

**MONDAY, APRIL 5, 2021**  
**CITY COUNCIL MEETING**  
**Regular meeting 7:00 p.m.**

**Call to Order**

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

**Pledge of Allegiance**

**Roll Call**

|                  |                   |                      |                                  |
|------------------|-------------------|----------------------|----------------------------------|
| Scott Burge      | Mayor             | Alexandra Rains      | Interim City Manager             |
| Megan Greisen    | Council President | Norm Miller          | Police Chief                     |
| Joel Haugen      | Councilor         | Susan M. Reeves      | City Recorder                    |
| Josh Poling      | Councilor         | Laurie Oliver Joseph | City Planner (left at 7:24pm)    |
| Brandon Lesowske | Councilor         | Chris Negelspach     | City Engineer                    |
| Pete McHugh      | Councilor         | Huell White          | Program Analyst (left at 8:11pm) |
| Tyler Miller     | Councilor         |                      |                                  |

Legal Counsel Peter Watts

Legal Counsel Ashley Driscoll

Press: none

Remote: Public Works Director Dave Sukau, Marisa Jacobs (left at 7:45pm), Veronica Reeves (left at 7:25pm), Mathew/Mike/Laura (left at 7:25pm), Erik Jensen (left at 8:09pm), and D Meeuwsan (joined at 7:51pm).

**Approval of the Agenda**

Mayor Burge added an agenda item ~ Presentation by Jensen Strategies and discussion on LCOG proposal.

Councilor Haugen moved, and Councilor Lesowske seconded the motion to approve the agenda as amended. 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**

**Scappoose City Council Meeting 4/5/2021**

**Public Comment re: Alternative NW Local Connection Study**

Good evening Mayor Burge and Council Members,

My name is Marisa Jacobs. While I'm an alternate City Planning Commissioner, I'm speaking as a resident citizen. My comments are regarding the published report from DKS Associates pertaining to the Alternative NW Local Connection Study. I've read the entire report and there is another option missing. Do Nothing. Do not extend Cpt Roger Kucera through to EJ Smith.

Extending this road goes against best-in-class verifiable research that running a street through the entirety of a park is dangerous.

As cited in my previous public comment dated December 7, 2020, research has shown cities across the US are closing through roads in parks to create safer park engagement for its users. And, if the #1 reason for a road is for emergency services, create an egress, not a through road. Once the Grabhorn property design is approved, it will bring more recreation to the area. More people of all ages and animals. A through road with increased users equals increased accidents. This is not the place to spend a \$1M. Use the \$1M to improve the sidewalks to encourage more walking and biking to connect into the neighborhoods, not more cars. Use the money to fix the bridge on EJ Smith, not a road through a park.

Last week, I watched a car hit their brakes on Cpt Roger Kucera just stopping short of hitting a child who ran out into the street to fetch their soccer ball. The time was around 5:30p. Using the same eye witness example I provided you, now add a through road into this picture during rush hour traffic. The probability of that child getting hit by a car goes up exponentially, and the park utilization will decrease just as fast. Therefore, wasting millions of dollars to develop Veterans and Grabhorn park for it to become a desolate green space for a high-speed cut through street. There is another option. Do Nothing. Do Not Extend the Road.

