



SCAPPOOSE *Oregon*

**MONDAY, SEPTEMBER 18, 2023
CITY COUNCIL MEETING
REGULAR MEETING 7:00 PM
COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056**

Call to Order

Mayor Backus called the September 18, 2023 City Council meeting to order at 7:00 pm.

Pledge of Allegiance

Roll Call

Joseph A. Backus	Mayor	Alexandra Rains	City Manager
Megan Greisen	Council President	Steven Lougal	Police Chief (arrived at 8:05pm)
Tyler Miller	Councilor	Isaac Butman	Assistant to City Manager (arrived at 7:06pm)
Jeannet Santiago	Councilor	Susan M. Reeves	City Recorder
Kim Holmes	Councilor		
Andrew Lafrenz	Councilor		

Ashley Driscoll Legal Counsel (left at 8:05pm)

Remote: Michelle (joined at 7:06pm & left at 7:16pm)

Approval of the Agenda

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

Public Comment

There were no public comments.

Consent Agenda – September 5, 2023 City Council work session minutes; and September 5, 2023 City Council meeting minutes

Councilor Holmes moved, and Councilor Santiago seconded the motion to approve the Consent Agenda – Consent Agenda – September 5, 2023 City Council work session minutes; and September 5, 2023 City Council meeting minutes. Motion passed (6-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; and Councilor Lafrenz, aye.

Council President Greisen moved, and Councilor Santiago seconded the motion to move agenda item number 4 to number 3. Motion passed (6-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; and Councilor Lafrenz, aye.

New Business

Proclamation ~ Vietnamese Heritage and Freedom Flag

Mayor Backus read the Vietnamese Heritage and Freedom Flag Proclamation. He presented Thao Tu, President of the Vietnamese Community of Oregon, a copy of the Proclamation.

Thao Tu presented Mayor Backus a plaque and a Flag of South Vietnam.



Resolution No. 23-15: A Resolution in Support of Measure 5-296, A Measure Brought by the Scappoose School Bond Committee, for a Bond Measure to Replace Scappoose Middle School and Provide Building Upgrades Across the Scappoose School District

Mayor Backus explained in front of Council is Resolution No. 23-15.

Council President Greisen explained this resolution was not prepared by any part of our staff here at the City. This is something that they as Council and the Bond Committee worked on putting together and that is what is presented. She explained this is just them as elected officials and as a Council standing together with a message for our community.

Council President Greisen moved, and Councilor Lafrenz seconded the motion that Council adopt Resolution No. 23-15: A Resolution in Support of Measure 5-296, A Measure Brought by the Scappoose School Bond Committee, for a Bond Measure to Replace Scappoose Middle School and Provide Building Upgrades Across the Scappoose School District. Motion passed (6-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; and Councilor Lafrenz, aye.

Mayor Backus read Resolution No. 23-15: A Resolution in Support of Measure 5-296, A Measure Brought by the Scappoose School Bond Committee, for a Bond Measure to Replace Scappoose Middle School and Provide Building Upgrades Across the Scappoose School District.

Executive Session

ORS 192.660(2)(i) Employee Evaluations

Mayor Backus read the Executive Session statement and went into Executive Session at 7:14pm.

Present: Mayor Backus; Council President Greisen; Councilor Miller; Councilor Santiago; Councilor Holmes; Councilor Lafrenz; City Manager Rains; Assistant to City Manager Isaac Butman; and Legal Counsel Ashley Driscoll.

Mayor Backus came out of Executive Session and into open session at 8:05pm.

Reconvene New Business

Resolution No. 23-16: IGA with Columbia County relating to Contract Law Enforcement Services Columbia County Sheriff's Office (CCSO) IGA

Chief Steven Lougal went over the staff report. The Scappoose Police Department is currently experiencing a staffing shortage of deployable officers. Non-deployable officers include those on leave, in training or at the police academy. The release dates of these officers vary. One Officer returned on August 29, 2023, two are in FTEP and one has yet to start the Academy. For these reasons, the city is unsure at what point the Police Department will be able to transition back to full-service coverage. In the interim, the Columbia County Sheriff's Office (CCSO) has

