

**City Council Meeting
Tuesday, September 7, 2021
Regular Meeting 7:00pm
Council Chambers
33568 East Columbia Avenue
Scappoose, Oregon 97056**

Call to Order

Mayor Burge called the meeting to order at 7:01pm.

Pledge of Allegiance

Roll Call

Scott Burge	Mayor	Alexandra Rains	Interim City Manager
Megan Greisen	Council President	Shaun Davis	Interim Police Chief
Joel Haugen	Councilor	Susan M. Reeves	City Recorder
Josh Poling (remote)	Councilor	Huell Whitehaus	Assistant to Public Works Director
Brandon Lesowske	Councilor		
Pete McHugh	Councilor		
Tyler Miller	Councilor		
Peter Watts	Legal Counsel		

Remote: Dan McCoy, Mary Hindal, and Steve Payne, Robert Backus, and an unknown caller.

Approval of the Agenda

Councilor Haugen moved, and Councilor Miller 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 Comment

Mary Semerak, explained she owns a building and a business in Scappoose. She explained she is very concerned about the lack of police presence. She explained her and her husband had to confront people breaking into their business and it is very upsetting. She is very concerned about people coming in all the time and telling her how their items are getting stolen. She explained this has been happening over the last twelve months. She thinks maybe a neighborhood watch program might help, but we do need a bigger police force presence.

Council thanked Mary.

Councilor Miller wanted to make sure we have Mary's information so she and Interim Chief Davis can coordinate and come up with a temporary solution.

Interim Chief Davis explained they are working on staffing.

Councilor McHugh stated this is a real concern and he thinks we want to go on record that we are going to address that and get back to Mary or anyone else that has been going through this.

Interim Chief Davis replied absolutely.

Mayor Burge replied, he agrees.

Council President Greisen talked about agreements with other agencies.

Councilor Miller stated he knows that the City is trying to get staffing back up in the police department so that is an ongoing effort and a focus. His hope is that we can identify something that could be proactive in the meantime.

Dan McCoy asked if the Police Department responds to false/silent alarms.

Interim Police Chief Davis replied yes, they respond.

Consent Agenda ~ August 2, 2021 City Council Work Session, August 16, 2021 City Council meeting minutes, August 26, 2021 City Council Executive Session/Meeting, August 27, 2021 City Council Executive Session/Meeting and appointment of Robert Backus as full member on the Economic Development Committee

Councilor Haugen moved, and Council President Greisen seconded the motion to approve the Consent Agenda ~ August 2, 2021 City Council Work Session, August 16, 2021 City Council meeting minutes, August 26, 2021 City Council Executive Session/Meeting, August 27, 2021 City Council Executive Session/Meeting and appointment of Robert Backus as full member on the Economic Development Committee. 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. 897: Amendments to Municipal Code Chapter 2.04, Council Meetings

Mayor Burge opened the public hearing at 7:15 pm and closed it due to no one wanting to speak on this matter.

Councilor Lesowske asked about Council meetings starting at 6pm.

Interim City Manager Alexandra Rains explained the idea would be if there was a work session it would start at 6pm, but if there is a regular meeting it could start at 6pm. She explained the other thought is that if everything starts at 6pm and the work session isn't very long you could just start the regular meeting then instead of waiting until 7pm. She explained this just gives you a little more flexibility. She stated it was just a thought to avoid those meetings when there is a work session with a bunch of time in between the regular meeting.

City Attorney Peter Watts explained this is just something he has seen in other jurisdictions that he thinks has just led to increased efficiency and increased flexibility for the Council to make sure you have adequate time and also not wasted time.

Councilor Lesowske explained one of the reasons why he asked is, he appreciates when the public comes and joins Council. He stated if they are dedicating their time and then all of a sudden the work session falls into 7:30pm and they are waiting for the actual Council meeting to start, there is kind of the inconsistency of a potential start time of when the Council meetings would start because the work sessions take more time. He is very much open to the idea, but he wants to make sure our citizens have that opportunity to engage and interact with Council. As Council meetings are designed to start at a certain time, because if an individual is taking that time to show up, we want to be mindful of that as well.

