



# SCAPPOOSE *Oregon*

**MONDAY, JANUARY 22, 2024  
CITY COUNCIL MEETING  
REGULAR MEETING 7:00 PM  
COUNCIL CHAMBERS  
33568 EAST COLUMBIA AVENUE  
SCAPPOOSE, OREGON 97056**

Disclaimer: These minutes are intended to summarize the conversations that took place in this meeting rather than provide a full transcript. Anyone wishing to view the full conversation can find a recording of this meeting on YouTube at: [www.youtube.com/watch?v=t64NtsG25AU](http://www.youtube.com/watch?v=t64NtsG25AU).

## **Call to Order**

Mayor Backus called the January 22, 2024 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	Brian Jensen	Interim Public Safety Director
Tyler Miller	Councilor	Dave Sukau	Public Works Director
Jeannet Santiago	Councilor	Isaac Butman	Assistant to City Manager
Kim Holmes	Councilor	Susan M. Reeves	City Recorder
Andrew Lafrenz	Councilor		
Marisa Jacobs	Councilor		

**Remote:** Public Works Contract Manager Charlotte Baker; Legal Counsel Ashleigh Dougill (left at 8:08pm); Legal Counsel Ashley Driscoll (left at 7:43pm); Associate Planner NJ Johnson (left at 8:38pm); Toni Chaffee (left at 7:40pm); B. Jones (left at 9:00pm); Larry Lehman (left at 7:43pm); and an unknown caller (left at 7:18pm).

Mayor Backus presented City Manager Rains a plaque and thanked her for all she did for him during his first year.

## **Approval of the Agenda**

Mayor Backus explained he would like to move agenda item #6 to #2.

Council President Greisen moved, and Councilor Santiago seconded the motion to approve the amended agenda. Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; and Councilor Jacobs, aye.

**Public Comment**

Forrest Hornaday, Scappoose, is here this evening to discuss the issues he has had with one neighbor. He has complained to the City several times. He would like to ask for a barricade to keep his neighbors trucks off the City property at the end of their street because it is a flood area. He appreciates the Council helping him with this issue.

Mayor Backus thanked Forrest and let him know we will look into this and get back to him.

Joel Haugen, Scappoose, explained he and Pete McHugh are hopefully going to resurrect the annual memorial chess tournament in Scappoose. They did it before and they would like to bring it back again working with the City and the School District. He stated the City can help by publicizing it and as a backstop in case they can't work out the schedule at the School District. He stated their date request is April 6. He stated if the School District location doesn't work out, he would like Council to entertain the notion of hosting here on site.

Assistant to City Manager Isaac Butman explained the City has tentatively scheduled the Annual Town meeting for April 6.

Joel Haugen explained the backstop would be if they could use the Council Chambers, the library and the Watts House on April 6, from 9am to 4pm.

Councilor Miller asked Joel how many are they expecting?

Joel Haugen replied we will probably go over a hundred people.

Mayor Backus talked about possibly the Senior Center or the gymnasium at the High School.

Council thanked Joel.

**Consent Agenda ~ December 4, 2023 City Council work session minutes; and December 4, 2023 City Council meeting minutes**

Councilor Santiago moved, and Councilor Holmes seconded the motion to approve the Consent Agenda ~ December 4, 2023 City Council work session minutes; and December 4, 2023 City Council meeting minutes. Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; and Councilor Jacobs, aye.

## **New Business**

### **Discussion on the Remaining Funds for the Senior Center**

City Manager Alexandra Rains explained there was \$20,000 put into the City budget to help support the Senior Center for this year. We had ultimately decided to take a portion of that which was just shy of \$6,000 to pay PSU's Center for Public Service to do a program with them to assess the Center and do four trainings. That training has now concluded and in the packet, you will see the final report on what that entailed and the recommendations on how to help them moving forward. There is a balance around \$14,000 left over from that total amount and now the question to Council is now that they have gone through that project is there something specific you want to earmark that money for or is it that you're wanting to give them the money with full flexibility to fund whatever it is they see fit at this time.

Clara Pell, with the Scappoose Senior Center, stated she personally would recommend any funds they do get go into building maintenance, as their building does need repairs.

Mayor Backus asked City Manager Rains when looking at the PSU recommendations is there anything in there that the City would recommend that would be beneficial?

City Manager Rains replied she does think all of the recommendations in there are certainly worthwhile. She knows one that kind of jump out to her is there were several comments about needing legal counsel and some other assistance with the bylaw revision and items like that. She explained that could certainly be a candidate for the funds.

