

**TUESDAY, JANUARY 17, 2023**

**CITY COUNCIL**

**REGULAR MEETING 7:00 PM**

**COUNCIL CHAMBERS**

**33568 EAST COLUMBIA AVENUE**

**SCAPPOOSE, OREGON 97056**

**Call to Order**

Mayor Backus called the meeting to order at 7:00 pm.

**Pledge of Allegiance**

**Oath of Office for Councilor Jeannet Santiago ~ Administrated by City Recorder Susan Reeves**

Congratulations Councilor Santiago!

**Roll Call**

Joseph A. Backus Mayor Alexandra Rains City Manager

Megan Greisen Council President Steven Lougal Chief

Tyler Miller Councilor Chris Fluellen Lieutenant

Jeannet Santiago Councilor (left at 8:28pm) Susan M. Reeves City Recorder

Andrew Lafrenz Councilor Isaac Butman Assistant to City Manager

Peter Watts Legal Counsel

**Remote:** Councilor Pete McHugh; Councilor Kim Holmes (joined at 7:09pm); Paul Fidrych (left at 7:53pm); Anna Del Savio with the South County Spotlight; Ryan (left at 7:16pm); Beth Rajski; Matt Hoffmann (left at 7:51pm); Lauren (joined at 7:27pm) and Joel Haugen (joined at 7:33pm).

**Approval of the Agenda**

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

**Public Comment**

Judy Haugen, Scappoose, handed out a memo to Council.

Joel Haugen, Scappoose, read the handout.

Mayor & Councilors,

At the January 3rd Council meeting, I hand delivered a 10-page letter from our attorney Chris Koback of Hathaway Larson outlining both procedural and substantive errors RE the December 19, 2022 Council decision on Buxton Farms. Our attorney tried to get this information to all concerned earlier through public comment at the December 5th meeting, but he was cut off in mid-sentence, and was denied giving written comment afterwards.

Mr. Koback's letter delivered on January 3rd seemed to catch City Attorney Peter Watts off

guard. Mr. Watts has known that we have employed Chris Kobach since we publicly stated so at the October 27th Planning Commission meeting, which Mr. Watts attended. He even asked for

clarification as to which attorney at Hathaway Larson we were working with.

It is the City Attorney's responsibility to be unbiased and to work with both sides during the hearing process. While Mr. Watts has shown a rather cordial working relationship with the applicant's attorney, he has never once reached out to Mr. Koback, even though he has had almost 3 months to do so.

As of January 12, 2023, Mr. Koback had not heard from Mr. Watts, so he composed and sent this email to him:

Peter:

In the last council meeting, you presented to the Council one option which is a voluntary remand. agree that you accurately recited that all parties must consent in writing. I also appreciate that you had not had a chance to evaluate our letter. We presented accurately that Council has another option that does not require consent of any other participant. I assume by now you have studied the letter. If you disagree with my analysis of the withdrawal rights, I appreciate it if you let me know the basis for any disagreement. If you agree with my analysis, can you confirm that you have at least advised council that my analysis is accurate? I think we all share a belief that Council or any decision maker should have an accurate understanding of the relevant law. Thank you.

**Chris Koback I Partner**

Hathaway Larson LLP

As of today, Mr. Watts has not responded to the January 12th email from Mr. Koback. If we were on Council, we would ask Mr. Watts why he did not reach out or respond to Mr. Koback or his partner Mike Conners, with whom Mr. Watts has previously worked, to resolve differences?

At this point, we do not see how Mr. Watts can provide objective legal advice to Council RE this

matter and we urge you to direct staff to withdraw for reconsideration the December 19th decision, before this LUBA option runs out for you.