Thank you,  
Marisa Jacobs

### **Presentation by Mayor Burge**

Steve Kreins, Executive Director of Oregon Operation Lifesaver thanked Mayor Burge and Council for organizing this. He explained he just happens to be a local Scappoose resident and he's doing these all over the state but this one just happens to be a little bit more special just because he's local. He explained he is the Executive Director of a local nonprofit called Oregon Operation Lifesaver. He explained Operation Lifesaver's mission is to end collisions, deaths and injuries at highway rail grade crossings along the rights-of-way. He explained Operation Lifesaver started in Idaho in 1972 by the Idaho State police and now it's a nationwide program. Oregon Operation Lifesaver started in around 1978 and they partner with local law enforcement around the State and as well as about 22 different railroads. He explained he is here to recognize some of our partners in law enforcement. He explained over the last few years the number of incidents has tripled in Oregon and the numerous reasons on why we believe that's happening. He explained in Oregon we're seeing about 150% increase a year and trespass incidents in Oregon now falls into #9 in the country for trespassing and Hwy grade crossing accidents in the State. He explained one of the other things their program believes in is to reduce these numbers is the 3 E's and that's engineering, education and enforcement and we couldn't do this mission without our local law enforcement. He stated Chief Miller has always been proactive when the time has come for him to call upon him to do anything that's public safety. He stated the Portland Western Railroad on behalf of Craig Ashenfelter, Vice President of Safety, who wished he could have been here tonight, and Oregon Operation Lifesaver have worked together over the years to promote rail safety, but they couldn't have done it without some of our partners like Scappoose Police Department. He explained for the past years Chief Miller has been proactive in coming

out when asked to participate or if he was asked to do anything that promotes rail safety. He explained Oregon Operation Lifesaver wants to thank the Scappoose Police Department and they would like to thank Mayor Burge for helping make this happen. He explained Chief Miller has been proactive when asked to help and last year Scappoose Police Department was able to sign up and participate in Operation Clear Track which is held every September in rail Safety Week. He explained Chief Millers dedication and willingness to help this cause doesn't go unrecognized. He explained at this time he'd like to present Chief Miller with a plaque for taking the time away from his duties to help this cause and always answering the call when needed.

Congratulations Chief Miller.

**Consent Agenda ~ March 15, 2021 Grabhorn Park Ad Hoc Committee Interview minutes, March 15, 2021 City Council meeting minutes, March 22, 2021 Special City Council meeting minutes, March 30, 2021 Special City Council meeting minutes appointment of members to the Grabhorn Ad Hoc Committee, and appointment of Jeannet Santiago to the Planning Commission**

Councilor Poling moved, and Councilor Haugen seconded the motion to approve the Consent Agenda ~ March 15, 2021 Grabhorn Park Ad Hoc Committee Interview minutes, March 15, 2021 City Council meeting minutes, March 22, 2021 Special City Council meeting minutes, March 30, 2021 Special City Council meeting minutes appointment of members to the Grabhorn Ad Hoc Committee, and appointment of Jeannet Santiago to the Planning Commission. 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.

## **Proclamations**

### **National Child Abuse Prevention Month**

Mayor Burge read the National Child Abuse Prevention Month Proclamation.

### **National Volunteer Week**

Mayor Burge read the National Volunteer Week Proclamation.

## **New Business**

### **WWTP Interim Aeration Basin Construction Contract**

Public Works Director Dave Sukau went over the staff report. He explained in March of 2020 the City discovered a failure of their aeration basin (AB) liner. Upon subsequent testing of the AB's underdrain system, it was determined that the basin was in a state of failure. Murraysmith was selected to design Phase 1 Improvements to the WWTP as a whole; however, the failure of the AB liner altered the initial project scope and now Phase 1 Improvements include a new AB. Staff has partnered with Murraysmith and DEQ to convert the existing sludge storage pond to an aeration

basin until the Phase I construction of a new aeration basin is completed. This plan will modify existing pipe to gravity feed influent to the temporary aeration basin. A new pump station will be installed to pump the treated influent (mixed liquor) to the existing clarifiers.

Public Works Director Dave Sukau explained the City is currently taking action to address the liner situation. These actions include:

- Weekly water quality monitoring in the basin's underdrain system. The City is currently monitoring BOD and water level.
- Modifying the aspirator aerators to install a base plate or baffle to deflect energy away from the bottom of the basin. These aspirator aerators may be creating too much turbulence over the full depth of the lagoon and further impacting the liner system.
- Reducing liquid solids inventory at the plant to accommodate use of the primary sludge lagoon as a temporary aeration basin.
- Prepare the secondary sludge lagoon for use and the receipt of sludge.

