



# SCAPPOOSE *Oregon*

## CITY COUNCIL

MONDAY, JUNE 3, 2024

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=TLaNW8Abuds](http://www.youtube.com/watch?v=TLaNW8Abuds).

### Call to Order

Mayor Backus called the June 3, 2024 City Council meeting to order at 7:06 pm.

### Pledge of Allegiance

### Roll Call

Joseph A. Backus	Mayor	Larry Lehman	Interim City Manager
Tyler Miller	Council President	Brian Jensen	Interim Public Safety Director
Jeannet Santiago	Councilor	Susan M. Reeves	City Recorder
Kim Holmes	Councilor	Dave Sukau	Public Works Director
Andrew Lafrenz	Councilor	Charlotte Baker	Contract Administrator (left at 7:48pm)
Marisa Jacobs	Councilor		
Ty Bailey	Councilor		

**Remote:** Paul Vogel (left at 7:34pm); Doug Bean (left at 8:21pm); and Timmi Sue Hald (joined at 8:02pm)

### Approval of the Agenda

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

### Public Comment ~ Items not on the agenda

Betsy Johnson, Warren, explained her husband has a business in Scappoose. They had a little incident out at the airport the other day and the Scappoose Police Department responded so professionally and so courteously, and at the time when people have plenty of bad things to say

about the police, she wanted to come down tonight and thank the Scappoose Police for their incredible professionalism. The issue resolved itself. The resolution is in process right now, but the Scappoose Police were absolutely seminal in getting things started in the right direction, it will resolve well, and she just wanted to use this public occasion in front of the Council to say thank you.

**Consent Agenda ~ May 20, 2024 City Council work session minutes; May 20, 2024 City Council meeting minutes; May 23, 2024 Special City Council meeting minutes; Contract Authorization – Maple Street and Commerce Drive Sidewalk Infill; Resolution No. 24-04: A Resolution Approving an Intergovernmental Agreement Between the City of Scappoose and the City of St. Helens; and Resolution No. 24-06: A Resolution Declaring Police Department Surplus Property**

Councilor Santiago moved, and Councilor Bailey seconded the motion that Council approve the Consent Agenda ~ May 20, 2024 City Council work session minutes; May 20, 2024 City Council meeting minutes; May 23, 2024 Special City Council meeting minutes; Contract Authorization – Maple Street and Commerce Drive Sidewalk Infill; Resolution No. 24-04: A Resolution Approving an Intergovernmental Agreement Between the City of Scappoose and the City of St. Helens; and Resolution No. 24-06: A Resolution Declaring Police Department Surplus Property. Motion passed (7-0). Mayor Backus, aye; Council President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

## **New Business**

### **Electric Supply Update**

Columbia River PUD General Manager Michael Sykes and Engineering Manager Branden Staehely handed out a letter and explained they are here to give an update.

Michael Sykes explained the last time they were here they really appreciated the dialogue they had with the Council. He explained one thing they have learned is this is really a region wide issue. Since they last met with the Council, they have really been spending a lot of time and energy working with Bonneville and their staff to try to determine what they can do about our particular use. He explained they recently had a meeting with several organizations to discuss the constraints that the whole region is sharing. He and Branden gave an overview of those meetings.

Branden Staehely explained after meeting with Bonneville they came back with that we could extract an additional 100 megawatts in our service territory with a 26-mile line upgrade that's already has existing right of way. He stated that's kind of the good news out of the deep dive that was performed in one caveat is that's a local look at our service territory. He explained there could be some other constraints outside of that to get that 100 megawatts, but that gave Columbia River PUD some direction to kind of head with and so with that information, they were then able to kind of articulate some of an ask and that's kind of what is in that letter. He

explained it was a joint effort with Michael and some of our staff to put it together and kind of get that in front of the BPA Administrator to kind of see what issues that having good constraint transmission system brings to our service territory and kind of what it means to everyone here.

Michael Sykes explained what he feels the next steps are regarding this.

Paul Vogel, Columbia Economic Team (CET) Executive Director, explained he wanted to thank Michael, Branden and the PUD Board for the work and leadership around this issue. He explained Columbia River PUD is really aggressively moved forward, having filed three studies really in addition to the Armstrong request and that sort of action and putting money where your mouth is, is what gets the attention of Bonneville Power and all the transmission of authorities in the northwest. He stated somebody had to do that and the PUD has done it. He explained Mike has sent a letter to BPA Administrator Hairston, as he mentioned, and he would like to ask the Council to consider sending a companion letter with the one that Mike sent. He explained CET is going to do that, and they are also going to work with the PUD on a letter to the delegation. There is no substitute for multiple channels and multiple appeals and multiple perspectives to the Bonneville Power Administration. They are a Federal Agency, and they are responsive to pressure and they're also responsive to the relationship building that Mike and his staff are doing through this transmission look. He stated so that would be one thing. He stated you've already done another thing and that is critical and that is joined together with the PUD on the project, Spice LLIR, and that was a significant statement to the property owners who has spent 10s of millions of dollars preparing that site. He stated it is a huge statement to Project Spice, which is a project that we are now in the finals for. We're one of three sites they're looking at in Oregon. We're very confident that we are the best site in Oregon, and we expect a position very well in an upcoming site visit. He explained simply the ability to say that the request has already gone in and that the Columbia Commerce Center is in the power queue you cannot overstate what an important statement that is to both the customer and the landowners. He explained there is another project in Saint Helens which is the restart and repurposing of the Saint Helens mill. With the startup power for Project Spice and rest or cap, we're still under capacity, but this is still a massive problem for us to solve and the PUD is leading the way in getting the engineering and the electron information that we need to do that. He would encourage the City Council to consider sending a letter doing a memorial, whatever the City Council considers its strongest statement in support of not only the PUD, but resolution of these issues with Clatskanie PUD and other BPA customers in the region.