agreed to pick up overtime shifts in the City to assist with coverage as their staffing levels allow. Scappoose officers would retain first right of refusal for said shifts before they would be offered to CCSO deputies. The details of this arrangement are memorialized in the intergovernmental agreement attached to this staff report. Should Council vote to approve during tonight's meeting, CCSO has agreed to implement this agreement once they have received approval from the Columbia County Commission. This agreement would be in effect until June 30, 2024. The agreement calls for the County to Assign one (1) police certified patrol deputy to the City when requested by the City. The County's obligation to assign such a deputy to the City is contingent upon patrol deputy availability. This Agreement does not create an obligation for the County to provide police services when requested. The City will request services pursuant to this Agreement by submitting a shift coverage request via email to the Sheriff or designee. Shift coverage requests will typically be for an entire ten (10) hour shift, but in no event shall a request be for less than a four (4) hours period. The City agrees to reimburse the County for services under this agreement, related to sections 3.b and 3.c, at the rate of \$91.24 per hour. Staff recommends the Council approve Resolution No. 23-16 as presented, authorizing the City Manager to execute a final IGA with the Columbia County Sheriff's Office.

City Manager Rains explained this agreement doesn't obligate them to fill those shifts, but it does make it available to them if our officers have passed on set over time shifts.

Columbia County Sheriff Brian Pixley explained when they first kind of conceptualized this concept, he went to his Deputies and asked if they would have the bandwidth to work an overtime shift, come in on one of their days off and spend the shift in Scappoose taking calls and the vast majority said they would.

Council President Greisen explained Chief Lougal had mentioned we are in the state of rebuilding and this agreement is only effective until the end of June 2024. She stated this isn't something that is going to last forever. This is really just part of this rebuilding and we realized that there's some gaps that need to be filled and we appreciate your partnership with that.

Sheriff Pixley replied thank you and speaking as a Scappoose resident, he couldn't be more happy with the partnership that we have formed with the City of Scappoose and Scappoose Police Department. He explained he will be presenting this to the County Commissioners on Wednesday.

Council President Greisen moved, and Councilor Miller seconded the motion that Council approve Resolution No. 23-16 as presented and authorize the City Manager to execute a final IGA with the Columbia County Sheriff's Office. Motion passed (6-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; and Councilor Lafrenz, aye.

Council thanked Sheriff Pixley.

Work Session

City of Scappoose Personnel Policy Handbook Update 2023 – Work Session #1

Assistant to City Manager Isaac Butman explained unlike a lot of cities, our personnel policy handbook is actually approved by Council. He went over the staff report. The Personnel Policy Handbook (Handbook) for the City of Scappoose is required to be amended and adopted by the City Council according to Scappoose Municipal Code Chapter 2.48. The last update of the Handbook was approved in January 2022. Since January 2022, many changes in employment law have occurred, and the Handbook is in need of updating. The City of Scappoose Personnel Policy Handbook summarizes the personnel policies and procedures that govern the employment relationship between the City of Scappoose and its employees. It functions as a reference for employment matters for the City and its employees, describing things like the kinds of leave employees are entitled to, the accrual rates and benefits employees enjoy, and describes discipline and probation procedures. Collective Bargaining Agreements (CBA) terms supersede the Handbook for the employees a CBA covers. The handbook is generally presented to Council on an annual basis following the receipt of updated language from our insurance carrier, CIS. During the time between Handbook updates, Staff maintains compliance with legal changes as they occur, implements discretionary policies as adopted, and reviews the handbook in preparation for the next year's Council adoption. The Personnel Policy Handbook has 7 sections. Staff will be presenting the Handbook in smaller, more manageable pieces. The first presentation will be the Introduction, and Sections I-III. The presentation will not be formatted completely during the Work Sessions. During the official adoption hearing, Staff will present a fully formatted and updated Handbook for adoption. All City Staff have had the opportunity to review the changes being recommended in the Handbook, and to offer comments on the content of the document. To date, no comments have been made on the Handbook update from non-executive team staff. Staff starts reviewing the Handbook by incorporating CIS's recommended and required changes. CIS keeps tab on legally required changes throughout the year, and continually issues updates to their model handbook to help keep its members legally compliant. Staff makes additional recommended changes based on our legal counsel's guidance, best practices in Human Resources, and any changes that would address problems or issues that have arisen, or that are considered recruitment and retention increasing policies, such as evaluating the reasonableness of vacation accrual rates or the addition of Juneteenth as a recognized holiday.

Attachments:

- Exhibit A – Current Personnel Policy Handbook
- Exhibit B – Track Changes/Color Coded handbook

o Please note, there have been many revisions of the Handbook by many different reviewers. This is Staff's best and most complete attempt at including every single change that is being recommended to the handbook in one document, however, some minor non-substantive changes—such as spelling, grammar, formatting, or missing words—may have been accidentally omitted due to the number of documents that had to be combined in the process of making this document. A

complete and accurate track changes version will be made available during non-work session adoption hearings.

o The text is color coded for track changes. Colored text has been added.

