



# SCAPPOOSE *Oregon*

MONDAY, AUGUST 8, 2022

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

Megan Greisen	Council President	Alexandra Rains	City Manager
Brandon Lesowske	Councilor	Isaac Butman	Assistant to the City Manager
Tyler Miller	Councilor	Dave Sukau	Public Works Director
Jeannet Santiago	Councilor		

Legal Counsel Peter Watts

**Remote:** Councilor Josh Poling; Councilor Pete McHugh; Anna Del Savio with Columbia County Spotlight; Paul Fidrych; Kim Holmes; and Wela Negelspach.

**Excused:** Mayor Scott Burge and City Recorder Susan M. Reeves

## Approval of the Agenda

**Due to technical difficulties, I was not able to hear who made the motion.**

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

## Public Comment ~ Items not on the agenda

Carol Sweet, Scappoose, explained her and Jordan are present this evening to speak about Life Empowered, which is an organization that has served our County for many, many years, but it

used to be known as Riverside Training Center. She explained they have a project going, which is a new building.

Jordan Lindahl, Scappoose, explained why he wants the new building. He also explained he has helped out elementary schools for twelve years.

Carol Sweet explained the new building would have a fully accessible kitchen where they can have cooking classes, and places for people to take other classes. She explained currently they have an old pole building that has seen its last days. She handed out some flyers that explain what they do. She explained they wanted to bring Council up to date on this, because they think it is important and it means a lot to our community.

Council President Greisen asked Carol about more information for those who want to learn more or to learn how to be more involved or to help out.

Cindy replied more information can be found at [www.lifemp.org](http://www.lifemp.org). She explained there is a section of their website dedicated specifically this capital campaign. She explained they are hoping to build the "Empowerment Center". She went over the support they have received so far. She thinks it is important for people to understand that this project is being funded almost entirely by grants. It is not taxpayer dollars per se, and it is not their service dollars, it is all foundation and Federal and State grants. She explained they provide 24-hour support to adults with intellectual and developmental disabilities in the County and have been here for fifty years. She explained the new site would be a multi-purpose site. Initially it would be for on the current people they support, then after five years they would open it up to the public as a meeting space or whatever the community needs.

Council thanked Cindy, Jordan and Carol.

Kat Balogh, Scappoose, explained she has approximately thirty years of experience volunteering with County animal shelters and non-profit rescue groups. She stated so obviously she cares very much about the humane treatment of animals. She is here today to ask Council to introduce and pass a city ordinance to prohibit the sale of puppies and kittens in Scappoose pet stores. The goal of this ordinance is to ensure that kittens and puppies from puppy mills or backyard breeders are not sold in Scappoose pet stores. Thankfully, no stores in Scappoose currently sell cats or dogs. She explained from what she understands only a couple of Oregon pet stores still sell puppies and kittens, because many pet stores partner with nonprofit groups or county animal shelters to adopt out cats and dogs. She explained the reason she is asking for this ordinance is because Oregon is the only market left open in the West Coast to allow puppies to be sold in pet stores since the states of Washington and California have enacted laws prohibiting them. She explained 440 municipalities across the US have enacted ordinances banning such sales. She gave a sample of puppy mill puppies being sold in a pet store chain. She is asking that the City be proactive. She explained most puppy selling pet stores source their puppies either from large scale commercial breeders IE puppy mills or local backyard breeders encouraging inexperienced people to breed dogs for profit. Conditions of both the puppy mills