Legal Counsel Peter Watts explained if there was an agenda item that seemed like it was going to get a lot of public involvement then you could stop the work session early or you could reorder your agenda to make this work.

Council President Greisen feels the same, that people are busy and the way it is right now they know at 7:00pm they can give public comment, which is easier, more accessible. She doesn't want people to miss the opportunity to speak.

Councilor Miller has the same thought as Council President Greisen. He asked if there was a way to also do public comment at the end, in addition to the beginning, then it would address that aspect.

Legal Counsel Peter Watts explained Council has flexibility in how to order your agenda in a way that would work for members of the public as well as Council. He explained the intent of this was to give Council maximum flexibility, it wasn't to make it more difficult for the members of the public.

Mayor Burge stated he doesn't want to push the public comments until the end.

Councilor Miller likes the idea if we start earlier that we have a certain time for the public comment.

Councilor McHugh is concerned that if the meeting starts earlier and people show up at 7pm to talk about a certain item that Council has already addressed, he is not real comfortable with that.

Mayor Burge asked for the agenda, under public comments, to be updated to what it was previous to Covid.

Councilor Haugen stated he is uncomfortable with limiting public comments to three minutes. He doesn't think you can develop an idea sufficiently in three minutes. He stated the standard is five minutes, so he would leave it at five. He stated on section 2.04.050 can Legal Counsel Peter Watts explain why we are deleting that? He has a concern about eliminating that.

Legal Counsel Peter Watts replied the reason why he recommended deleting that is because the way that he read it was to cede your authority to a single Councilor. He stated you can interpret this however you want or tell him he's wrong, but his concern is that if someone said, "well we're going to let a Councilor work on a particular issue" that the way that would be interpreted is that you are actually delegating your authority as a Council. He explained we can put that back in. He explained Council has the ability to form an ad hoc committee.

Councilor Haugen explained in 2.04.100 that a consensus implies that everyone agrees, and he is not sure that we want to be in that situation. He would just leave majority of the vote. He talked about lining out approval of prior minutes.

Interim City Manager Rains explained because there have been meetings where you haven't actually approved minutes. She explained for instance, when Susan was out and Huell was covering for her, he wasn't producing the minutes every time and then Council would approve multiple minutes all at once. She explained we are just giving you the flexibility that you don't have to approve minutes at every meeting.

Legal Counsel Peter Watts explained statutorily your video meets your meeting minutes requirements.

Councilor Haugen replied that is predicated on the notion that you can understand and hear the video. He is a little uncomfortable with that.

Legal Counsel Peter Watts replied these are merely their recommendations. Council gets to decide whichever rules you want as a Council.

Mayor Burge asked if it is possible to have the language where the minutes need to be approved at some point within the near future.

Legal Counsel Peter Watts replied we tried to address that in 2.04.140, which says, The City meets its statutory obligation by recording Council meetings and making the video available to

the public. He didn't realize there were issues with the videos, obviously we'd want that taken care of. He explained again, all the changes they made were based on real world examples.

Councilor Miller asked if an alternative would be to add, if prepared, after approval of prior minutes, so it is consistent with 2.04.140?

Legal Counsel Peter Watts replied that would solve that problem.

Councilor Miller asked if that would address Councilor Haugen's concern?

Councilor Haugen replied yeah.

Mayor Burge replied, in over twenty-two years he can't recall a single situation where we needed the city manager to call meetings, it has always been the mayor or three council members. He stated this is the legislative part of the body and it actually creates good communication between the city manager and the mayor to communicate why a meeting is being called instead of being told. He asked if there is a way when Council calls a meeting that it is specific that the time, place and manner of that meeting is decided by the mayor?

Legal Counsel Peter Watts stated he thinks we could work in some language that says meetings will be held at a certain time and build that into this.

Mayor Burge explained he can understand when it is an emergency meeting, but with a special meeting, it should be at a time that the community can access.

