develop Annual Goals for the 2021-2022 Fiscal Year. In advance of this meeting, City Staff provided Council with copies of the annual goal lists from the Parks and Recreation Committee, Economic Development Committee and City Staff, as well as the results of the Annual Town Meeting Survey. During the session, each Councilor was given the opportunity to propose new goals for the upcoming Fiscal Year and was then asked to help refine the combined list by voting for a maximum of six (6) goals. The refined list of new goals is included below.

Goals receiving two (2) or more votes. These have been added to the draft 2021-2022 Goal List:

- Sidewalk Plan
- Annual One-on-One meetings with neighboring local leaders – School District, County, Fire, Port, OMIC, Senior Center, 911 District

- Complete an Operational Needs Analysis for the Police Department
- Support Trail to Tillamook Project
- Community Pool – determine construction and operation and maintenance costs
- Identify Park Property on the East/South side of the City
- Continue Communication Outreach – focus on additional transparency and use of social media
- Design Downtown Revitalization Program

Goals receiving only one (1) vote. These have not been added to the list but are provided here for discussion, along with some applicable notes from Staff:

- Update security system for Water Treatment Plant
 - o Currently underway in FY 20-21
- Work with 911 to assist with radio coverage issues
 - o Could be addressed as part of the Annual One-on-One meetings with neighboring local leaders
- Invest more in the Senior Center (\$10K per year)
 - o Could be addressed through the City's Community Enhancement Program
- Move marketing and branding to short term goal list
 - o Could be completed after the development of a Downtown Revitalization Program as this process may help define the City's "brand"
- Purchase/Commission piece of art for the 100 year event
- Partner with local university to study tree canopy
 - o Could be part/subtask of 50-Year Visioning Process
- Support for local restaurants, grants & information
- Re-review food cart ordinance
- Review Development Code
 - o Review of several Development Code Chapters is included as part of the 50-Year Visioning Process
- Council to review chapters of SMC
- Alternative Financing for the City
- Increase support for the SBWC

ATTACHMENTS:

- Attachment A – Draft 2021-2022 Council Goals, Original Format (Format A) **This version reflects the same format and organization as past years and includes the approximate year each goal was added to the list
- Attachment B – Draft 2021-2022 Council Goals, Modified Format (Format B) **This version includes the same content, including the approximate year each goal was added, but has been re-organized. It features a section for both Ongoing Goals, those that Council intends to continue indefinitely, and Long Term Goals, those Council has identified for completion in future years
- Attachment C – Color coded version of the 2021-2022 Council Goals **This version highlights the formatting changes between versions A and B.

Mayor Burge asked Council if they have any questions?

Council President Greisen explained, in regards to the format, she is in favor of attachment B, she likes the modified format versus the original.

Councilor Haugen stated he is fine either way, but he does like the original.

Mayor Burge stated he does like attachment B.

Councilor Poling stated he also likes attachment B.

Council President Greisen acknowledged Interim City Manager Rains for her time and energy she put into this to make it so clear for Council, in addition to acknowledging everyone's input, even though it didn't make the highest sticker count.

Councilor Lesowske moved, and Councilor Miller seconded the motion that Council that Council adopt the 2021-2022 Council Goals as presented in format B. Motion passed (7-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye, Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye and Councilor Miller, aye.

Resolution No. 21-02: A Resolution Approving the Establishment of a Temporary Permit to Allow Outdoor Seating/Displays for Businesses Affected by the COVID-19 Emergency

City Planner Laurie Oliver Joseph went over the staff report. She explained the City was recently contacted by a local restaurant owner with a request to set up a temporary tented and heated outdoor seating area. Since outdoor seating is listed as a conditional use in the Scappoose Development Code and it would take time and money to process a conditional use application, staff considered what options were available to quickly respond to the restaurant owner's request. The State of Oregon has issued orders that restrict the seating at bars, restaurants and other eating establishments in an effort to reduce the spread of Covid-19. Currently, these businesses may allow seating indoors at a reduced capacity; however, based on the number of new Covid cases/risk level, that is subject to change when Columbia County is reviewed again by the Oregon Health Authority (occurs every two weeks). City staff have reviewed the approach of other municipalities to allowing temporary outdoor seating areas with tents and, as a result, drafted the attached Temporary Outdoor Dining/Display Permit (Exhibit 1 in packet), modeled after Bend, Oregon's policy. The proposed permit would allow a business to have an outdoor tented area for either seating or display of merchandise so that proper space between patrons can be achieved and so that when indoor seating is not allowed based on the County's risk level, businesses can still operate and sell merchandise or food and drinks. The Temporary Outdoor Dining/Display Permit is intended to be in effect as long as the City's emergency declaration related to Covid-19 is in force. When the emergency declaration has ended, the City would notify all businesses who have been issued the temporary permit letting them know that they have 5 days to return the outdoor tented area to its previous condition. City staff did not include the right of way as a permissible location for the temporary tents as some cities have done. The reason for this is that unlike in some other cities, the City of Scappoose development code requires that adequate on-site parking be provided for each use/business, meaning that in most