and pet stores themselves often lack socialization, exercise, nutrition, medical attention and care. Animals continue to suffer in puppy mills because customers do not do their research before they buy their pet and are often ignorant on the cruel conditions. Pet Store employees paint pictures of their puppies frolicking in the green grass, but as we know, this is often not reality. Reputable breeders would never sell their puppies in pet stores because they demand to meet prospective buyers in person. She explained most breed clubs consider it a violation of their code of ethics to sell their puppies at pet stores. The AKC itself states that it is important for the public to visit a breeder's home, see at least one of the parents and make sure the site is clean and that their dogs are healthy. None of this is possible if an animal is sold in a store. Her recent phone call to Critter Cabana, a pet store in Newberg, is a good example demonstrating this. They are currently selling puppies for \$2,500. When she called to inquire, the staff would not tell her where the puppies were from and that they did admit that none of them were AKC registered. Neither Federal nor State laws protect breeding dogs or puppies from the puppy mill pipeline. The USDA standards are merely survival standards with minimal enforcement. Oregon law regulates commercial breeders but remains silent on pet store sourcing. Her understanding is that the Oregon Legislature may take up the issue if municipalities demonstrate support, and she is asking for the City's help and demonstrating this support and taking this proactive measure to keep puppy land or other puppy mills selling stores from operating in Scappoose. In closing, she appreciates the opportunity to request a proactive ordinance to prohibit the sales of dogs and cats in pet stores. Residents would still be able to attain the pet store pet of their choice by adopting from a shelter, rescue or responsible breeder who sells directly to the public. She stated please let her know if there's any research she can do or if there's anything she can help with in any way and if she doesn't have the answers, she is happy to do the research.

Council thanked Kat.

**Consent Agenda ~ July 18, 2022 Work Session and July 18, 2022 Council City Council meeting minutes**

Councilor Miller moved, and Councilor Santiago seconded the motion that Council approve the Consent Agenda ~ July 18, 2022 Work Session and July 18, 2022 City Council meeting minutes. Motion passed (6-0). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye; Councilor Miller, aye; and Councilor Santiago, aye.

**Old Business**

**Ordinance No. 903: An Ordinance Amending Scappoose Municipal Code Title 8, Adding Section 8.20.150, Noise Variance Permit and Application**

Council President Greisen read the title for a second time; Ordinance No. 903: An Ordinance Amending Scappoose Municipal Code Title 8, Adding Section 8.20.150, Noise Variance Permit and application.

Assistant to the City Manager Isaac Butman explained staff just made two brief changes, one was requested directly by Councilor Miller, and the other change added a clause to make the purpose more clear.

Motion passed (6-0). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye; Councilor Miller, aye; and Councilor Santiago, aye.

### **New Business**

#### **Contract Approval – Parks Master Plan Comprehensive Update**

Public Works Director Dave Sukau went over the staff report. City staff issued a Request for Proposals (RFP) to evaluate firms to complete a comprehensive update to the Parks Master Plan in FY 22-23. RFP #2022-03 was issued on June 10, 2022. Two proposals were received by the submission deadline on July 11, 2022, from Conservation Technix, Inc. and MIG, Inc. City staff evaluated the proposals and interviewed the consultants in accordance with the RFP scoring and evaluation criteria. MIG emerged as the high scorer.

<b>Proposer</b>	<b>Final Score</b>
MIG, Inc.	184.3 / 200
Conservation Technix, Inc.	181.3 / 200

*Table 1 – Summary of Scores*

The Notice of Intent to Award was issued on July 21, 2022. The required challenge period for the Notice of Intent to Award concludes on July 28, 2022. No challenges have been received at the time of this writing. In the staff report you will find Exhibit A – Published RFP #2022-03 Notice of Intent to Award. FINANCIAL IMPACT: \$100,000 has been budgeted for this project. Staff recommends that the Council authorize City Manager Rains to enter into a contract with MIG, Inc. to complete the Parks Master Plan Comprehensive Update.

Council President Greisen asked if there is a completion timeline?

Public Works Director Dave Sukau replied June of 2023.

Councilor McHugh asked how is the Park & Rec Committee going to be involved in this?

City Manager Rains replied for this project there is a Technical Advisory Committee, which is the Park & Rec Committee.

Councilor Lesowske asked if it is standard that we would put in the contract with MIG, Inc., does not exceed \$100,000 without approval?

Public Works Director Dave Sukau yes.