Mayor Burge stated he doesn't see the need to add the city manager to calling emergency meetings.

Legal Counsel Peter Watts replied we can certainly strike that language. He explained we don't want to have emergency meetings, we don't even like to have special meetings, because we want to give members of the public as much notice as possible so they can meaningfully participate. He explained he thinks they pulled this language from the League. He explained their thought was that giving Council maximum flexibility if there is an emergency, where the city manager could call a meeting where they might not be able to get in touch with councilors via cell.

Mayor Burge feels if you can't get a hold of the mayor, then it would fall on the council president.

Legal Counsel Peter Watts replied he thinks what he is hearing is that they should strike the words or by the city manager.

Mayor Burge stated he wouldn't mind seeing language where under limited circumstances that the council president could do that. He would like to see time, place and matter listed.

Councilor Haugen feels this should be moved to the next meeting so they can review the revisions.

Mayor Burge stated the first reading will be continued to the next meeting.

New Business

GPAHC Recommendations

Cara Heinze, Chair of Grabhorn Park Ad Hoc Committee, went over the power point.

Final GPAHC Recommendations

September 7th, 2021

1. The road has no place in the park and should be eliminated from consideration in the future park.

- The road has been highly contested by many of the citizens surrounding Grabhorn and Veteran's Park
- The proposed road would go directly through the Veteran's Dog Park. After exhaustive study, there is not another suitable dog park location in the city.
- Protection of the critical root zone surrounding the incense cedars on adjacent proper would place the road 40-80 feet into the park significantly limiting options for park amenities.

2. The dog park should stay at Veterans, with the possibility of future expansion, if feasible.

- 59.7% of our post-forum survey respondents preferred to keep the dog park at Veteran's
- Currently 10-20 dog owners use this park at a time, indicating that this is a very popular amenity overall
- The park is approximately 0.5 acres with an ideal size being 1-2 acres for the large park and ¼ for the small park

3. A softball field should be included at Grabhorn Park.

4. A softball field with **turf and lights** should be included at the Grabhorn parcel, if feasible, with environment and budget concerns considered.

5. A soccer field should be included at the Grabhorn parcel.

6. A soccer field with turf and lights should be included at the Grabhorn parcel, if feasible, with environment and budget concerns considered.

- Field use for youth recreation in Scappoose has been limited by the sharing of fields with other sports/athletes, weather, daylight and condition of the fields.
- To maximize field use, GPAHC recommends:
 - Turf and lights to increase usability, if economically and environmentally feasible
 - The soccer and softball fields do not overlap

7. A combination full basketball/pickle ball court as a secondary priority, provided that parking and space is sufficient, should be included at the Grabhorn parcel.



9. Amenities and accessibility for all ages and abilities should be included at the Grabhorn parcel.

Potential Amenities Suggestions

- Workout equipment
- Natural play
- ADA accessible play equipment
- Benches/picnic tables

10. Interpretive signage should be included along the trail.

Possible Interpretive Signage

- The role of the Scappoose Creek in the greater watershed
- Identifying nearby plants
- Identifying nearby wildlife
- Understanding wetlands

11. The Committee recognizes the need for additional parking. However, the Committee would like to see that it does not affect useable space as much as possible and to keep in mind the critical root zone of the incense cedar trees along the western edge of the Grahborn parcel.

12. Submit these recommendations to City Council.

Additional Considerations

- The 2017 master plan states that we need an additional 53.3 acres to meet the needs of growth for Scappoose
- The GPAHC/SPRC would like Council to consider:
 - Purchasing additional properties for parks, such as Buxton, which is included in the original master plan
 - Increase connectivity between Veteran's, Chief Concomly and Grabhorn through foot bridges
 - Improve safety and connectivity to parks through adding and improving sidewalks near existing parks
- As this process continues, SPRC would like to continue to be involved in the process of the development of this park

Thank You and Final Thoughts

Mayor Burge, on behalf of Council, thanked Cara for all the work her and the committee put in and it is greatly appreciated.

