

**MONDAY, NOVEMBER 15, 2021  
CITY COUNCIL MEETING  
Regular meeting 7:00 pm  
COUNCIL CHAMBERS  
33568 EAST COLUMBIA AVENUE  
SCAPPOOSE, OREGON 97056**

**Call to Order**

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

**Pledge of Allegiance**

**Roll Call**

Scott Burge	Mayor	Alexandra Rains	City Manager
Megan Greisen	Council President	Shaun Davis	Interim Police Chief
Joel Haugen	Councilor	Susan M. Reeves	City Recorder
Brandon Lesowske	Councilor	Isaac Butman	Assistant to City Manager
Pete McHugh	Councilor		
Tyler Miller	Councilor		
Peter Watts	Legal Counsel		

**Excused:** Councilor Josh Poling

**Remote:** Public Works Director Dave Sukau; and John Adams.

**Approval of the Agenda**

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

**Public Comment**

There were no public comments.

Mayor Burge presented Norm Miller with a plaque for his many years and dedication to the City of Scappoose. Patrol Officer 7/1/1999; Corporal 10/25/2000; Sergeant 3/25/2004; Lieutenant 9/26/2006; Acting Chief of Police 8/26/2013 and Chief of Police 10/16/2014 - 9/13/2021.

Thank you, Norm!

**Consent Agenda - November 1, 2021 Council Work Session minutes and November 1, 2021 City Council meeting minutes**

Council President Greisen moved, and Councilor Lesowske seconded the motion to approve the Consent Agenda - November 1, 2021 Council Work Session minutes and November 1, 2021 City Council meeting minutes. (Motion passed 6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, 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 read the title for the second reading.

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

**New Business**

**Keys Water Treatment Plant Filter Media Replacement Project Contract**

Public Works Director Dave Sukau went over the staff report. He explained filters 1&2 at the City of Scappoose, Keys Water Treatment Plant are in need of media replacement. Filter media has a typical life span of 15-20 years. With proper maintenance, the City has been able to get nearly 25 years out of the current media but recognizes that it is time to perform this necessary replacement to maintain proper operation of the facility. The City entered into a contract with PACE Engineers in January 2021 to provide professional civil engineering services to evaluate the existing treatment units, prepare engineering specifications, and provide assistance in overseeing the removal and replacement of the filter media. On October 1, 2021, City staff released the Invitation to Bid for the "Keys Road Water Treatment Plant Filter Media Replacement Project." The bidding for this project closed on November 2, 2021.

The City received five (5) responsive bids:

<b>Contractor</b>	<b>Bid Amount</b>
Elk Mountain Construction	\$102,650.00
RL Reimers Co.	\$109,606.00
Jeffries Construction	\$137,701.50
Genguild Constructors	\$189,891.00
Big River Construction	\$299,610.00

The Scappoose Water Department has planned and budgeted for the replacement of the filter media in two of the water filter basins at the Keys Road WTP. The funding source for this project will be the capital outlay portion of the City of Scappoose Utility Water Fund 40. Public Works Director Dave Sukau explained staff recommends that Council authorize City Manager Rains to contract with Elk Mountain Construction for the completion of the Keys Water Treatment Plant Filter Media Replacement project as advertised for the amount of \$102,650.

Councilor Lesowske moved, and Council President Greisen seconded the motion that Council authorize City Manager Rains to contract with Elk Mountain Construction for the completion of the Keys Water Treatment Plant Filter Media Replacement project as advertised for the amount of \$102,650. (Motion passed 6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Lesowske, aye; Councilor McHugh, aye; and Councilor Miller, aye.

### **City Prosecutor Contract**

Assistant to the City Manager Isaac Butman went over the staff report. On October 1, 2021 the City released RFP 2021-03, City Prosecutor, to fill the position of the City Prosecutor. The City only received one proposal for this solicitation from Erksine Law Practice. Erksine Law Practice's submitted their proposal to RFP 2021-03, City Prosecutor on October 29, 2021, and they were interviewed on November 9, 2021. Sam Erskine, of Erksine Law Practice, comes recommended by the current City Prosecutor, has the experience and history in municipal court procedures fitting of the position of City Prosecutor, held the position of Administrative Law Judge, and is a member in good-standing with the Oregon State Bar. Erksine Law Practice provides City Prosecutor services to the cities of St. Helens, Troutdale, and McMinnville, and is experienced in the provision of City Prosecutor services to municipalities similar to the City of Scappoose. Review committee scoring and comments rank Erksine Law Practice as an exemplary candidate for this position. Erksine Law Practice proposed a flat billing rate of \$5,000.00 per month for prosecution services. City Staff and the proposal review committee recommend that the City proceed with contracting with Erksine Law Practice to fill the role of City Prosecutor.

Council President Greisen asked if this is the rate we currently pay?

Assistant to the City Manager Isaac Butman replied no, it is actually less.

Councilor Miller explained he and Councilor Haugen sat in on the panel interview and he is definitely qualified.

Council President Greisen moved, and Councilor McHugh seconded the motion that Council authorize City Manager Rains to enter into a contract with Erksine Law Practice to provide City Prosecutor services to the City of Scappoose at a flat rate of \$5,000.00 per month. (Motion passed 6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Lesowske, aye; Councilor McHugh, aye; and Councilor Miller, aye.

## **Res No. 21-17: A Resolution updating the City of Scappoose Contact Information with Missionsquare Retirement or Vantage trust**

City Manager Alexandra Rains explained this is just housekeeping to update her as the plan coordinator.