~~Struckthrough~~ text has been removed.

o In the left margin of the document you will notice colored brackets. These indicate the level of discretion available to change each section.

- **Red** Bracket – No or extremely limited discretion.
- **Orange** Bracket – Some discretion.
- **Green** Bracket – substantial discretion.
- Please refer to comments for additional information on discretion and staff recommendations.

The changes to the Handbook are substantial. Many laws and policies have changed since January 2022; court cases have been decided, making new law through judicial interpretation; and a variety of situations have occurred within the Employee/Employer relationship that have prompted Staff to recommend changes to the Handbook to address shortcomings or problematic areas, to make the City of Scappoose a competitive Employer, and to aid in retention of employees.

This Staff Report will generally discuss the changes you will see in the Exhibits.

General Changes: Throughout this update, inclusivity has been kept in mind, most prominently, gendered terms will be removed from the Handbook, furthering Diversity, Equity, and Inclusion goals of City Staff, and aligning with current best practice in the employer/employee relationship. Minor typos will be addressed, and formatting will be completely updated to align with the recently completed Brand Consistency Project. Inconsistencies and redundancies that have been noted by Staff will be addressed, new legal standards will be added, and policy suggestions will be made.

Introduction: Staff has made no changes to this portion of the document in terms of content. The values of the City of Scappoose as expressed in the Vision Statement have not changed since the last time the Handbook was adopted, and our commitment to a healthy and safe workplace remain a top priority for the City of Scappoose.

Section I, Form of Government: No content changes have been made to this section. Some formatting has been addressed. The City Manager has not changed the delegation of personnel administration, and the Council/Manager form of government remains in place.

Section II, Equal Employment Opportunity (EEO) Practices: All the policies in this section are required either by our insurer or by law. CIS completely rewrote this section, and the organization and language of this is all new. This section has been reviewed by our insurer and their employment law and HR sections.

Section III, Employment Status:

A. The term "introductory period" has been changed to "probationary period" to align with our two CBA's.

B. Minor language changes to more accurately address actual conditions of employment.

C. CIS recommended language be added and modified to meet our needs. The most significant change is realignment of the workweek to Monday-Sunday from Sunday-Saturday. Monday-Sunday is the typical work week configuration. The Sunday-Saturday schedule was developed for one reason, to align with Police Department schedules. Officers are assigned a Sunday-Wednesday schedule shift or Wednesday-Saturday shift, and the Patrol Officer workweek is set by the CBA. Payroll processing is not improved by this workweek alignment, and the current alignment has proved confusing to new and seasoned employees alike, since almost all other employers' function on a Monday-Sunday workweek. Staff recommends aligning the workweek to the standard Monday-Sunday workweek.

D. Minor formatting changes.

E. This section was entirely rewritten by our insurer CIS, to comply with new laws and regulations about the expression of breast milk at work. Staff made no additional changes to this section.

F. CIS recommends the addition of the language in "Assignment of Overtime". Staff made other minor changes to this section to address Sergeants, which are exempt salaried positions, being made eligible for OT while remaining exempt salaried employees.

G. Minor grammatical changes.

H. Removed redundancies. Added more specificity and examples for several potential reimbursements. The largest change to this section relates to the definition of travel that is eligible for an overnight stay.

Prior to this recommended change there was no set standard to evaluate travel for a reimbursed overnight stay. Professional conferences typically start at 7:00 am and end at 5:00 pm, and often, there is a networking dinner after that can last until 7:00 pm. These networking events are critically important to building professional relationships, networking, and evaluating new ways of doing business with a trusted group of professional peers. Often, closer groups of professionals will continue the networking past 7:00 pm at another venue. These post-5:00 pm "events" are often some of the most important in terms of generating value for the City of Scappoose.

Knowing that an employee might not be done with their important networking until 8:00 pm or 9:00 pm and wanting to support employees by helping them get the most value out of a conference and associated networking was a critical factor in determining the drive-time/distance making a trip for work eligible for reimbursement of an overnight stay.

Adding less than an hour of driving to what could already have been an 11- or 12-hour day seems reasonable, adding more than an hour of driving after a day like that seems unreasonable. Sixty road-miles is just about the equivalent of Scappoose to Salem, and typically takes around an hour to traverse, thus, the recommended standard of evaluation.

I. Changed how pay stubs are distributed to keep pace with the digital world we live in, and the digital lives our employees expect. Pay stubs can still be requested in paper, and the City already provides some employees with electronic stubs and some with paper stubs. In addition to being a “keeping with the times” improvement, it is also a cost saving measure, as the aggregate paper, ink, envelopes, stamps, and time to process paper stubs is significant and is no longer necessary.