Respectfully,

Joel & Judy Haugen

\*\*end of handout\*\*

Lisa Bindle, Scappoose, explained she is here to talk about the Scappoose crime that’s going on here in town with kids that are under the age of 18. She explained recently we have had, that she knows of, two break-ins or burglaries of two convenience stores here locally. She talked to the owner of one of the stores and they told her what had happened, and that they knew who the kids were. The owner said they were caught, but nothing happened past that. She stated by chance she happens to know the mom of one of these kids that was involved, so she is here on her behalf as far as speaking out. This young person has been in trouble for a while and she doesn’t feel that there’s really any recourse for them getting help and it seems to be the same people or same young people that are doing these crimes, at least the break-ins. She doesn’t have the answer for this as far as what we should do, but she is worried that kids that are having troubles like this, getting put into jail, are not getting the help that they really need. She stated criminals are kind of stupid, but in some sense they are smart. If they are so smart that that they’re doing these things and coming up with these plans, obviously they should be able to do something that’s good for the community. She has looked into camps for youth. She is sure all of you have thought about this. She is not sure what the answer is, but she would like to be a part of the solution. If there is something she can do or to get out there for the community, she would love to see that. She doesn’t want to see any kids killed by breaking into a store or a home where we could have changed that and that is why she is here tonight. She wants to be part of the solution. She stated you have her email, and her phone number. She is good at speaking to other people. If there are things that she can do she wants to do it, she wants to be a part of it.

Mayor Backus thanked Lisa.

Councilor Miller said to Lisa if she reached out to the Juvenile Department that would be a powerful thing. He stated he is sure Chief Lougal will help in any way that he can as well.

Council President Greisen mentioned if they are students that are enrolled in the Scappoose School District, Lisa could reach out to the resources in the School District.

Mayor Backus explained to Lisa that he will try to find out if there are more available resources and get back to her.

Sharrie Ryan, Scappoose, wanted to express her appreciation for everything Council does for Scappoose. She explained that she has seen Council members go to bat for things that are really important for our kids and our community, and she really appreciates that. She wanted to also express appreciation for the City Manager and the Police Chief going in and investigating and looking into the things with the massage business regarding the things that are going on in our town regarding elicit activities. She wanted to thank them for that. She also wanted to say thank you to Council for what they continue to do regarding public safety. She explained she follows a lot of stories in the community. She knows that the radio replacement project is a really big and important issue. She thinks many people recognize that it’s not easy to stand up to other government agencies to question what they are doing especially in this County where we live, where we know every single person basically and there are many personal relationships involved just by nature of how small we are. It’s obvious that this Council is deeply concerned about the proposed replacement radio system will have on the public safety and the first responder safety, and the school safety and the financial impact to us taxpayers who actually have to pay for the system. She has been following this for quite some time and she just wants to thank the City Manager and the Council. She sees their efforts advocating for those things for them and the safety of our officers and everyone, and she really appreciates it. She knows that a public safety radio system that meets all the first responder requirements at the lowest cost to us who have to pay for it should be 911’s primary focus. It does baffle her sometimes about the Board and the things that they voted in, but that’s the beauty of the Democracy we live in, we have opinions, right? She stated again, she wants to thank Council for watching out for the interest of our citizens of Scappoose and supporting our law enforcement officers. It is a dangerous job that they do. Thank you so much!

Mayor Backus thanked Sharri.

**Consent Agenda ~ January 3, 2023 City Council work session minutes and appointment of**

**Elizabeth “Scottie” Meinke and Terry Brooks to the Park and Rec Committee**

Council President Greisen moved, and Councilor Santiago seconded the motion to approve the Consent Agenda ~ January 3, 2023 City Council work session minutes; and appointment of

Elizabeth “Scottie” Meinke and Terry Brooks to the Park and Rec Committee. Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor McHugh, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Lafrenz, aye; and Councilor Holmes, aye.

Terry Brooks, from the audience, introduced himself.

**New Business**

**Update on Columbia County Small Business Development Center (SBDC)**

City Manager Rains introduced Jason Moon and explained he would like to discuss some questions he has for Council and gather some information so that the center functions in a way that is reflective of the Council’s vision.