Public Works Director Dave Sukau explained the City advertised the project on February 5, 2021 and had five bids submitted for the March 5th bid opening. The results are in the table below. The project will be funded out of the Wastewater budget 41-410-310. Staff recommends the Interim Aeration project be awarded to Bateson Enterprises, LLC for three hundred fourteen thousand dollars (\$314,000).

Councilor Lesowske moved, and Councilor Miller seconded the motion that Council authorize Interim City Manager Rains to enter a contract with Bateson Enterprises, LLC to complete the Interim Aeration Plan as advertised for \$314,000. 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.

### **Skatepark Beautification Project**

Program Analyst Huell White went over the staff report. He explained at the March 18, 2021 Parks and Recreation Committee (SPRC) meeting, a student-led public art project for the Skate Park was proposed to the Committee. Matthew Virosteck, a young artist from Sauvie Island, delivered his final design proposal to paint murals on the Scappoose Skate Park. Matthew has spent the current school year designing this project for his 8th grade course studies at Sauvie Island School. Matthew presented a draft of his work earlier this year, and his final draft to SPRC on March 18. The Committee was highly supportive of Matthew's proposal and his endeavor to seek Council's approval. The Committee voted unanimously to recommend the project to City Council for their consideration. He explained the options are, **1.** Approve the Skate Park Beautification Project as presented, **2.** Approve the Skate Park Beautification Project with modifications or **3.** Not approve the Skate Park Beautification Project.

Matthew Virosteck explained he wanted to do something with art outdoors because of Covid conditions. He used simple graphics, shapes, and lines to represent speed and movement of the skaters. He thinks the artwork will beautify Scappoose Heritage Park and connect the community with the kids who use the space. He introduced his mentor Veronica Reeves, a local artist. He

explained he was inspired by her contribution of a mural at Otto Peterson. He explained what his plan would be if this would be approved.

Councilor Haugen thanked Matthew for his creativity, energy and enthusiasm to beautify our wonderful City.

Council President Greisen stated I second that, this is really impressive visual work, and it is warmly welcomed that you would do a project like this that would benefit so many people in our community and brighten up a space that many pass by and recreate at, this is just truly a gift. She thanked Matthew and told him he should be very proud of this presentation and the work that he has put together so far.

Councilor Lesowske stated he appreciates someone who doesn't necessarily have a direct connection to this location saw a need and wanted to beautify this space to make it more appealing and attractive, not just to the users but to the community. He stated he is very excited to see this and to know that our youth is being active in our community as well.

Mayor Burge stated he looked at this and it is great. He stated it will brighten up the skate park. He thanked Matthew for his vision and his work.

Councilor McHugh stated he wants to echo what the other Council members have said. He is really impressed with how well Matthew has pulled all this together, he is a very talented young man. He stated this will be a big improvement to the skate park. He thanked Matthew for his vision and willingness to pull all this together, it is a lot of work and it is appreciated.

Councilor Poling moved, and Councilor Haugen seconded the motion that Council approve the Skate Park Beautification Project as presented. 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. 21-04: A Resolution Authorizing a Contract to be Awarded by Direct Appointment**

Interim City Manager Alex Rains left the room at 7:24pm.

Legal Counsel Ashley Driscoll explained the resolution before Council is to exempt a class of personal services contract from your public contractor code which will allow the Council to direct appoint a third-party contractor for your City recruitment process and then allow her to negotiate a fee not to exceed \$25,000.

Councilor Haugen moved, and Councilor Poling seconded the motion that Council approve Resolution No. 21-04: A Resolution Authorizing a Contract to be Awarded by Direct Appointment. 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.

## **Presentation by Jensen Strategies and discussion on LCOG**

Legal Counsel Ashley Driscoll stated thank you for passing that resolution. She stated so now we're going to consider two different proposals from city manager recruitment firms and then after the presentation by Jensen Strategies, she will briefly touch on the proposal from the Lane Council of Governments. She explained if one of these two proposals is the direction the Council wants to go then she is going to ask for a motion to authorize her to enter negotiations with one of those two firms. She explained if neither one of them meets Council's criteria or objectives Council can also send her back to gather more.