cases, there is ample space to set up a tented area within a privately owned lot rather than having to resort to using the street right of way. Businesses would then utilize on-street parking while the parking lot is temporarily being used for the tented seating area. In a situation where it did make sense to allow the use of the right of way for tents/outdoor seating because there is not adequate space on-site, an owner could apply directly to Council for use of the right of way, as specified in SMC 12.08 – Obstruction of Streets, Alleys and Public Places. The Temporary Outdoor Dining/Display Permit has been coordinated between the Community Development Center, Public Works Department, Police Department, and the Fire District. The Fire Code governs the requirements for temporary structuresⁱ including the types of tents that many restaurants have utilized during the Covid-19 pandemic to allow outdoor seating. For this reason, staff have included a check box whereby City staff can verify that the Fire District has issued their own permit and completed the required tent inspection prior to the City granting the Temporary Outdoor Dining/Display Permit. The Temporary Outdoor Dining/Display Permit does not have a fee associated with it. The City would incur the cost of staff time to process the permit, which is an unknown amount at this time.

Councilor Miller stated he sees that it is required for Scappoose Fire to do an inspection. He asked if they have a form? He stated he doesn't see any note to the application that proof of inspection has to be submitted with the actual application.

City Planner Laurie Oliver Joseph replied she did work with Chief Pricher regarding this and he is developing a permit. She explained the check box that she added to the form makes staff check with the Fire District to make sure they have signed off on this. She explained our permits are separate and different, but we just want to cross check to make sure the other person has already done that check.

Mayor Burge stated hopefully we can get this out of the code, it bothers him that it is in there and to him it doesn't make any sense.

City Planner Laurie Oliver Joseph replied it doesn't make any sense and she is very comfortable writing findings to support that use in the meantime.

Councilor Poling moved, and Council President Greisen seconded the motion that Council adopt Resolution No. 21-02: A Resolution Approving the Establishment of a Temporary Permit to Allow Outdoor Seating/Displays for Businesses Affected by the COVID-19 Emergency. Motion passed (7-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye, Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye and Councilor Miller, aye.

Pool Cost Public Outreach Campaign

Interim City Manager Alexandra Rains explained you will see in your packet this evening we have included several items for your review.

Program Analyst Huell White explained the survey development and how staff got there. He explained as far as funding mechanisms are concerned, there are two different categories here, there is construction and then there's operation and maintenance. He explained they require different funding mechanisms as far as the ballot is concerned, they are different types of funding mechanisms that require different types of approval. He explained the construction obviously is only one part of the question here and you'll notice that there's quite a large range for costs. He explained on the low end that construction cost is about \$1,000,000, that's very close to the estimate that came in for the pool that was part of the original Grabhorn conceptual plan 10% engineering documents. He explained then on the high end we had estimated \$10,000,000 for an indoor pool. He explained City Attorney Peter Watts had mentioned he has seen \$15,000,000 for a somewhat similar project that's happening out in Eastern Oregon. He explained there's quite a range there depending on a variety of factors, whether that be site constraints or specific context to the site, the design of the facility, the size of facility. He explained switching over to the operation and maintenance costs and if you have any specific questions about the math, Isaac is available to answer those questions, but we determined that \$500,000 in operating costs was a pretty comfortable number based on the pool research that Isaac did, which is attached, and titled "staff research on pool costs in Oregon". He explained in terms of the construction costs those could be funded through a general obligation bond. He explained the general obligation bonds are debt that is incurred by the City, but they must be approved by the voters. He explained that bonded debt could have different terms, typically there 10, 20 or 30 years with lower terms on lower amounts of debt and higher terms on higher amounts of debt but they are paid back through property taxes. He explained for operation those would be funded by a local option levy, more specifically an operating levy. He explained operating levies in the State of Oregon for operations and maintenance specifically and they must be renewed every five years. He stated that's something to keep in mind in terms of a hypothetical pool in the future, constructing it is only half of the story here. He stated once a facility is constructed, you have to continue funding the operation and maintenance for that facility and it raises the question of every five years returning to the voters and asking if they'd be willing to reauthorize an operating levy on their property taxes to pay for the facility. He explained in terms of the survey, to put it bluntly, this is a very complex topic to try to describe in a one-page survey whether this be to folks that work in in this profession or to the layperson who doesn't know what assessed value is or property tax compression or general obligation bonds. Staff is specifically seeking Councils feedback on the draft survey to make sure that this is something that's comprehensible to the general public, but also conveys the information that we need to convey.