Councilor Santiago moved, and Councilor Lesowske seconded the motion that Council authorize City Manager Rains to enter into a contract with MIG, Inc., to complete the Parks Master Plan Comprehensive Update. Motion passed (6-0). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye; Councilor Miller, aye; and Councilor Santiago, aye.

## **Parks Status Update**

Public Works Director Dave Sukau went over the park status update presentation.



## CITY PARKS

- Heritage Park – 2.25 acres
- Veterans Park – 14 acres
- Miller Park – 2 acres
- Chief Concomly Park – 5 acres
- Creekview Park – 2 acres
- Chapman Landing – 16 acres
- Trek Trailhead - .7 acre (total 42 acres +/-)



## PROPERTIES MAINTAINED BY PARKS DEPARTMENT

- Hwy 30 Railroad corridor (park strips) – 10.5 acres
- Bella Vista - 80 acres
- Grabhorn Parcel – 8 acres
- CZ Trail – 11 acres
- Totem Pole - 0.20 acre
- Peace Candle - 0.05 acre
- Airpark Parcel (new) 14 acres
- City Hall - 0.60 acre (total 124 acres +/-)



## BUDGET

### GENERAL FUND (PROPERTY TAXES)

• Personal Services -	\$278,094
• Materials & Services -	\$145,760
• Capital -	\$250,000
• Transfers -	<u>\$21,539</u>
Total	\$695,393

## BUDGET NOTES

- Personal Services -- 2.02 FTE's = 1.60 workers / 0.42 admin

166 acres divided by 1.6 = 100+ acres per FTE

- Materials & Services -- \$74k to contractual professional and remainder to facilities & equipment
- Capital - \$140,000 Park Improvements
  - \$50,000 Peace Candle
  - \$50,000 Parks Dept. Vehicle
  - \$10,000 Asset Management

## PARK IMPROVEMENTS (SHORT TERM)

- Update Parks Master Plan
- Purchase Parks Vehicle
- Peace Candle Rehab
- Asset Management
- Paving @ Chapman Landing
- Add seating at all parks
- Additional shelter @ Miller
- Concrete paths @ Miller
- Playground enhancement @ Veterans
- Fitness equipment along CZ Trail
- Dog Park Improvements
- Tables add/replace



## PARK IMPROVEMENTS (LONG TERM)

- Develop Grabhorn Parcel
  - Develop Chapman Landing
  - Develop Bella Vista
  - Develop Creekview Park
  - Develop Airpark Parcel
  - Develop Pocket Parks
- \* Park development prioritization to be determined by Parks Master Plan and City Council



## QUESTIONS?



Council thanked Dave and staff.

### **SW Maple Street School Zone Sidewalk Safety Improvements**

Public Works Director Dave Sukau went over the staff report. The City's Traffic Safety Committee received a complaint pertaining to the SW 1<sup>st</sup> Street & Maple Street intersection. A resident indicated that visibility issues with the existing crosswalk, lack of three-way stop control, and vehicle parking and traffic congestion during school release creates hazardous conditions for children near the intersection. As a follow-up to the complaint, the Committee investigated and recommended this area for a sidewalk infill project to improve safety conditions for this critical route to/from the school. SW Maple Street runs along Scappoose Middle School's northern boundary – this right-of-way features a patchwork of existing sidewalk. A developer is currently constructing a portion of sidewalk as a part of their project. Approximately 300 lineal feet (LF) of sidewalk, curb, and gutter would need to be constructed to complete the connection around the northwestern corner of the intersection (see Exhibit A in the staff report). City staff is of the opinion that this location is ideal for a sidewalk infill project for the following reasons:

- Intersection is on a key route to/from the school.
- Greater sidewalk connectivity between SW 3rd and SW 1st, including the public sidewalk running from the end of the SW 2nd to Maple. Visibility, crossing, and ADA improvements at the SW 1st & Maple intersection.
- Delineates parallel on-street parking across from the school's parking lot, which can result in hazardous conditions for children walking to/from school/vehicles.
- Expanded pavement section to standard width to match existing right-of-way on either side of the project area.