Erik Jensen with Jensen Strategies thanked Council for the opportunity to give a proposal for the city manager recruitment process, which he gave an overview of.

Councilor Miller asked Erik Jensen to give specifics of how his firm advertises the position.

Erik Jensen explained they typically advertise on the ICMA website, in addition to all of the networks within Oregon, including the League of Oregon Cities, and OCCM. He explained there are a number of listservs that they will advertise through. He explained if Council wants them to, they will also advertise in adjacent States. He explained they target places city managers plan to go to.

Councilor Lesowske stated he appreciates Erik putting this proposal together. He explained he likes the guarantee.

Erik Jensen explained they are fairly new with the city manager recruitment, since 2016 and they have had pretty good success in terms of people staying around.

Councilor Haugen stated to Erik he thought his proposal was very thorough and thoughtful in its organization.

Councilor Miller talked about the city manager salary.

Erik Jensen replied that is a competitive range in his experience.

Council thanked Erik Jensen for putting this proposal together.

Councilor Poling stated in the resolution to authorize contracts we have the fee set for \$25,000 and Jensen Strategies contract is \$24,000 with other expenses associated with that which would make it go over the \$25,000. He asked does that effect anything with our contract with them?

Legal Counsel Ashley Driscoll replied yes it could. She asked Erik if there are any other fees not associated with the \$24,000?

Erik Jensen replied the \$24,000 covers all of their professional fees. He explained the additional fees you see in the proposal are direct expenses or outsourced, like mileage, hotel stays, as well as the cost for them to run the background checks, the fees for advertising, printing costs, graphic art designs, etc. He explained in their experience that amount would not exceed \$5,000 and possibly much less because they try to be conservative.

Legal Counsel Ashley Driscoll replied she is fine amending that number or considering that number part of the professional services with the understanding that some of the direct costs would be passed along.

Legal Counsel Ashley Driscoll explained she is not in a position that she is recommending either firm. She explained she gave LCOG the same opportunity to speak with Council tonight and they declined and said their proposal will speak for itself. She talked about the LCOG proposal requires more staff assistance with the administrative work, and Jensen Strategies is more of a handoff process.

Councilor McHugh feels Council should make a decision this evening so they can move forward with the process.

Mayor Burge explained he is conformable with moving forward also.

Councilor Poling moved, and Councilor Lesowske seconded the motion that Council approve Legal Counsel Ashley Driscoll to contract with Jensen Strategies, LLC. 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.

There was a discussion in the Jensen Strategies amount being more than the amount in the resolution.

Mayor Burge asked if the resolution could be amended to authorize the City Attorney Ashley Driscoll to negotiate the professional fees to an amount less than \$25,000 plus expense.

Legal Counsel Ashley Driscoll replied that would work. She explained typically the city manager would sign but since Interim City Manager Rains is one of the candidates, she would prefer we didn't do that, so authoring the Mayor to sign on behalf of the City. She explained in addition to that motion, because we would like to get the ball rolling, she would suggest a motion to authorize staff to take all other necessary actions to begin the process.

Councilor McHugh asked who is going to be the point person from the City?

Legal Counsel Ashley Driscoll replied either Peter or her could do that. She stated again, hopefully we are not relying on staff too heavily in this busy season.

Councilor Haugen moved, and Councilor Poling seconded the motion to amend Resolution No. 21-04 Council to authorize Legal Counsel Ashley Driscoll to negotiate a contract to an amount of less than \$25,000 plus expenses with Jensen Strategies and authorize the Mayor to sign the contract. 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.

Councilor Poling moved, and Councilor Lesowske second the motion that Council directs staff to take all other necessary actions in order to start the process. 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.

Council thanked Legal Counsel Ashley Driscoll and Peter Watts.

### **Announcements ~ information only**

#### **Calendar**

Mayor Burge went over the calendar.