Councilor Miller stated he thinks the draft survey is actually written very well; he thinks staff did a really good job on it. He stated the only thing that I noticed is that in paragraph 3 first sentence, he would just encourage maybe some rewording of that because it says City Council will use this information to decide if a pool will be built. He stated we are using the information to decide if we're going to proceed with putting something on the ballot.

Legal Counsel Peter Watts stated we have the \$1,000,000 estimate for the outdoor pool, and he thinks what we've compared that to is the Carlton pool, so we're not talking about a 25-meter X 25-meter pool - which he thinks is everyone's expectations. He stated as far as he can tell from his research, a 25-meter X 25-meter pool as well as a deck, you would probably need bathrooms as well for the lifeguards, is really going to be just a bare bones minimum \$2,600,000 and they

actually are coming closer to \$5,000,000. He stated if we're talking about a comp between the indoor pool and the outdoor pool where we're probably looking at \$5,000,000 to \$10,000,000. He explained \$1,000,000 would get us a pool and a deck and a fence and lifeguards needing to leave the complex and use restrooms in other portions of the park, same thing for the patrons. He explained in his mind, it's probably not the outcome that people have in mind, so he suggested despite the earlier estimate of about \$1,000,000 if that's not realistic and Carlton paid \$1,500,000 to rebuild theirs, he suggests we move that number to where we would actually be able to do the project because the goal is for the public to be as fully and accurately informed as possible. He stated to build the pool and to fund its operations would require two separate votes, as staff has indicated, one for the general obligation bond and the other for the five-year operating levy. He stated the only other way that this could be done would be through formation of a parks or another special district that had a permanent levy rate. He explained there would be a series of things we need to do to form that district and there would have to be a public vote to fund that operating levy. He stated if a pool is to be built there is going to be one or more votes on this that would need to take place. He stated as far as the sentence of paragraph three, you could say City Council uses information to decide whether there is enough community support to ask voters for authorization. He thinks that the \$8,852.89 is a little bit confusing and he would recommend striking that. He thinks he would just have the next sentence state, "the privately funded pool donations totaling \$48,330.62 will remain set aside for an aquatics related amenity regardless of the City Council decision", and that's because we would absolutely need to go to the Attorney General's Charitable Division in order to get authorization to spend that. He stated it might be able to be spent on like a splash pad or some other amenity that has water and cools people down during the summer. He explained we would just need to get their sign off in order to authorize it, which is why he uses the term "water related amenity". He thinks this is a very complex topic, but he thinks that this survey is distilled down to a point where the average voter is going to understand it and understand how it impacts them. He explained there was a little discussion about whether to try and explain assessed value versus real market value and the amount of time that it takes in order to do that explanation just makes it less likely that someone's going to be able to get through this, so his recommendation was that we not do that. He stated those are big numbers and we can have the compression discussion later. He stated if these were to go on the ballot and they were to pass, we likely wouldn't compress but it would absolutely impact other special districts and others ability to go out and get their own operating levies and so we would want to closely coordinate with them in advance. He stated his guess is this could really impact the School District for a future ask. He stated the Fire Department has already indicated they want to go out, as well as our ability to go out for a levy for parks or for law enforcement or for any of the other things that might be a community priority (more so than a pool). He stated so it's just helping people understand that this does have future impacts if we do it.

Mayor Burge explained when the Parks District put out the pool on the ballot for \$10,000,000 with operating costs, it lost 75/25.

Councilor Haugen stated the bottom line here is we want to find out the level of support of the community willing to pay \$300 a year for their outdoor pool or \$700 a year for an indoor pool, at a minimum. He stated he wouldn't worry about compression at this point, because you want to make it as simple as possible, because you want to get that cross-section demographic to determine what is the level of community support and are they willing to shell the money out or

not, that is the bottom line. He stated if we lose that in translation then we are spinning our wheels.

Mayor Burge stated he thinks \$1,000,000 is way too low and he thinks that we should go with 25-meter X 25-meter, padded, and something that we would actually build, not somebody's backyard pool with a fence around it.

Councilor McHugh stated he would just like to say that he'd be surprised if we could build one for \$1,000,000. He stated he thinks what is before them is really good, but when you look at it there's just too many words and nothing stands out and not everybody is going to read all that. His suggestion is to state in summary, the net effect to the taxpayer is....., so that stands out.