Clara Pell gave an update on all the changes they have made after taking the trainings.

Mayor Backus would like to see them work on their volunteer program.

Councilor Miller stated he would rather help prioritize things that build a stable foundation and that for him is bylaws and any organizational type aspects.

Samuel Ketchum, Treasurer for the Scappoose Senior Center Board, gave an update.

Council President Greisen thanked Samuel Ketchum for his work in setting a system in place. She acknowledges the sacrifices that the Senior Center has made in the last year plus, to really sort of resurrect what had become a total dumpster fire. She agrees with Councilor Miller in regard to help prioritize things that build a stable foundation. She talked about the City helping and guiding along the way with the Senior Center moving ahead. She explained she doesn't feel comfortable right now just fully releasing those funds, She would like to earmark them specifically for the short-term goals.

Councilor Miller stated one other suggestion that he would like to see is what's called continuity and that is making sure that once they do get their bylaws in place and a good

competent understanding of how they operate the business every day is that you get a training program so everybody understands what the bylaws are, and what the standard operating procedures are and that you create redundancy so there is not just one person that knows how to do the job, but at least two, because we do have turnover.

Samuel Ketchum explained they have created financial standard operating procedures.

Council thanked all those who attended from the Senior Center.

### **Interim City Manager Discussion**

Mayor Backus explained we are looking for an interim city manager. With the help of many we have had some names pop up and talked to a few about the position. He stated we have one that we want to focus on right now and Council has been given some information. The next step and what he is looking for tonight is an authorization to go into negotiation with Legal Counsel Ashley Driscoll to look at offering a contract.

Legal Counsel Ashley Driscoll explained it is her understanding that the City has narrowed it down to one candidate at the moment. The motion tonight after discussion is to approve moving forward with the appointment of Larry Lehman to fill the interim city manager position for the City of Scappoose and the direct Mayor Backus and herself to enter into contract negotiations with him.

Mayor Backus explained Larry's name came up from a recommendation of Mike Sykes. He explained he has spoke with people here at the City that have worked for him, and he talked to some of his references, and they all had good things to say about him.

Larry Lehman stated he did enjoy working for the City in 2014 and hopefully he can do a good job for the City this time.

Councilor Jacobs moved, and Councilor Santiago seconded the motion to approve Mayor Backus and Legal Counsel Ashley Driscoll to enter into negotiations to offer a contract with Mr. Lehman for Interim City Manager.

Councilor Miller asked do we have an idea of when we will ask Mr. Lehman to start, if approved by Council?

Larry Lehman replied February 5.

Mayor Backus explained if we can get to an agreement, it would go before Council on February 5 for approval, then he would start the next day, February 6.

Councilor Jacobs explained she had the opportunity to speak with Larry Lehman several weeks ago and she did thoroughly enjoy their conversation. She thinks for where we are at for an interim role, she thinks he will be very helpful in guiding us and helping us as we identify our full-time city manager. She has no hesitations with this motion.

Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; and Councilor Jacobs, aye.

Councilor thanked Legal Counsel Ashley Driscoll and Larry Lehman.

**Res No. 24-01: A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution No. 23-14**

City Manager Alexandra Rains explained the contracting rules were recently updated to reflect the new dollar thresholds associated with certain contracting requirements. The majority of the edits are just bringing the rules into line with the public contracting code.

Legal Counsel Ashleigh Dougill went over the proposals.

The staff report explains in September 2023, Council adopted new thresholds for small and intermediate procurements in accordance with recent legislative changes to these thresholds in state statute. These new thresholds became effective this month. After the adoption of the amendments to Resolution 23-14, City staff had the City's new legal team, Beery Elsner and Hammond, LLP, (BEH) review the City's contracting resolution. Upon completion of their review, BEH made recommendations for additional changes that would add clarity and efficiency to the City's procurement and contracting processes. Analysis: Exhibit A includes all proposed redlines to Resolution 23-14. However, staff would like to draw Council's attention to and provide an overview of the more significant proposed changes:

**Section A. Personal Services:**

Changes to this section are the most extensive being proposed to the City's current contracting rules. Personal services are highly specialized and the legislature has recognized that this is an area where cities often need more flexibility. Per ORS 279A.055, 279A.070, and 279B.050, the state allows cities the flexibility to adopt their own procurement methods and thresholds for personal services without requiring adherence to any contracting limits currently assigned to procurement rules for regular services. That said, staff and legal counsel are proposing that the City's contracting rules for personal services follow state law for regular services, for increased transparency and accountability, with the one exception of allowing direct appointments to be made by the City Manager for contracts with an estimated value of up to \$75,000 rather than \$25,000. This aligns with the current City Manager contract approval authorization cap and would not change when a contract would require approval from Council. It would however

increase efficiency for the administration of the City by making procurement of certain specialized services less difficult.