Councilor Haugen moved, and Councilor Miller seconded the motion that Council adopt Resolution No. 21-17: A Resolution updating the City of Scappoose Contact Information with Missionsquare Retirement or Vantage trust. (Motion Passed 6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Haugen, aye; Councilor Lesowske, aye; Councilor McHugh, aye; And Councilor Miller, aye.

### **Discussion on second meeting in December ~ change to December 13, 2021**

City Manager Rains explained the third Monday in December is close to the Holidays and staff thought moving the meeting to December 13 might work better.

Council has no problem with moving the second meeting to December 13.

Mayor Burge stated the second meeting has been moved to December 13.

### **Announcements – information only**

#### **Calendar**

Mayor Burge went over the calendar.

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

City Manager Rains explained they started the wage study for the police department, and it will take about eight weeks. She explained the 911 District will join Council in a work session on December 6. She explained she attended the mural dedication at the library.

Legal Counsel Peter Watts explained he spoke with the 911 District's attorney about their public records request, and they are going to work on reducing their requests. He explained Councilor Miller is not suing the 911 District, he is suing the former 911 Director, who is not affiliated with 911 any longer. He stated there isn't any current litigation with the 911 District and any members of our City.

Interim Police Chief Davis explained the annual food bank Donut Day will be on Saturday, December 11, from 7am to 11am. It will be a drive through event.

Councilor Miller stated he just wants to reiterate again the 911 issue. He hopes that we can get that back in front of Council and continue the conversation. He stated he appreciates Legal Counsel Peter Watts' statement, which is accurate, and he doesn't know why that came up regarding him suing 911. He stated even if that was an accurate statement, nobody is looking to talk about the litigation, we are looking to try to solve a safety issue here. He also wanted to point out that 911 doesn't have any responsibility to provide us with a radio system. They have taken that obligation on themselves, and he wants to go back to 2019 with the executive director that was there where he was asked under oath what do you think the core mission is of their 911 District and he said "the core mission is and what it is funded for is answering 911 calls from citizens. Its funding is based on that job task and the mission at the core level is to answer the 911 calls. There is no statutory requirement to dispatch officers. There is no statutory requirement for them to provide a radio system either."

Councilor Miller wants to be clear that we are not assuming their job, he thinks it's more of our responsibility as a City to ensure our officers have a reliable radio system.

Council President Greisen explained Councilor Miller sent her pictures from the mural dedication, since she was out of town. She thanked those who were in attendance. She thanked Mayor Burge for presenting Norm the plaque. She feels that it was very important that we acknowledged Norm as he dedicated his full self to this organization.

Councilor Haugen hopes that the City will send a thank you to Tumblewheel for the mural. He explained he and Pete meet with Sheriff Pixley based on a proposal that he had sent regarding potential for contract policing in Scappoose. He explained he feels this is worth examining at this juncture. He stated this might be worth exploring given the money savings, much lower turnover on employees, more resources, better coverage and it takes a huge monkey off the city manager's back from what he can tell. He talked about having a work session sooner than later to discuss this.

Councilor Lesowske echoed Council President Greisen sentiments in the mayor's recognition of Norm Miller's service to our community, he greatly appreciates it. He explained he had the opportunity to attend LOC's Small Cities meeting, in which he gave a quick recap on. He stated he would also like to recognize that we had daylight savings recently, so driving safely on the roads and keeping our eyes out for one another and being courteous is imperative for us to have safe streets. He asks people to be diligent and recognize those needs.

Councilor McHugh seconded what Councilor Haugen said about contracting with the Sheriff's Department. He thinks we should at least take a look at it. He also seconded about what everyone said about Norm and that he is appreciated and wanted to tell Norm thank you. He explained Scappoose Bagel did a wonderful job recognizing Veterans and the Veterans felt honored by what they were doing. He talked about Scappoose being recognized as such a

wealthy City. He stated he doesn't disagree with what Peter has said but he does know for a long time Scappoose has been listed as one of the wealthiest cities in the State, and this goes back twenty years or so. He explained they consider the median income, so there is some credibility to that. He stated the other criteria is they go on the unemployment rate and the poverty rate, which we scored really high. He stated Robby's real point was when he brought this up, he was speaking to the City and the School District, maybe some ways more to the School District in some regard, but we just have to have a vision to identify what we need and figure out how to get it. He stated we want to think positive and if there is a need let's figure out a way to fill it. He wanted to give Robby some support, as he has done a lot for the community.

Mayor Burge stated the City of Scappoose does have a high median income. He talked about two Communities in the State of Oregon unaffected by Ballot Measure 5 and Scappoose was one of them, which meant that our tax rate was so low when Ballot Measure 5 hit that we didn't take any hits. He explained not that we don't have the wealth, it's that we don't have the mechanisms because of State Law to access it. He stated for every residential home, every dollar in taxes they pay it is approximately \$1.25 they demand in services and for every dollar an industrial site pays they demand about .60 in services. He stated if we want those nice things, we need to find a way to develop our industrial land so that the City's pot of money expands without higher demand on it and that is the key to growth. He stated we only have around 30 staff members so we can only do so much. He stated everything takes time, and takes money.

### **Adjournment**

Mayor Burge adjourned the meeting at 7:36 p.m.

  
Mayor Scott Burge

Attest:

  
City Recorder Susan M. Reeves, MMC