Isaac Butman stated he wanted to make a quick note about special districts. He explained when you form a special district it eats into the base rate for the permanent rate for the other taxing districts. He explained they don't actually generate their own base rate; they pull from the other taxing districts.

Councilor Lesowske stated going back to Councilor Miller's comment about the first sentence of the third paragraph on the survey, it says that Council will use this to information to decide and he thinks that is a little too strong and maybe we would want to suggest that this information will inform Councilor's on our funding options, if we were to move forward with building a pool. He stated, he also does think that all the information is there and it's great and it's very informative in the survey, but he would almost think of it as providing prompts between the questions of the survey that kind of helps them inform their answer because he thinks that it is a little heavy on the front end of the reading. He stated so putting those in between the actual survey questions may support that, but he does think that between Isaac and Huell and other staff that put time in on this, this is exactly the type of information that he needs to make an informed decision. He stated there is some contrast in the information that's been provided for proponents of it and people that feel as though the City can't move forward in funding of this size. He thinks for Council, it gives them a lot of information to digest because there is some emotion here, but he thinks what they need is to know the citizens feelings towards what that funding mechanism would be. He thinks that this will help them in that decision making process.

Mayor Burge stated he thinks on question four we need to rework the construction cost to something that's much more likely to be built as the outdoor pool.

Council discussed the outdoor pool being closer to \$3,500,000.

Councilor Poling stated the \$3,500,000 is a better number and the only other thing he would say is he actually kind of likes the firmer wording to it only because we want people to understand that we are trying to make a decision moving forward and not something we are just continually putting off.

Council President Greisen asked if all of the exhibits are going to be available on the pool tab on the website because some of the summary is important.

Program Analyst Huell White replied yes, the information will be available online.

Councilor Lesowske asked Isaac, in his research, was there any examples of where the bond passed but the operation levy failed so people essentially have an unoccupied facility.

Program Analyst Intern Isaac Butman replied, not specifically, however, as with any operation of a facility through a levy that is always a threat and a concern.

Program Analyst Huell White asked just to confirm, is the \$10,000,000 for an indoor pool okay, or should it be higher?

Mayor Burge replied he thinks that's the cheapest you're going to get.

Councilor Haugen stated he thinks we want to be realistic and bump that up just a bit.

Mayor Burge stated he would increase that to \$11,000,000.

Councilor Miller asked do we need to make any statement about these numbers being just approximate numbers, because as we dive into this it could be a lot more and that could upset some people.

Interim City Manager Alexandra Rains replied, the survey does say it is an estimate, but we could certainly repeat that or and maybe put it in bold or highlight it in some way.

Legal Counsel Peter Watts stated staff could say, "estimates based on recently constructed projects in other jurisdictions".

Interim City Manager Alexandra Rains stated it sounds like staff is changing the range, \$3,500,000 to \$11,000,000, and stating these are approximate costs based on recently constructed projects in other jurisdictions. She stated she heard different input on the language, Council will decide or that this will guide Council's decision. She asked, is there a consensus on how Council would like to proceed?

Councilor Haugen stated what Councilor Lesowske stated, "inform a decision", is a good way of saying it, it just softens it.

Interim City Manager Alexandra Rains asked Council if they are comfortable enough to have this going out in the next addition of the newsletter, or do they want to give it some more thought and have staff bring it back to them.

Councilor McHugh would like to have it brought back for Council to look at it again. Mayor Burge stated bring it back at the next meeting.

Announcements ~ information only
Calendar

Mayor Burge went over the calendar.

City Manager, Police Chief, Councilors, and Mayor

Interim City Manager Alexandra Rains explained the interior drainage analysis that the SDIC had performed that we had addressed some concerns with, we are currently contracted with West Consulting to take another look at that. She just wanted to let Council know that is still moving forward.

Chief Miller explained staff has confirmed interviews with all nine of the City Manager candidates.

Councilor Miller thanked staff for putting together a great packet.

Council President Greisen thanked Isaac, Huell, and Alex for the quick turnaround on all the pool information. She stated it is just amazing how tight this team is. She thanked Susan for the great communication and organization. She thanked Chief Miller for all his work with the interviews and getting us going with that. She is just really proud of the team we have here.

Councilor Haugen stated, happy March.

Councilor Poling stated staff is doing an amazing job. He thanked Pete and Joel for doing an amazing job with the 100-year celebration.


Councilor Lesowske stated March is Women's History month and so he is hoping we can all take the opportunity to look at all the work and struggles that women have done for us to make our communities better.

Adjournment ~ Mayor Burge adjourned the meeting at 8:24 p.m.



Mayor Scott Burge

Attest:



City Recorder Susan M. Reeves. MMC