Jason Moon, Director, gave an update on the Columbia County Small Business Development Center. He explained they are fully operational. He is meeting businesses out in the community. He thanked the City of Scappoose for their support and commitment again for making this possible and of course his host institution the Columbia Economic Team. He explained 75% of businesses fail in the first five years. However, when a business seeks business advising and sets up a business plan there’s a 65% success rate that that business lasts five years and that is one of the main reasons, they are here in place in Columbia County. He explained Columbia County SBDC is a resource center for helping start, run, and grow the best small businesses here in Columbia County. He explained they are the 20th center in Oregon. They are unique because they are the only center that is not affiliated with a community college. He stated they are for the community, by the community, funded by the community and here to help the County. He explained currently they have over 80 clients with over 280 advising hours and many of those clients live here in Scappoose. He explained in the Council packet there is a list of questions. He asked Council if they have time to fill out the survey and send it back to him. He explained as the Director of the SBDC he wants to ensure that they are meeting Councils expectations as the City of Scappoose being a stakeholder, offering the best services possible to businesses or residents, whoever is thinking about starting a business here.

Councilor Santiago asked Jason Moon what does he feel that the local businesses are needing, what resources?

Jason Moon replied a lot of people are asking for access to capital grants/money to help start up or to help an existing business.

Councilor Lafrenz asked if there are any unique challenges or obstacles that the Scappoose clients face that he doesn’t see in other cities in the County?

Jason Moon replied he would say that retail space is especially a challenge here, it is an issue throughout the entire County.

Council thanked Jason.

**Ordinance 910: An Ordinance Relating to Massage Businesses, Creating Scappoose**

**Municipal Code Chapter 5.20, Massage Facilities**

Assistant to City Manager Isaac Butman explained the first thing he would like to note going into this is this ordinance would, to the best of our knowledge, be the first type of ordinance like this in the State of Oregon. He explained these ordinances are not uncommon in other States but according to the Oregon State Massage Board no other cities have this type of ordinance restricting massage business. He explained the other thing going into this is that as with all ordinance changes we try to stay mindful of the impact of our small local businesses as we write. You will see through here as we go through it tonight, that we have been mindful of the impacts, trying to keep them minimal while still implementing the spirit of the ordinance.

Chief Lougal explained the report that he gave on the original business denial is at best 25% of what he knows and could share. So, the information is limited because until this point the investigation was still ongoing.

Assistant to City Manager Isaac Butman went over the staff report. On August 23, 2022, the Scappoose Police Department received an application for a business license from Pure Massage. During an investigation it was discovered that the business was in violation of several State and Local statutes, lacked certification from the state massage board, and it was alleged that members of its staff were offering sexual services to customers, Exhibit A (of the staff report). It became clear to the Police Department and City Staff that Scappoose Municipal Code lacks language sufficient to prevent the establishment of massage businesses that are used as a front for illicit activities. Massage businesses have long been a front for illicit activities, including prostitution, human trafficking, and money laundering. Business licensing is controlled by local municipal governments and is one of the best ways to prevent illicit businesses from establishing themselves in a community. Staff reached out to the State Massage Board and were given a sample ordinance and guidance on best practices for preventing illicit massage businesses from establishing. The guidance can be seen in Exhibit B (of the staff report). Staff drafted an ordinance, Exhibit C (of the staff report) to prevent illicit massage businesses from obtaining a business license in Scappoose, while balancing the needs of small businesses, by writing code that is not unnecessarily burdensome or costly. Legitimate businesses can meet the requirements of this Ordinance while realizing minor impacts to the time it takes to complete a business license application. The majority of additional burden amounts to submitting diagrams of the business and submitting to a background check to ensure no records indicating that applicants engage in illicit activities. Staff will be asking that applicants be required to pay a nominal fee of $30 to process each background check; this is slightly less than the fee the Oregon State Police charge for a background check and is simply cost recovery for the additional costs to conduct the background check and write a report for the applicants’ file. Staff will bring a Resolution before Council on this matter if this Ordinance is adopted. This language has been reviewed by the Police Department and Legal Counsel. If adopted, this ordinance would be one of the first, if not the first, preventative local ordinance of its kind in the State of Oregon. The largest fiscal impact of this ordinance causes is the cost to complete background checks for applicants. Each background check and written report will take 10-20 minutes to complete. The City of Scappoose does not currently charge a business license fee that could help offset this additional cost. Without assessing a background check fee there are no cost recovery options for the additional time and costs associated with the enhanced review required by this licensing process. Staff recommends Council approve Ordinance 910, an ordinance relating to massage businesses, creating Scappoose municipal code chapter 5.20, Massage Facilities.