If Council would like staff to pursue this project, the next step would be to contract for the necessary engineering design services. Engineering design, survey, construction admin: ~ \$30,000. Construction estimate range: ~ \$120,000 - \$170,000. Staff recommends that City Council consider directing staff to pursue the SW Maple School Zone Sidewalk Safety Improvements.

Councilor Lesowske moved, and Councilor Santiago seconded the motion that Council direct staff to pursue the SW Maple School Zone Sidewalk Safety Improvements. Motion passed (6-0). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye; Councilor Miller, aye; and Councilor Santiago.

### **Psilocybin – Measure 109**

Assistant to the City Manager Isaac Butman went over the staff report. In November 2020, at the General Election, voters approved Measure 109, a Measure that allowed for the manufacture and provision of psilocybin and related services, and regulated those activities. Psilocybin has been recognized under Measure 190 and ORS 457A.200, Exhibit A of the staff report, to:

- Be useful, effective, tolerable, and safe in the treatment of a variety of mental health conditions including addiction, depression, and anxiety.
- May be more effective at treating treatment-resistant depression.
- Was granted Breakthrough Therapy designation by the United States Food and Drug Administration.

The Oregon Health Authority subsequently release ORS 457A, outlining regulation under Measure 109. ORS 457A outlines three general paths forwards for Local Governments. ORS 457A can be seen in Exhibit A of the staff report. During the 2020 General Election, Measure 109 passed county-wide and in the city.

	Yes	No
County Returns for Measure 109	15,765	15,425
City Returns for Measure 109	2,402	2,041

According to ORS 457A there are three paths forward:

- 1) Take no action. This allows ORS 457A to come into full effect, regulating Psilocybin and allowing permits to be sought starting on January 1, 2023.
- 2) Recommend an Ordinance to the voters to place a moratorium on Psilocybin facilities that would stand until the next general election (two years). This would need to be submitted by the August 30, 2022 for the November 8, 2022 General Election. The moratorium would automatically expire every two years and require re-submission to the voters to be reapproved.
- 3) Do not recommend an Ordinance to the voters, but do consider enacting Time, Place, and Manner requirements beyond those in ORS 457A.

**Option #1:** If no action is taken, ORS 457A will allow permits to be issued by the Oregon Health Authority to individuals wishing to have a facility in City Limits, starting January 1, 2022. If a permit is issued by the state, the permit holder would need a statement of land use compatibility indicating that the land use is a permitted or conditional use in the given zone. Service centers cannot be in residential zones or within 1000 feet of schools. Manufacture cannot happen outdoors but does not appear to be limited to certain zones via the ORS. Administration may only be to those 21 and over after a number of checks are performed and conditions met. Operators and those involved with the process must be over the age of 21. The City cannot enforce a tax or fee on manufacture, sale, or provision.

**Option #2:** If Council wishes to recommend an ordinance to the voters to ban or place a moratorium on ORS 457A this would require immediate action. The filing deadline for the November 8, 2022 General Election is August 30, 2022.

If a referral to the voters is the option Council would like to pursue, a motion must be passed immediately to meet applicable deadlines for the November 8, 2022 General Election.

**Option #3:** Council could choose to take no action regarding an ordinance but choose to additionally regulate under ORS 457A.530, Exhibit A of the staff report. Allowable regulations include:

- 1) Reasonable conditions on the manner of manufacture.
- 2) Reasonable conditions on the manner of provision.
- 3) Reasonable limitations on the hours of operation.
- 4) Reasonable requirements related to public access to involved premises.
- 5) Reasonable limitations on the location of involved premises.
- 6) Reasonable regulations on the operation of involved businesses.

There is time to enact additional regulation if Council wishes to, these regulations would need to be completed and adopted by December 1, 2022 in order to be in effect on January 1, 2023.

Councilor Miller stated the question to us is if the voters passed this in the 2020 General Election is if we want to ask them again.

City Manager Rains replied either choose to ask them again, not ask them again and simply go with the State rules whatever that maybe or we could do some limited time, manner and place restrictions of our own, in addition to whatever the State's going to do.