Councilor McHugh stated he liked the idea, if at all possible, not to overlap the softball field with the soccer field. He explained, he really likes that they have a pickleball court, but he doesn't see how it's workable having a full court basketball court with a pickleball court in the middle of it, he's doesn't see how you can share all that.

Cara Heinze replied that she thinks there is lot of opportunity for basketball, but not for pickleball.

Council President Greisen asked if there was any discussion on just painting pickleball lines on the current tennis courts?

Cara Heinze replied that is something they discussed, based on discussion of there being additional tennis courts at the middle school. They discussed, would that be something that they would be able to petition as the Parks and Rec Committee, and if so, would they then be able to use dual tennis courts and pickleball courts. She explained, they realized pickleball is a very popular amenity and if there is space they wanted to see if it could be included. She explained now that the GPAC has come to an end, she knows it is a goal of the Park and Rec Committee to really dig deep into available fields, just as the City Council has been doing and working with the School District.

Councilor Lesowske asked are there phases of development that the ad hoc Committee is recommending, or is this more of a here is our final recommendations, the decision is now back on the table for Council?

Cara Heinze replied, they had discussed phasing but for this they would like to begin with the lowest impact, so they thought the trail would be an easy place to start, with signage. She explained, the fields will take time.

Councilor Lesowske stated he appreciates that the ad hoc Committee highlighted ADA accessibility as one of the priorities. He would just ask that our Council and staff, as we work through the development of this, that it is a priority so we can create inclusive spaces for all of our community members to utilize. He stated to Cara, to her leadership and all of her colleagues that support it and committee members that supported in the process, he definitely tuned in and did hear all the time and effort and energy that was put into this and he applauds and thanks all of them.

Mayor Burge stated he would like the Park and Rec Committee to be focused on parks all over the community so that there are parks close to everyone. He would like to see the Council pass a motion to direct staff to develop a park based on these priorities or at least a park design based on these priorities so they can see what it looks like.

Interim City Manager Rains explained, depending how long it takes to revamp the design it could impact the grant process.

Councilor Haugen explained the time, energy and expertise of the ad hoc Committee and the Park and Rec Committee are truly extraordinary and we need to recognize that, not just verbally but he suggests the City put a quarter-page ad in the Spotlight commending this superior activity from those Committees.

Cara Heinze explained it is their hope that the Park and Rec Committee can remain involved in this process. She explained this was a big undertaking and she appreciates everybody's appreciation. She explained there were times when the Committee kind of fumbled through and it was a little contentious but she really feels like it opened up transparency and so much discussion and it brought a larger group of very passionate citizens to the table. She would really love to continue to be a part of this as these developments occur and that is the group consensus as well.

Mayor Burge replied his assumption and thought was whatever is designed would be looked on by the eyes of the Park and Rec Committee before it came back to Council for final approval.

Interim City Manager Rains explained, we are still well within the window of those grants. She explained she knows that Council wanted to preserve the option to go for the grant this coming spring, there's nothing to say that we couldn't wait until the next grant cycle and still be able to use the purchase price of the property as the match, which would obviously be really crucial for us financially. She stated there is still time here, with that said, what we would essentially want is ten to twenty percent designs for the grant. She stated timing wise, it is certainly not impossible to make that grant window, it is just going to be how smooth of a process is that, how long does it take to get the engineering team in place, and how many iterations we end up going through is really going to be the question.

Council President Greisen asked a clarifying question; if Council is making a motion to look into these suggestions, they are not agreeing that there will be a basketball/pickleball court together, etc.? She stated we are just looking into what they're giving Council.

Mayor Burge replied, Council is not committing to anything, it will be considered. He looks at it as if they are tiered objectives.