J. Minor textual changes.

K. Minor textual changes to clarify how draws are calculated.

L. Minor textual changes.

M. No changes.

Councilor Miller asked if the fact that this comes before Council has been reviewed more recently by legal counsel?

City Manager Rains replied it actually hasn’t.

Announcements – information only

Calendar

Mayor Backus went over the calendar.

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

City Manager Rains talked about the Holiday Dinner for Council and staff and that it will be on December 13, at 6pm.

Councilor Holmes gave an update on the 50-year Committee meeting.

Councilor Santiago explained this weekend she went to the Moda Center with her family, and they celebrated Hispanic Heritage Month and it’s the kickoff.

She stated she is here today as a Councilor in Scappoose and as a proud Latina. I want to stress how important Hispanic Heritage Month is to our community. Hispanic Heritage Month runs from September 15th to October 15th. It's a time to celebrate the diversity and contributions of Hispanic and Latinx communities in our city and across the country. This celebration is about embracing cultural diversity. By honoring our Hispanic and Latinx neighbors, we show our commitment to diversity and inclusivity, which are essential for our community's growth. As a Latina, this month reminds me of my heritage and gives me a chance to share our culture's stories and traditions. But it's not just about me; it's about all Latinos and Latinas in Scappoose. As a Councilor, my goal is to improve our city. Celebrating Hispanic Heritage Month aligns with our desire for peace, health, and happiness. When we celebrate our community's cultural richness, we make Scappoose more harmonious and thriving for everyone. This observance isn't just about the past; it's about the future. It's about inspiring our youth and fostering understanding among all residents. Let's ensure that Scappoose remains a welcoming place for everyone. I invite you all to join us in celebrating Hispanic Heritage Month. Let's appreciate Hispanic and Latinx art, music, food, and stories. Together, we can create a more inclusive Scappoose that values peace, health, and happiness for all. Thank you for your support as we celebrate the richness of Hispanic and Latinx culture in our beloved City of Scappoose.

Councilor Miller explained last Saturday he attended the Amani Center event, and Mayor Backus was there also. Last he heard they have raised \$75,000. He explained there were three donors that donated \$3,600 and the significance of that is that is the cost for one child's assessment. He explained it is a great event every year and if you have not attended one in the past, he highly encourages you to go, it is a lot of fun and it is for a great cause.


Council President Greisen explained she and Mayor Backus attended a childcare meeting with the County via zoom and there is a lot of work being done in Columbia County to support our childcare desert that does exist. She explained as she and Mayor Backus have talked about in the past meetings, they would love to put this on the City's radar, have a representative who's been kind of walking them through all of this information come before Council and potentially next year Council can maybe focus on a Council goal that would focus on childcare in Scappoose. She stated tonight we passed a resolution to support the Scappoose School Bond. Just educating our community on the importance of investing in our youth and that has a lot to do with their learning environments and how safe they are and how productive they are. She gave an overview of the Traffic Safety Committee meeting. She explained many of you have probably seen that Councilor Miller has formally filed recently another lawsuit against the 911 District and she just wants to clarify that anything written or said regarding that lawsuit is not on behalf of the City, even the circumstances of which some representatives of our Police staff were removed from a meeting and were not known to the staff or to the Council, and that Councilor Miller is just acting in his own accord when it comes to that lawsuit.

Mayor Backus explained the Amani Center event was great. The childcare meeting today was great. There was a CET Board meeting last week and a lot of things are happening out there.

They did get an \$800,000 plus grant for an incubator, so OMIC is very excited about getting that started.

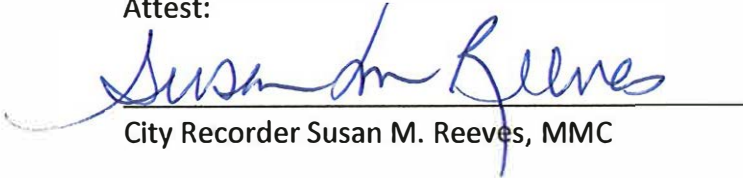
Adjournment

Mayor Backus adjourned the meeting at 8:59 pm.

A handwritten signature in black ink, reading "Joseph A. Backus", written over a horizontal line.

Mayor Joseph A. Backus

Attest:

A handwritten signature in blue ink, reading "Susan M. Reeves", written over a horizontal line.

City Recorder Susan M. Reeves, MMC