Councilor Lesowske stated the State has not adopted their rules completely in regards to this so it's still evolving. He would say pointing out fact that this was something that was brought to voters' attention, the voters of Columbia County and within the City of Scappoose have identified that this is something that they approved upon. He thinks it is redundant to take something back to the voters that they have already indicated is something that they're in favor of. So, at this point he doesn't see any value of having this go back to our voters at this particular time. He would say that the City is already moving forward with what the State is

outlining as that information is provided to us that we will fall within the guidelines of the State of Oregon Health Authority as they oversee this particular program for the State and the citizens.

Legal Counsel Peter Watts gave an overview of Measure 109.

City Manager Rains explained if the Council wanted to move ahead with this it would need to be submitted to the County this month for the November General Election.

Councilor Miller asked how do we as a City preserve our options so that we can do the best thing for the City?

Legal Counsel Peter Watts replied he just doesn't know how we would be able to efficiently inform voters about this.

Council President Greisen explained she is in favor of drafting out some restrictions, not going back to the voters, but time, place, etc.

Councilor Miller is in favor of what Council President Greisen suggested.

Councilor Lesowske moved, and Councilor Poling seconded the motion that Council have staff bring back options for reasonable regulations above and beyond ORS 457A, at a later Council meeting.

Councilor Lesowske just wanted to reiterate that the citizens of our community have already passed this.

Motion passed (6-0). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye; Councilor Miller, aye; and Councilor Santiago.

### **Discuss Hearing Process for Committee Complaints**

Legal Counsel Peter Watts explained we had a complaint that was filed last week, then his understanding is there has been a second complaint that has been filed that is related to the first. He has not yet had a chance to review it, but our goal would be because it's been a long time since one of these has been processed is to just come up with the parameters. He explained he has recommended two items; one is what lawyers call Hearing in Rem, which is like an oral argument. It is an opportunity for Council to ask questions about the complaint, with no outside witnesses or evidence. He explained the other would be a traditional hearing with an opening statement, introduction of evidence, questioning of witnesses if there were any, and closing statements. He explained with either one, Council would need to decide whether there has been a violation of your code and/or rules. He thinks the Hearing in Rem is a

lot less intimidating for people. He explained the code is silent on the process, so it is up to Council.

Councilor Miller asked who is going to draft the questions that are posed to the hearing committee, or whatever you want to call it? He asked what is the punishment and who decides that? He is wanting to get everyone on the same page.

Legal Counsel explained he thinks we would give both the complainant and the person who has had the complaint against them both the opportunity. He explained it would be up to Council to decide whether a line has been crossed. He explained in his mind what's important in these sort of things is that everybody feels like they've been treated fairly, that everybody sees a process that is transparent where they have been heard and to the extent that you have to establish expectations that are already outside your team agreement, and already outside your code, on how people treat each other and interface with each other, that those would be as clear and objective as possible.

Councilor Miller replied that is his point. He asked are we looking to establish a uniform way of dealing with these or are we going to start doing these on a case-by-case basis? He would feel better if we had a normal procedure that we always follow because he doesn't want a situation where someone feels they are being treated differently.

Councilor McHugh explained he thought, having to deal with numerous situations like this in his career, is maybe that is too big of an audience to deal with this. He is wondering if for a first level of dealing with it, is if Alex or Isaac, or both of them, sit down with the two people involved and see if there is some simple solution to this that doesn't have to come before the Council and make it into the newspaper of whatever happens in that type of situation.

City Manager Rains explained it does state in the code that when there is a complaint brought due to the alleged behavior of a committee member that that come directly to Council. She doesn't know if that would be the most appropriate thing for staff to take that over.

Councilor McHugh asked if it can be part of the Council, or does it have to be the whole Council?

Legal Counsel Peter Watts replied it states the whole Council, so he thinks it will have to be all of them.

Councilor McHugh explained he would just like to make this less instead of more.