Councilor Lafrenz asked in the other cities and States that have done this ordinance, has there been any legal pushback against it?

Legal Counsel Peter Watts explained what we have done mirrors State Law, but we have to be realistic about the resources of the District Attorney’s office as well and so really what this does is this allows our Police to do a separate verification. He explained these cases can be hard to prosecute as well so in the event that it wasn’t necessarily a priority of the District Attorney’s office this would give us another avenue in order to make sure that no illicit activity was happening. He explained our other goal in this is if there’s one City that has these enforcement mechanisms in the State of Oregon this does not seem like the type of City that people who engage in illicit activity will want to come into because we actually have the ability to do something on a local level. He explained in looking at this, Chief looked at it on a police perspective, and he looked at it on a legal perspective and he doesn’t know if the State Massage Board has a ton of resources. The licenses that were provided by an attorney for the applicant demonstrated that they had received business licenses in Portland despite the fact that they were using the word massage when they weren’t supposed to, and that the owner wasn’t registered with the State Massage Board neither were any of the businesses registered with the State Massage Board. He explained this investigation was in response to citizens that were concerned. He thinks the vast majority of massage therapists that are licensed in the State of Oregon would never engage in any kind of this type of thing, but there are businesses that do, and our goal would be that this would prevent them from considering coming to the City and in the event that they do would give our Police the resources that they need.

Assistant to City Manager Isaac Butman explained essentially the purpose of this is prevention. We are not trying to kick anyone out. What we are trying to do is create a structure where businesses that come here, because of the nature of this, be able to look into their business.

Councilor Miller asked about the background.

Assistant to City Manager Isaac Butman explained we will do the background in house just to make it a little faster for the applications as we don’t want to hold things up. He explained we are looking mostly for illicit activity so the criminal history would be the main thing.

Councilor Miller replied where he is going with that is if you are going to use the CJIS system to get that data there is very strict requirements on how you can use that data base. He stated he would make sure that that is one of the allowed uses. He asked what is the criteria? If something comes back, who will be looking at that and who’s judging them?

Assistant to City Manager Isaac Butman replied so the background check information would go back to whoever is doing the background check, probably the LT and they would write a report saying yes, we found something or no we didn’t. If there was something in there that was flagged that would be looked at by the Chief, by the ultimate decider of the business license permit. He explained there are accepting factors. He went over the language in the ordinance that goes over the accepting factors.

Councilor Miller explained he would prefer to have that defined, who is evaluating those returns and what the criteria is, just so it is consistent, and we don’t get accused of discrimination. He explained if we have a policy that sets out the standards for rejecting then you mitigate your potential discrimination claims. He stated the other question that he has is it is a flag to him that we’re the only City that is doing this in Oregon. He asked are we absolutely certain that there’s no Constitution or legal reason why other cities have not done this.

Legal Counsel Peter Watts replied it’s covered under State Law so there are State Statutes covering all this and that is why our code mirrors State Law. He stated it is kind of a dual track, one is we want to send a message that they shouldn’t locate here, and two that in the event that the D.A. didn’t have resources that we could do this in the municipal court.

Council President Greisen explained it is her understanding having talked with Chief Lougal over the last several months, that it is unfortunate that he ran into several dead ends, not in his investigation but in getting the help he needed or resources to write people up or to find a way that people could stop that behavior or that the State could help with an investigation. This ordinance would have helped during that time, and it would have made it easier.

Chief Steven Lougal replied this ordinance is kind of like a last resort. He explained early on he reached out to everyone. He had meetings, he developed relationships, but it was very difficult to get those partners to sign on because of the available resources or lack thereof. He explained these types of investigations because they involved so many different factors, they could go on for a long time. He was on it August, September, October, November, and he is still on it, and he could have used help. It was suggested by the Massage Board that we be a trendsetter and put the massage ordinance in place so that due to the lack of resources we would be able to do something about it and keep the community safe.