**Section B. Contracts for Construction-Related Personal Services:**

The additions to this section are substantial, however, they simply mirror state law and add significant clarity for staff when using this document.

**Section J. Disposal of Surplus Property:**

The proposed language allows authorized staff to determine what property is of no further use or value to the City via the surplus process. For single items with an estimated market value less than \$1,000, or a group of items with an estimated market value of less than \$5,000, the City Manager or their designee may declare such property as “surplus” and dispose of such item(s) by any means outlined within the resolution without Council approval.

**Section L. Notice of Intent to Award:**

This section provides specific procedures for noticing. These procedures are in accordance with state law and are already being followed. However, including this information in this document provides clarity for staff.

**Fiscal Impact:** No direct fiscal impact, although it greatly increases efficiency and clarity.

**Recommendation:** Staff recommends that Council adopt Resolution 24-01 – A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution 23-14 as written.

Councilor Miller explained he just wanted to confirm that 279A allows the City to create their own rules and that doesn't have to be at least as equal in requirements as the State's rules?

Legal Counsel Ashleigh Dougill replied it gets a little complicated. She explained 279A does permit you to adopt your own rules and that's in regard to the model policy and the model policy is what is in place if you don't do anything and that is in the OAR's. She stated however you still have to follow State Statute and there are a lot of requirements for procurement still set forth in State Statute. She explained a lot of what's here in Council Rules are the pull through of State Statute and then providing clarity to parts of Statute that are unclear in their opinion or that they have found legal interpretations for etc.

Councilor Santiago asked if we could implement the regulation which says that we can invite certified COBID firms to participate in solicitation processes? Is that something we can add to our policy.

Legal Counsel Ashleigh Dougill replied definitely you could if that is something you desired to do.

Councilor Santiago stated then she would like to add that to our procurement process.

There was a discussion on how this would be added into the contracting rules.

Councilor Miller wants to make sure this process isn't too time consuming or not even realistic.

Councilor Santiago stated it is just going into the COBID directory and then typing in the codes like you do on other sites. She stated this is just to encourage that we are inviting diverse, small businesses, women owned businesses to the solicitations, that is all it is.

Councilor Miller asked why don't we have Legal Counsel come back with proposed language that is legal and best tries to meet what Councilor Santiago is saying and then we review it at the next Council meeting.

Council thanked Ashleigh.

### **Purchase of American Flags and Hardware**

Public Works Director Dave Sukau went over the staff report. Should the City of Scappoose pursue installing American flags along the Hwy 30 corridor on appropriate holidays. On August 21st, 2023, Public Works Director Dave Sukau presented some options to Scappoose City Council for the installation of the American flag within the City on National Holidays. After some discussion and Council feedback, a method was identified in which the flags would be attached to the streetlight poles along Hwy 30 in a 45-degree manner @ 10'-12' above the sidewalk. This concept was presented to ODOT as the poles the City would be using are property of ODOT. After a series of communications with ODOT representatives and engineers, the City has been granted approval for this method. The only condition presented by ODOT is that the City will have to submit a permit application to ODOT for every time the flags will be presented. Scappoose Public Works has inquired into the purchase of the flags and necessary hardware and determined that this project would cost less than \$3,000.00 in materials. Installation would be coordinated with the CRPUD for the initial installation of the brackets. Flags would be installed by Public Works staff prior to each holiday. City Staff is seeking Council's approval to move forward with the procurement of the flags and hardware for this project in an amount not to exceed \$3,000.00.

Council President Greisen moved, and Councilor Miller seconded the motion that Council approve the procurement and installation of American Flags and hardware not to exceed \$3,000.00 for the purpose of flying American flags on appropriate holidays. Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; and Councilor Jacobs, aye.