Councilor Lesowske asked Legal Counsel Peter Watts what liabilities the City should be aware of in terms of harassment, discrimination, or other actions that could be pushed back against the committee creating a hostile environment for our volunteers.

Legal Counsel Peter Watts replied no one has been alleged any wrongdoing by any City employees or by the City. He explained he wishes the code was more fully formed as far as what this process looked like. He tends to agree with Councilor Miller's point of having uniformities so that everybody has an expectation, understanding that if there were extraordinary circumstances then maybe that would need to be deviated from but hopefully we would receive very few of these sort of formal complaints and we wouldn't have to utilize this. He thinks as long as we are in a plausible interpretation of the code which is a hearing conducted by the City Council with rules that everyone understands, you have very little liability. He thinks as long as we have a fair process our liability is minimal.

Councilor Santiago explained she has been part of these committees, and in the committees, we sign an agreement that we follow that we are going to be respectful to each other. She stated if we as members of a committee sign and agree to it, like anything, if you violate then there are consequences.

Legal Counsel Peter Watts explained Council would need to make findings that it did in fact violate the agreement and then the question would be did those violations rise to the level of acts.

Councilor Poling explained he does feel having a full Council gives you less likelihood of bias by one or two Councilmembers and that way you have a full spectrum, so it is as fair of a process as possible.

Councilor Miller explained we have these committees to serve the City of Scappoose and the community and so now we have an issue of disruption, and we want all of our committees to work cohesively and really well together. He stated we need to think about how are we fair to everybody and also quickly resolve this so we can get back on track and do what we're here to do. He explained also as we move forward and try to make a formalized process in handling these things in the future, maybe there is something to Councilor McHugh's point that we can introduce. He explained maybe two parties can agree to a third-party mediator. He explained we could offer that to them and either one of them could say no and then we would just move to the next step. He explained it is putting that buffer in there so that if they wanted to do that, they have that option. He explained that is something that they could consider, but ultimately, he does agree with what has been said here is that it does need to be all of Council, because he doesn't want one, or two, or three people being accused of bias or whatever.

Council President Greisen explained she agrees that it should be in front of Council, and she would like to go with the less intimidating approach, open statements, etc. She stated hopefully this doesn't happen all the time and become more frequent but with these committees that are having these issues or filing complaints she asked are there some protocol that those meetings stop until the problem is resolved or that those members who have either filed complaints or have been complained upon cannot attend meetings until we've figured this out. She explained

she doesn't think it's productive to the committee if these things are happening. They are supposed to function together in a setting.

Legal Counsel Peter Watts explained it might make sense to press pause on standing committees until you need them. He explained that is how he has seen other jurisdiction use committees, as they don't meet monthly, they meet on an ad hoc basis when needed.

Council President Greisen replied in her personal opinion she would request that this committee stop meeting and push pause until this has come before Council.

Councilor Lesowske explained he too would be in support of putting this committee on paused based on the nature of the information that has been provided at this time.

Councilor Santiago explained she agrees as well.

Council President Greisen explained we do need a motion on the process that we would like to use in terms of presenting findings to Council and the manner in which that's done.

City Manager Rains asked if Council could let staff know if that is something they would want to do in a special meeting as opposed to a regularly scheduled meeting.

Legal Counsel Peter Watts explained his recommendation is, since you have specified you would rather do a Hearing in Rem and do it like a LUBA case which is fifteen minutes to as side, to have a special meeting. He stated hopefully the whole process will be less than forty minutes. He is just looking for Council consensus and then he will write the rules.

Council President Greisen replied in her opinion she would like it to be a separate meeting away from a scheduled Council meeting.

Councilor Poling stated he agrees with the consensus so far, that we would have it as a Rem meeting on a separate occasion.

Councilor McHugh stated it looks like that is our only option. He thinks putting the committee on pause until we have resolved this is probably the best way to go.

Councilor Lesowske agrees with the Hearing with Rem and in a special meeting outside of a regular scheduled meeting.

Councilor Santiago agrees with that.