Chief Lougal explained most of the information he found was through open sources. It was readily available on the internet, it was making a couple of phone calls to confirm, he didn’t have to go into any criminal databases to find out this information. It was all readily available. He explained what he can tell Council is that the actors involved have paid so much money in fines but then they are still staying in business because they’re making that much money. There is really no way to stop that type of business from coming in unless we have the ordinance.

Councilor Miller asked how do you know who to background and that they’re giving you all the names?

Assistant to City Manager Isaac Butman replied they could always hide names. We do rely on them to give us accurate information. He explained with this in place at the first sign of something out of place you can walk into that business and ask them for information. We would have more checks, where currently we don’t have the ability to kind of intervene.

Councilor Holmes asked if staff had a chance to speak with any of the existing massage businesses that have been established for a number of years, to see if they felt this was burdensome or could be a deterrent to renewing their license?

Assistant to City Manager Isaac Butman replied many of the businesses here don’t actually fall underneath this new ordinance because they offer massage as part of a physical therapy or a chiropractic business. He explained the Chief did reach out to some of the massage only businesses and they essentially said that they felt validated by this and that we would be legitimizing their businesses by making sure that that element isn’t here in Scappoose. When people drive through, and they see a massage business they know it’s legitimate.

Councilor Miller stated so when the City gets asked why we are only doing this for this type of industry do we have a defendable?

Legal Counsel Peter Watts replied yes, we did this by category of business and actually considering where the recommendation started as far as background checks, we paired it way down. He explained Chief spent a lot more time on this than he did, but the people that get flagged by this generally there is pandering in their background or things to that nature in their background. We already have a variety of means to reject licenses under health and safety and in fact during his research he found that there was once a business license that was rejected based on sex offender history. He stated we are aware, and he thinks that the State Massage Board is aware too and everyone is aware that there’s certain type of massage businesses that are engaged in this specific illicit activity. He explained if that were to go to another category of businesses where we became aware that they were doing the same thing he thinks at that point we would extend that to them as well.

Councilor McHugh thanked staff for reaching out to the current massage businesses to get their input, he thinks that was very important. He asked how long does it take to get a turnaround on a background check?

Chief Lougal replied in this instance, 20 minutes.

Council President Greisen explained she was taking to heart Councilor Millers concern about having some sort of a rubric or criteria for approval and denial, considering that we would be the first City to be doing this in the State. She thinks we need to lock this in as tightly as we can and as clear as we can, and she would feel most comfortable seeing something that explicitly noted what would be a flag and what wouldn’t and what would be criteria for approval and what would be criteria for denial. She would prefer to have staff work on that piece and have the ordinance come back to them.

Assistant to City Manager Isaac Butman replied he would think that they could give some structures. He thinks a lot of this would depend on the type of potential criminality we saw, so it might be hard to get it very, very concrete but they will definitely try to get some boundaries around it.

Councilor Miller stated if we have one person who is reviewing these and rejecting or approving them, we want to be able to try to mitigate somebody claiming that some sort of protected discrimination or something like that. He stated the best way to do that is through clear defined policies that Council has adopted. He stated that is his concern to making sure that we’re not exposing whoever at the Police Department to that sort of claims.

Legal Counsel Peter Watts replied he agrees with Councilor Miller that it would probably be prudent to come up with like a class of crimes because there is no nexus between shoplifting for instance or something like this. He stated we can develop that list with Chief and bring that back to Council. He explained we were very clear throughout this that we wanted as clean of a process as possible, we wanted it to clearly apply to the category, we wanted to make sure that it was non-discriminatory and to the extent that people were part of a protected class that aren’t going to have any of those problems. He explained he has had a couple of conversations with the District Attorney about this and he is supportive of it generally.

Chief Lougal stated there is a list of denial and to him it seems pretty clear, but if they’re not, he would just like some guidance.

Mayor Backus said he thinks what they are concerned with is when a background check comes back, and it flags something.

Chief Lougal replied it would only apply to those reasons. He stated specifically what is here is what we’re going to look at. He said he thinks the only thing we could add is someone who was found guilty of sex offense.