Interim City Manager Rains came back into the room.

### **City Manager, Police Chief, Councilors, and Mayor**

Interim City Manager Alexandra Rains explained per Council's goal list she went ahead and scheduled two meetings for Council with some boards of other overlapping taxing districts and nearby leaders. She explained on May 17, Council will have a work session with the Port of Columbia County and on August 2, Council will have a work session with the County Commissioners. She asked Council to think about what topics they might want to cover with them so she can put together some kind of agenda. She has reached out to some other folks and is working on scheduling some additional meetings as well. She explained she has been contacted by both Senator Johnson and Representative Witt about some federal funds that are coming through to the State that will be coming through and available for cities for infrastructure. She explained in a very short amount of time she has pulled together a bunch of information for them on the City's wastewater treatment plant costs, the basalt well, and then 3<sup>rd</sup> Place and Vine, the two roads that weren't funded for the safe routes to school grant. She explained staff put together costs and all kinds of information they had from previous loans and grant documents and they sent it off to them and we're hoping we get some funds.

Councilor McHugh explained the 100-year celebration committee is meeting every week on Wednesday at 6:30pm, so he is not sure they need the Thursday meeting.



Council President Greisen stated she just wants to bring up a potential topic for discussion with Council. She explained in recent interactions we've referenced our Council team agreements. She knows that she has looked back and read over them. She stated at this point she's not quite sure, she's done a little bit of research and the League of Oregon Cities has a model rules of procedure for council meetings and she's just curious if something a little more detailed or definitive could provide Council a little more structure on their interactions with each other and interactions with staff. She explained something that's a little more clear, clearly outlined might be helpful for them as a Council as they work through issues and make decisions as a body.

Legal Counsel Ashley Driscoll replied she does like the League of Oregon Cities model council rules, and it does have to align with your Charter. She explained she does think there are aspects that would be really helpful in her limited experience. She explained the other thing is that the current council rules are in ordinance and in her experience most City Council's council rules are adopted as a resolution and when you have a more detailed process like the model rules, which envisions a lot of different situations, it provides guidance in a lot of different situations. It is also nice to have the ability to be able to make a motion to suspend the rules. She explained when your council rules are in ordinance you don't have that same level of flexibility. She explained that's one of the reasons why she definitely recommends the Council has their rules of procedure as a resolution and that is what she is most familiar with. She explained the process that one of her other clients went through.

Council President Greisen replied what I hear you saying is this is something that would set us up for success in the future when making decisions as a body.

Legal Counsel Ashley Driscoll replied her experience with Scappoose is limited, as she hasn't been to a lot of the meetings and is not familiar with all your challenges. She explained she knows Council has a team agreement and they reference the team agreement. She explained it is often better to have the team agreement, rules, etc., all in one place.

Legal Counsel Peter Watts explained the most important thing though is that whether it's a team agreement or council rules is that everybody be willing to follow it. He explained if Council doesn't trust each other then it becomes transparent to the public. He would encourage Council to read aspirational documents and think about is this fair, can you live with this, and have those conversations with each other.

Mayor Burge talked about a section he would like to remove out of the Council rules. He talked about this being an agenda item and Council can make a decision on whether or not to direct staff to make these changes.

Councilor Miller talked about making sure the process includes due process.

Councilor Haugen would like to caution Council, let's not get carried away with rules and procedures and let's work as collegial. He thanked Councilor McHugh for all the work he is doing with the 100-year celebration.

Councilor Poling stated we are getting into spring with nice weather which means we will be out in the parks enjoying them again and he is looking forward to that.


Councilor Lesowske explained he had a follow up discussion with Waste Management regarding potentially looking at cost structures with adding a food waste option with the compost and organics. He explained he will be following up with Interim City Manager Rains on next steps on something we could potentially adopt. He thanked staff for all they do.

### **Adjournment**

Mayor Burge adjourned the meeting at 8:34 p.m.

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

Attest:

  
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City Recorder Susan M. Reeves. MMC