Council was in consensus to pausing the EDC meetings.

Councilor Miller would like to have a set of questions or parameters from Legal Counsel before the hearing so that everybody is on the same page.

Councilor Miller moved, and Councilor Lesowske seconded the motion that Council extend the meeting past 9:00pm. Motion passed (6-0). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor McHugh, aye; Councilor Miller, aye; and Councilor Santiago.

Councilor Miller feels Council needs to focus on process and making the findings and then the disciplinary side can be more of a conversation of what collectively everybody believes is fair, but he thinks to even get to that point we need to first have factual findings on if these things occurred.

Legal Counsel Peter Watts explained he will pull the specific language out of the code and the team agreement as far as the expectations, so Council can make findings to whether there is a violation of that or not.

Councilor McHugh explained he is still concerned that we're making a way bigger deal out of this than what needs to be done. He doesn't know if there's any alternative to that, apparently there's not, but it just seems to him that if we bring them into a hearing, then nobody is going to want to complain. He stated this does not seem to be to that degree of a problem and his thought is if there's a way we can avoid doing a hearing and just take care of it by having someone sit down and talk with the two people and see if it can be resolved and if that isn't done, then maybe we have to come to a hearing. He just thinks we are giving far more attention to this than what needs to be given at this time and he thinks we are going to end up causing more problems down the line then we're solving.

Legal Counsel Peter Watts replied we receive e-mail complaints all the time and what we say to those people is that there's a formal process that can be utilized, but you need to file a formal complaint in order to trigger that, and this is the time when the person who was informed of that process decided that that's the road they decided to go down. That person wanted to alert us that that's some concerns and you know there have been times where the liaisons on those committees have had a conversation with someone and that was enough to resolve it.

Council President Greisen explained there have been other situations where they don't choose to file a complaint. She explained there are methods and individuals that can help support.

City Manager Rains explained the other thing that she would add to is in this specific instance, because of the nature of the complaint, and she believes the remedy being sought, that's not something that staff could decide or have any control over, that has to be a decision of Council. She explained we couldn't really address the situation anyway, not at a staff level.

Council President Greisen stated so it's looking to her like we still need a motion officially on the process we'd like to use.

City Manager Rains explained just from her notes, she is hearing that Council wanted to do the Hearing in Rem, pause the EDC meetings temporarily and then have this held at a separate or special meeting. She explained in looking at the calendar, she doesn't know what Councils availability is, but something like September 12 would be the first Monday after your first meeting in September, but she doesn't know if that would work for everybody. Her and Peter, Peter primarily would help you prepare any kind of questions or documents you would need for the actual hearing in and of itself and once it's complete, her and Peter could always circle back and they could try to clarify the code for the future just so that we don't have to do this exact process again.

Councilor Lesowske moved, and Councilor Santiago seconded the motion that Council place a temporary pause on the Economic Development Committee from meeting, and that legal counsel prepare a Hearing in Rem to identify a formal complaint and that that meeting be scheduled outside a current City Council meeting. Motion passed (5-1). Council President Greisen, aye; Councilor Poling, aye; Councilor Lesowske, aye; Councilor Miller, aye; and Councilor Santiago. Councilor McHugh, nay.

#### **Announcements – information only**

#### **Calendar**

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

Councilor Poling explained he has recognized that there's been a lot of work put in by staff trying to get all the events out. He explained his daughter attended the first Movies in the Park and she said it was awesome. He just wanted to say thank you and good job, the work is greatly appreciated.

Councilor McHugh explained he has seen a lot of advertisement around about the Adventure Festival and other things. He went through the report that covers what Isaac and Treadway has done and it is very impressive. He stated there did seem to be a little bit of a concern that they are not getting enough contributions from the community and if he can help with that let him know.