Council President Greisen explained Chief will not be here forever so what is a red flag to him on a background check, is that the same red flag to somebody else.

Chief Lougal replied he thinks we can outline that. He understands where she is going and stated we can clean that up a little bit.

City Manager Rains stated she thinks what it sounds like where we are going with this is in number 5 where it states any other applicable law, the desire is to have a little bit more definition around the words applicable law, which sounds to her based on this conversation like sex offenses, human trafficking, and money laundering are probably the big three that we’re looking for to be actually spelled out in the ordinance, so we will do that.

Council President Greisen explained we are asking for a background check, that is very new. She explained it should be listed what is it in the background check that we are looking for, that’s all she wants, just explicit bullet points.

Mayor Backus explained he would like a little clarity on a few of the criteria. He is thinking more on the people that may have had an issue way back in the past and we don’t want to hold something against them that maybe isn’t related anymore.

Mayor Backus explained this is a public hearing and opened the public hearing at 8:12pm. He asked is there anyone who would like to comment on the Ordinance Relating to Massage Businesses, Creating Scappoose Municipal Code Chapter 5.20, Massage Facilities?

Marisa Jacobs, Scappoose, explained she actually is very much involved in background checks in the corporate world, so this conversation has been quite interesting. She shared some thoughts with Council for consideration. She explained with respect to duration in the corporate world, it is a seven-year criminal background check that they adhere to. More importantly every State and even subsequent jurisdictions governs what you can look at and what you can’t look at. She explained the other thing is with respect to the criteria she understands the concern of having a defined matrix on hand how background checks are being what’s called adjudicated, they are being reviewed. Her suggestion is that you would want to keep it structured, you want a framework, but you also want to give yourself the ability to interpret what is being found on those background checks. She explained it is very difficult to try to create a very specific criteria matrix to evaluate background checks. She explained you have to really level it up to like non-violent misdemeanor and felonies and violent misdemeanor and felonies and you may put together criteria that says if you’ve had a violent felony within the last one to seven years you are automatically not going to be moving forward. She explained these are just some of the things that herself and one of the companies that she works with in town have been working through. She would like to offer the suggestion of keeping the finite detail of what is being evaluated internal and just set out big framework, so it gives the discretion to in this case the Police Officers, the ability to take that information and adjudicate it appropriately so that they are protecting the community. She thanked Council.

Council thanked Marisa.

Mayor Backus asked if there was any other public testimony? Seeing none he closed the public hearing at 8:14pm and moved it forward for Council to discuss.

Councilor Santiago asked if $30.00 is enough?

Assistant to City Manager Isaac Butman replied yes.

Council President Greisen stated to Isaac that he said earlier that there is potentially of only three businesses right now that fall into this category.

Assistant to City Manager Isaac Butman replied yes, and this would last for three years. We are not asking them to come back every year and do the background check.

Mayor Backus asked if three years is too soon.

Assistant to City Manager Isaac Butman replied we definitely felt one year was too much, and six or seven was stretching it and so they felt three was reasonable. He explained we can adjust that if that’s too short.

Mayor Backus stated he is fine with one year. He explained potentially a few of the provisions we may add. He asked if Council wants to change number 5 or are they fine with the way it is now?

Council President Greisen explained it sounds to her like it was going maybe in a separate category or in a different one, just the clarifications.

Assistant to City Manager Isaac Butman replied he thinks if he was to construct this and redo it, he would probably take Section D on page 31 and get far more specific there; and for number 5 he would reference that back to Section D as described so that extra language is not being created in the ordinance and it will be easier to understand.

Councilor Santiago moved, and Council President Greisen seconded the motion that Council adopt Ordinance 910, An Ordinance relating to Massage Businesses, creating Scappoose Municipal Code Chapter 5.20, Massage Facilities, with amendments that were suggested during the hearing.

Mayor Backus read the title for the first time ~ Ordinance 910: An Ordinance Relating to Massage Businesses, Creating Scappoose Municipal Code Chapter 5.20, Massage Facilities is on first reading and will come back to Council at our next regularly scheduled meeting for discussion and potential adoption.