Councilor Haugen moved, and Councilor McHugh seconded the motion that Council adopt the final GPAC recommendations as feasible and direct staff to proceed with post haste. 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. 21-15: A Resolution Updating the City of Scappoose Cybersecurity Policy

Assistant to Public Works Director Huell Whitehaus went over the staff report. He explained Resolution No. 21-15 is an annual update to City of Scappoose Cybersecurity Policy. In May of 2020, the City of Scappoose adopted a Cybersecurity Policy (Res. No. 20-08) pursuant to the updated coverage from the City's insurance provider CIS. The adopted Cybersecurity Policy requires that staff review and update the policy (if necessary) on an annual basis. City staff began a review process and drafted an update to the policy earlier this calendar year. One update was made to the policy, per the recommendations of the City's contracted IT Manager. The updated portion pertains to the Incident Handling and Response Plan section of the policy. Staff recommends that the City Council adopt Resolution No. 21-15: A Resolution Updating the City of Scappoose Cybersecurity Policy.

Councilor Lesowske moved, and Councilor Haugen seconded the motion that Council adopt Resolution No. 21-15: A Resolution Updating the City of Scappoose Cybersecurity Policy. 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.

100 Year Event Celebration Video

Staff showed the 100 Year event celebration video to Council.

Councilor Lesowske asked how can we promote that on our webpage and other outlets to share with the community?

Assistant to Public Works Director Huell Whitehaus replied, Program Analyst Intern Isaac Butman has updated that on the City's YouTube page and they are working on imbedding that on the City's website.

Councilor Lesowske explained he would like to see another video highlighting Scappoose and how great of a place it is, and to share it with the world and let them know how great of a place we are and have them come and visit. He thanked staff for sharing that.

Mayor Burge explained there was an audio documentary done about eight or nine years ago. He stated it is a little dated, but it was a cool activity that they did with the City.

Councilor McHugh explained the 100-year event Facebook page and website are still up, which the video could be placed on.

Discussion to cancel the October 4, 2021 Council meeting

Mayor Burge explained there is a light agenda and several key staff members already have pre-planned vacations and everything can be done at the following meetings. He agreed they can cancel it.

Announcements – information only

Calendar

Mayor Burge went over the calendar.

Updates: City Manager, Police Chief, Councilors, and Mayor

Interim City Manager Rains recognized and thanked the Grabhorn ad hoc Committee members for all their efforts. She explained with us this evening is Interim Police Chief Shaun Davis. He has been with us a short amount of time and is doing a great job, and we're happy to have him.

Interim Police Chief Davis stated it is a pleasure to be here and it is an honor for him to be filling this role and he looks forward to working with the City where we identify a new police chief and also to work with the community on any issues that come up.

Councilor Miller talked about when someone talks about an issue in front of Council, it means it is really important to them and the problem that he sees is that Council never really hears or see what happens with that. He just wants to make sure to be responsive as a City Council to the extent that they can and that somehow, they actually get feedback. If it's issues that are deferred to staff, he'd like to know what happened with those concerns. He just wants to make sure that there is follow through and accountability on these things that come up.

Mayor Burge asked if that is something that could be added to the staff report each meeting?

Mayor Burge would like that added to the comment tabs.

Legal Counsel Peter Watts replied it would be really helpful if Council could direct staff that you want them to do something. He stated it can be hard to know if you want staff to bring them something back on that issue unless you tell us.

Interim City Manager Rains replied during the meetings she is taking notes and following up on things, but she does agree some of the larger issues that would actually necessitate some kind of policy change it would be helpful to get Council to say, yes please spend time on this.

Legal Counsel Peter Watts asked if Council wants staff to take action on every request? He just wants to make sure we understand the expectations.

Councilor Miller explained Council isn't going to have the information to make a decision or properly direct somebody to do something right on the spot like that, that is his only concern. He would rather, knowing it is a staff issue too and it's going to take labor, but for him every issue should be something that gets addressed. He doesn't think that Council should be attempting to address or direct right at that point. He is just looking for follow up to make sure things didn't fall through the cracks.

Mayor Burge replied he is looking at it as if someone asks him in the community, that he has an answer for them, and not a blank stare.

Interim City Manager Rains explained, she just wants to be clear what Council is asking of staff.