Councilor Lesowske explained he had the opportunity to go to the OMIC tour. He explained it is exciting to see the second building is in construction and that there is a potential for a third building on the site. He stated it is always great to see that is continuing to move forward. He explained stated a shout out to Dave's team as he has seen them out there striping and painting the intersections for the crosswalks, it is fantastic. He really appreciates that. He stated

he tips his hat to all staff. He stated there a lots and lots of great things going on and we have Adventure Fest coming up in September, which will be great.

Councilor Miller explained he would like to echo everything that has been said by Council. He stated what a great job everybody's doing. He wanted to remind everyone that the Amani Center fundraiser event is Saturday, September 17th at the Grabhorn Farm. Tickets are now on sale. He stated if you're not familiar with the Amani Center, it's a very important asset to this community. It's the child Abuse Assessment Center that law enforcement investigators throughout Columbia County rely on to make cases against those that victimize children. It's a very, very important asset to our community. He explained as everybody here knows, we don't have the law enforcement resources, you know, just cause of our size and another thing. So the to be able to do those types of investigations, specialized investigations like that, for example, one of my friends is a detective for Edmonds feeding in Washington, and that's all she does is child abuse investigations don't have the luxury of having something like that.

The Amani Center is a very critical part of this country's ability to hold those accountable who victimize children. He gave a short update on 911. There's really not a lot here to talk about because they did cancel both the advisory committee meeting and the Board of Directors meeting for July. The next meeting they just posted is going to be looks like on August 25th at 9:00am at the 911 facility. So again, same message that he always has is just, you know, solidarity, our numbers and messaging that the services that they provide are critical to the safety of our public and our first responders. He has just really set on keeping that message consistent and I'm trying to get everybody that we can to go and keep that same message in the pressure on for them to fix the problems with the current radio system and also be very accountable with what they're trying to do with the next radio system. And on that note, Chief Lougal and he have met with a couple of the public safety chiefs throughout the County and he's been excellent to work with. He explained since he is new, a lot of us haven't had that much opportunity to work with him, but he just wants to say that he's been excellent and reaching out to the other chiefs within the Columbia County Area public safety and informing them and educating them on what it is that City of Scappoose was and is trying to do and on that note, the free engineering that we are getting did start about two weeks ago and it's going really well and they're trying to get that done within about two to three months. That'll be a really good piece of additional information that we are hoping to share with everybody and more information is better, and that's what we're trying to do is get more professional information out there for these public safety chief and the decision makers and stakeholders to be able to consider and make the best decision, not only public safety, but for our taxpayers as well. He is going to let the Council know on when those meetings are so anyone can join, definitely, please do. Thank you.

Councilor Santiago explained she also attended the OMIC tour, and it was great. It's exciting because they're building a third building and it's just more economic development, so that's exciting. She stated Dave gave a great presentation on the park status update. She stated to staff great job, you are amazing.

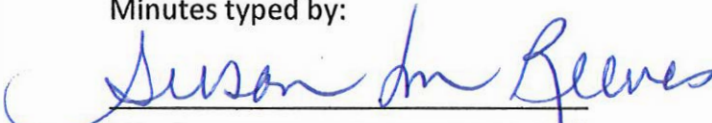
Council President Greisen explained we only have one Council meeting before Adventure Fest and it's literally the week of Adventure Fest, so I appreciate Councilor McHugh kind of putting an all call out there and for all the people making personal phone calls and getting donations. Thank you to those that have been doing that with local businesses and organizations by spreading the word that we are relying on a lot of sponsorship to continue this event and make it an annual event and for our community. She stated hopefully everyone will be there or sign up for the run with Neil. She explained the survey that went out to our community, mainly our school aged community about YMCA after school childcare will close on Wednesday and we've had hundreds of people fill out the survey and just even tonight she knows that the Superintendent had mentioned at their board meeting 196 people submitted yes, this is something that they would want to commit to even at that price point. She is really hopeful that YMCA is something that is here to stay in Scappoose for a while, not just with the after-school program, but with other programs as well.

### **Adjournment**

Council President Greisen adjourned the Council meeting at 9:24pm.

  
Council President Megan Greisen

Minutes typed by:

  
City Recorder Susan M. Reeves, MMC