**Announcements – information only**

**Calendar**

Mayor Backus went over the calendar.

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

City Manager Rains reminded everyone of the Boards and Commission dinner, to thank our volunteers, is on January 25, 2023.

Police Chief Lougal addressed some of the comments made earlier about the juveniles. He explained he usually doesn’t like talking about those type of matter, but we are well aware of the incidents that were brought up. They have identified the youth that are involved, and he thinks Councilor Miller explained the process very well and they are involved in a lot of other areas and there are a lot of different groups that they work with where these names have been popping up, so they are attempting to find resources for them. He just wanted to let them know that they are on top of it.

Councilor Holmes explained she is looking forward to all the meetings that they have kicking off this year. There’s lots of exciting things underway with the Parks Master Plan. She is looking forward to the next steps with the 50-year plan.

Councilor Santiago explained she is glad to be back with the Council and she appreciates everything. She appreciates Chief Lougal looking into those programs for the youth because it is important. She stated please drive safely, it is dark and wet out there and there are so many accidents so slow it down on Highway 30.

Councilor Miller explained he is looking forward to the annual goal setting retreat on February 4 and for the new Councilors this is a great opportunity. It really kind of guides the City and the City staff on what their primary goals are throughout the year. All that to say, come prepared, think about what you want to see from the City. He stated review our past goals and our current goals and come with some good ideas and ready for discussion. He explained on January 11, the 911 District had their joint Board and Advisory Committee meeting. He explained the motion was to sole source and go with Motorola Washington County and there were five votes for no and they were all the police departments that voted no to that, with the exception of St. Helens PD. The Sheriff’s Office voted no on that as well, but all the Fire Departments voted yes and St. Helens PD also jointed them with a yes, so that got six votes. He stated as we go forward here everybody knows his concerns about the millions more dollars it is going to cost to go that route and some other concerns that he has. He just wanted to give a quick update on that. He is going to try to meet with Mayor Backus to see what more City Council can do to try to educate the public on what’s going on and just basically see what else we can do at City Council to try to get the 911 Board to be more open and go out for an actual RFP and get the best price for the system that is needed so that we are accomplishing what our First Responders need at the best possible price for our taxpayers and in his opinion that is not what’s happening right now.

Council President Greisen explained she is hopeful that we have some answers with some of our resources for our youth. She has been hearing a lot of different things, which makes her think she needs to have a conversation with the Chief about something she heard. She explained later this week she is meeting with Legal Counsel, Alex, and some representatives from the Senior Center to get an update on how they are handling some of their capital improvements and how they are addressing some of their concerns in the letter from the Department of Justice and the good things that are happening at the Senior Center right now. She explained on February 21st she is part of the Bond Advisory Committee for the School District but because of the holiday that is when we have a Council meeting. She stated at some point maybe she could take a look at the Council agenda and see how she could split her time.

Mayor Backus thanked Lisa Bindle for stepping up and helping with the youth. He stated knowing there is someone out there to help the youth really does help to begin with, so he appreciates that. He had the pleasure of being elected to the Columbia Economic Team (CET) Board and he really looks forward to that opportunity. He stated there is a lot of things happening and he thinks now is a good time to be here in Scappoose and he really looks forward to that.

Mayor Backus went into Executive Session at 8:28pm.

**EXECUTIVE SESSION ~ ORS 192.660(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed**

**Present:** Mayor Joe Backus; Council President Megan Greisen; Councilor Pete McHugh (remote); Councilor Tyler Miller; Councilor Andrew Lafrenz; Councilor Kim Holmes (remote); City Manager Alexandra Rains; Legal Counsel Peter Watts; City Recorder Susan M. Reeves; Community Development Director Laurie Oliver Joseph; City Engineer Chris Negelspach; and Associate Planner NJ Johnson. Councilor Jeannet Santiago recused herself.

**Open Session**

Mayor Backus went back into open session at 10:02 pm.

**Adjournment**

Mayor Backus adjourned the meeting at 10:02 p.m.

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 Mayor Joseph A. Backus

Attest:

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City Recorder Susan M. Reeves, MMC