Councilor Miller feels the issue of the street football should be deferred to the Police Department because his guess is that they are probably just going to go contact them and tell

them there are complaints and that they should be taking it elsewhere. He stated that's always where they should really start with those types of things.

Interim City Manager Rains replied they already met about it today. She explained the way the code is written; it gives them the latitude to stop those games anyway. She thinks that is why it was written the way it was written.

Council President Greisen asked, do we have a document allowing them to play street football?

Interim City Manager Rains replied, not that she is aware of.

Council President Greisen replied that is her understanding as well. She stated as the code reads, you are able to stop the game as it happens, in this case we could speak to that person who submitted the letter and say call us, we'd be happy to come over and have a chat while they are playing their game, per our code this is not allowed.

Council President Greisen stated to Interim Chief Davis, welcome to the team, so happy to have you here. She asked him about people that are right on the cusp of City limits but they are in the County, and they make a phone call, that goes to dispatch and whoever can get there can get there.

Interim Police Chief Davis replied, he thinks it all depends on what the call might be. He stated if it is an emergency the closest car will go, if it is maybe a code violation that doesn't pertain to us, likely or not we won't respond to that.

Council President Greisen asked, is there a way we can go back and look at response times? She wants to make sure that we're going back and being reflective of situations.

Interim Police Chief Davis replied, he can go back and look at response times through dispatch.

Councilor Haugen thinks the Council and City need to do something special for Councilor Pete McHugh for his incredible work for the centennial.

Councilor Lesowske stated to our local residents, our property owners, our business owners, he would like to just share that they are aware of the transitional time that is taking place in our community, and we are working diligently to overcome these challenges. He stated we ask for your patience and support and understanding during these times. He stated it hurts his heart to hear that people are doing the activities that they're doing and it's not just to our business owners, it's to our residents, it's crimes that are being committed in our neighborhoods. He stated, all eyes on the street. He stated we as community members can be a part of the solution. He stated, continue to have faith in the City and Council that are helping make those

decisions. He welcomed Interim Chief Davis and said there's obviously a lot of opportunities for us to grow as a department and we are very excited to have your leadership and to help support us through these times. He stated to our community, continue to persevere. He stated we are a resilient community, resilient people here in Scappoose and will continue to put the right foot forward to make this community the best community that we can.

Councilor McHugh stated to Interim Police Chief Davis that they are really pleased to have him on board, and he knows they are going to lean on his experience in the next few months to make some real progress with our Police Department. He stated at some point he would like to find out why the Downtown Overlay is where it is because it doesn't make any sense to him. He stated at some point in a work session or somewhere he'd like to find out the reasoning for having the Downtown Overlay on First Street. He stated he feels it should be on Columbia Avenue, which has a much quicker access to Highway 30. He wants to thank Council President Greisen and Councilor Poling for putting together the letter in response to Thenell's letter and presentation. He thought they did a really nice job, and it was something that he thinks needed to be said. He explained we talked about the 1.6 million dollars, and he would like to suggest that they have a work session to talk about that. He thinks it is a wonderful opportunity for the City to do something really dynamic for this community. He would like to take a look at how we spend that money and get some input from the community and put together a plan on how we are going to spend that money.

Councilor Poling welcomed Interim Chief Davis. He is looking forward to all of his work, we've got a lot for him. He thinks he will be a good part of growing the community back together. He also wanted to repeat what Councilor Haugen said in regard to doing something for Councilor McHugh, because he did a phenomenal job with the Centennial Celebration. He stated he can't say enough how amazing of a job that was done there.

Mayor Burge stated on the idea of the ARPA funds, it might be a better idea to talk about it in a work session. He welcomed Interim Chief Davis and said it is a heavy lift that they are asking him to do, and they appreciate the fact that he is willing to come out here and work on making sure not only that the neighborhoods are protected, but that he is able to help us rebuild and focus the Police Department to make it the best department we can possibly have and envision.

Adjournment ~ Mayor Burge adjourned the meeting at 8:55 p.m.



Mayor Scott Burge

Attest:


City Recorder Susan M. Reeves, MMC