### **RFP #2023-10 - Community Branding Project**

City Manager Rains went over the staff report. City Council adopted Goal #1, Objective #1: “Identify a process for community branding, prepare a scope of work and request for proposals (RFP)” to take effect during the current 2023-2024 Fiscal Year. Council and the Economic Development Committee (EDC) have had a collective 6 meetings in calendar year 2023 where community branding was a named topic of the agenda. Staff issued RFP #2023-10 - Community Branding Project on October 6, 2023 and the RFP closed on November 13, 2023. The RFP was widely advertised and the City received 11 proposals, which is significantly greater than RFPs for consultant services typically receive. The City allocated \$50,000 for this project. Each of the 11 proposers submitted a budget that exceeds this amount, with the most affordable proposal offering an estimated range of \$55,000-60,000 and the most expensive being \$175,200. In addition to being over the City’s initial budget, several proposers did not demonstrate a strong understanding of the project’s purpose or desired outcomes. For example, several firms assumed that the City was seeking support with developing document templates rather than discovering and promoting a *community* brand. Finally, the majority of proposers are from out of state and many proposed attending meetings and open houses virtually. This is not desirable because of the public-facing nature of this project with decision makers, stakeholders, and the community at large. According to advice from Legal Counsel, the City would need to reopen the RFP if it desires to change the scoring criteria or eligibility requirements. Currently, the City cannot select any of the 11 proposers and remain within budget since every proposed budget is greater than \$50,000. An adjustment to the Council Objective and/or the RFP is needed to proceed. Staff is seeking Council’s guidance on next steps. A list of options is provided in the Recommendation section. The City budgeted \$50,000 for this project. Depending on the direction of Council, funding from this project can be increased overall by providing additional funds in the upcoming Fiscal Year, significantly decreased to support a modified project scope, or eliminated if no further action on community branding is desired. Staff is seeking Council’s direction on Council Goal #1, Objective #1: Identify a process for community branding, prepare a scope of work and request for proposals (RFP).

Staff have identified the following options:

1. Provide \$\_\_\_\_\_ of additional funding in the upcoming Fiscal Year 2024-2025 budget to support a consultant contract greater than the \$50,000 currently budgeted for.
2. Reopen the RFP with the inclusion of the budget limit for this project and/or criteria that proposers must be able to attend every public meeting in person.
3. Rename Goal #1, Objective #1 to “Update the City’s logo using design materials from the 100-Year Centennial Event logo”, cancel the RFP, and seek a local business who would be willing and able to provide that service to the City.
4. Remove Goal #1, Objective #1 from the list of Council Goals, cancel the RFP, and take no further action on community branding.

Council and staff discussed the community branding project RFP process and how they want to proceed.

Councilor Holmes asked about circling back with the Economic Development Committee and see if they would like to take more of a leadership role in tackling some of this work.



City Manager Rains replied she feels the question is are they really willing to take on that level of effort because staff doesn't have capacity to really take that on, nor are we branding professionals.

Mayor Backus stated he appreciates all the work that has been done on this. He mentioned in one part of this it says at the end we're just buying a logo. He asked do we need this; do we need to dive into the scope and really go through all of this process?

Councilor Miller stated he has a problem paying \$50,000 for a logo design.

Council and staff discussed this more and Mayor Backus talked about tabling this for now.

Councilor Miller moved, and Councilor Jacobs seconded the motion to table Goal #1, Objective #1 from the list of Council Goals, cancel the RFP, and take no further action on community branding. Motion passed (7-0). Mayor Backus, aye; Council President Greisen, aye; Councilor Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; and Councilor Jacobs, aye.

Councilor Santiago suggested getting an RFI next time.

### **Announcements – information only**

#### **Calendar**

Mayor Backus went over the calendar.

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

City Manager Rains welcomed Interim Public Safety Director Brian Jensen back. She stated she is very grateful for her time here, everything she got to do, and everything she got to learn. She does really appreciate all the time she got to spend with staff. The team here is really, really good. She wishes Council all the best. She thanked Council.

Interim Public Director Brian Jensen thanked Council for having him back. He gave some updates on the Police Department.

Councilor Lafrenz welcomed Brian Jensen. He thanked Alex for everything she has done, along with helping him throughout the year.

Councilor Holmes thanked Brian Jensen for being here and helping out with the Department. She thanked Alex for her help this year in getting Council up and running, her door was always open. She stated they didn't always see eye to eye on things but it also speaks volumes when

they have really productive conversations around hard things. She always appreciated her approach and handling of that too. She wishes her the best!

Councilor Miller thanked Alex for everything that she has done and putting up with him. He wishes her the best in her career. He thanked Brian for coming back again and helping us out. He gave an update for the Columbia County Commissioner meetings he has attended in his role as liaison. He explained at the meeting the new emergency management director presented a new emergency plan for Columbia County. He explained larger cities have their own emergency management departments and they come up with their own plans. However smaller cities like Scappoose we defer to the County's emergency plan. As he was listening to him present to the County Commissioners the plan for adoption it became apparent that we probably need to interface with the County to come in and give City Council an overview of what the emergency plan is how and how that impacts Scappoose. He explained it seems like something we would really be interested in. He stated maybe that is something we can discuss more in goal setting. He explained at the January 10 County Commissioner meeting they had a public hearing regarding the revised next renewable fuels application for Clatskanie. He stated what was apparent is there was a lot more people being opposed to it, than people for it. He will get more information and give an update at the next City Council meeting. He stated Happy New Year!

Councilor Santiago thanked Alex for everything, good luck, and we appreciate your hard work. She explained she is excited to have Brian here.

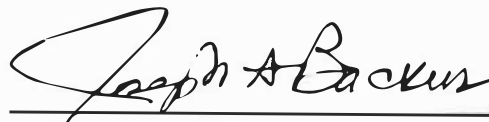
Council President Greisen explained she received a personal thank you today about how Public Works handled the weather in regards to how they handled the plowing and gravel. She was very grateful to see them to working while others weren't able to. She stated thanks! She explained in terms of Traffic Safety the schools have been at the top of their list the last several meetings. She explained Lieutenant Fluellen has organized a meeting for watching the buses and cars coming into the schools and what that looks like for pedestrians. She is also on the Site Council for Otto Petersen and the agenda item this week is parking lot safety. She explained this is definitely a priority for us and the School District. She thanked our first responders in our community. She talked about when there was a lockdown situation at the schools and when it came time for the students to be released there was a Scappoose Police Officer at the doors to assist with the release and made sure everyone was safe. She stated she is decided to see Brian back. She explained a document went out last week regarding contracting policing on our City social media, etc., and of course all the comments are going to be alarming or most the time defensive or unsure about those sorts of things. She can imagine if you don't sit at this desk it can be difficult to understand and that what may be discussed at these meetings amongst this group, trusting that this is the only location that occurs. She stated fortunately, there are public meeting laws that do hold us accountable, and legal counsel along with our City

Manager are assuring that we're all staying in line. She personally has not discussed approving any sort of contract policing here at the dais or outside of Chambers with any other Councilors and she fully trusts that the research that Councilor Holmes and Councilor Miller are initiating in terms of researching 24/7 police coverage that they are doing it with the best of intentions and without bias, just to provide information. At the root, the goal is to keep the citizens of Scappoose as safe as possible, and she is confident that these inquiries are merely that. From where she sits, no decisions have been made as a collective group, nor have previous discussions taken place and that the information currently being gathered would be used to provide the community with the opportunity to respond and give insight, whether that's in person or a survey and that discussions are to follow and those would happen in collaboration with our current Police Staff. She stated nothing would be done without having those conversations. She stated however it is her personal hope that we keep the Scappoose Police Department intact and functioning independently. We have made really tremendous progress with our staffing, and leadership changes. She stated at the city manager level things really got dealt with in the last several years under Alex, as well as the Police Chief level. Unfortunately, we've had some turnover there recently, but we have really pushed the department in a positive direction, and she has great hopes for the mentorship skills of our new Public Safety Director Brian Jensen, that he brings with him, and she looks forward to seeing Scappoose PD thrive in the future. She explained Alex's presence in a room makes you want to be a little more professional or a little more put together. She talked about how proud she is for all that Alex has done and accomplished at the City. She stated she is thankful to Michael for the opportunities he gave Alex. She stated Oregon City is very lucky to have her and she is sad to see her go, but she is excited and proud that she accepted the role, and she hopes they appreciate and value her for all that she brings. She wished Alex the best!

Mayor Backus thanked Brian Jensen for being able to come back and help the City. He thanked City Manager Rains for all she did to help him during his first year as Mayor. He stated Alex did a great job and he thinks she is going to do a great job in the next endeavor. He stated Scappoose is a special place and Alex is definitely a part of it and always will be.

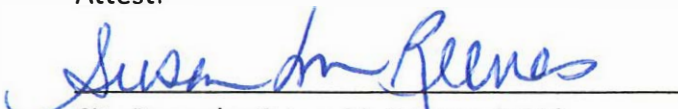
### Adjournment

Mayor Backus adjourned the meeting at 8:59pm.



Mayor Joseph A. Backus

Attest:

  
City Recorder Susan M. Reeves, MMC