Mayor Backus thanked Paul Vogel.

Interim City Manager Larry Lehman explained the Urban Renewal Agency joined with the PUD on a \$50,000 study for this.

Betsy Johnson thanked Columbia River PUD and the City.

### **Allocation of CEP Funds**

Mayor Backus went over the proposed allocated funds.

**EXHIBIT B (REVISED)**

2024 Community Enhancement Project Grant Cycle Allocations			
Organization	Project	Request	Proposed Allocated Funds
Amani Center	Forensic Assessments	\$5,000.00	\$5,000.00
CASA	Advocacy for Foster Children	\$5,000.00	\$4,826.77
Columbia County Hub	Youth Entrepreneurship Program	\$5,000.00	\$3,211.77
Grant Watts Parent Organization	Community Garden	\$2,849.25	\$2,849.25
Kiwanis	Youth Rec Center	\$5,000.00	\$3,901.77
Riverside Community Outreach	Fostering Success	\$5,000.00	\$4,118.22
Sande School of Horsemanship	Facility Expansion for Therapeutic Programming	\$5,000.00	\$3,326.77
Scappoose Community Club	Live Music at the Farmers Market	\$2,000.00	\$2,000.00
Scappoose Historical Society	Holiday Light Fight	\$4,700.00	\$2,311.77
Scappoose Library - Earth Day	Earth Day	\$1,000.00	\$1,000.00
Scappoose Library - Movies in the Park	Movies in the Park	\$2,000.00	\$2,000.00
Scappoose School District Chess Club	Mike Sheehan Chess Tournament	\$3,260.00	\$1,526.77
Scappoose Senior Center	Double Deep Fryer	\$4,936.00	\$3,226.77
United Way Columbia County	Dolly Parton Imagination Library	\$1,500.00	\$1,500.00
<b>Total</b>		<b>\$52,245.25</b>	<b>\$40,799.86</b>
<b>Total Eligible Requests for 2023</b>	<b>\$52,245.25</b>		
<b>Grant Funds Available</b>	<b>\$40,804.00</b>		
<b>Dollar Amount of Unfunded Eligible Requests</b>	<b>\$11,445.41</b>		

Councilor Santiago moved, and Councilor Holmes seconded the motion to approve the proposed allocation of 2024 CEP funds. Motion passed (7-0). Mayor Backus, aye; Council President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

### **Contract Authorization – Wastewater Treatment Plant Phase I Project**

Public Works Director Dave Sukau and Contract Administrator Charlotte Baker went over the staff report. Authorization of contract and negotiations for the Wastewater Treatment Plant Phase I Project. In 2018, the City's Sewer Facility Master Plan was updated by Carollo Engineers. They stressed the need to make changes and updates to address operational issues and accommodate growth, including UV bank replacement, hydraulic improvements, a new headworks and influent pump station and operational improvements. These improvements "address immediate failing process/equipment and provide redundancy/reliability" to the

system, as well as accommodating growth and managing hydraulic deficiencies. The Wastewater Treatment Plant Phase I improvement project arose out of the needs outlined in the Sewer Facility Master Plan. The engineering for this project was completed by Consor Engineers. Consor was also responsible for putting this project out to bid, as well as evaluating bids received by the City. The purpose of the Wastewater Treatment Plant Phase I Improvements project is to construct a new headworks building, a new grit separator, a new washer compactor, a new aeration basin, a new blower building and electrical room, new UV disinfection channel, new utility water pump station, and modify the existing effluent pump station, including adding new electrical service and updating existing electrical components and the SCADA system, and upgrading the existing influent pump station. In addition to the Plant improvements, the Contractor will construct a housing for the City's new Biosolids Dryer within the existing pole barn on-site. This will require selective demolition, a new concrete slab and equipment pads, and installation of the dryer and its associated equipment, including boiler, scrubber and conveyors, and electrical service hookup. The City published the Invitation to Bid (ITB) for this project on April 16, allowing potential bidders several weeks before submittal. A mandatory pre-bid meeting was held on April 30. Only bidders present at this meeting were considered for this project. The engineer's estimate provided by Consor was \$12.5 million; potential bidders were apprised of this estimate. However, the bids received by the City were significantly higher than engineers had initially estimated. Consor speculates that this is due to the significant increase in the cost of concrete between the time the engineer's estimate was completed several months ago and now. The bids received for this project are as follows:

JW Fowler	\$19,616,951
R&G Excavating	\$17,377,600
McClure and Sons	\$16,384,397

As stated previously, these bids are significantly higher than what the City had anticipated. However, due to the time sensitive nature of the work due to funding deadlines, as well as the necessity of this work being completed to ensure the ongoing function of the City's Wastewater Treatment Plant, City staff and Consor Engineers feel it is in the best interests of the City to award this contract to the lowest bidder, McClure and Sons. In order to bring down costs, City staff plan to negotiate bid items with McClure and Sons. Staff and Consor both believe this project can be value engineered to get a more favorable price for the City while maintaining the integrity of the project. Our request to Council is to approve the City entering into a contract with McClure and Sons, knowing that the ultimate contract price will likely be lower than the stated price of \$16,384,397. The contract price is negotiable but will not exceed \$16,384,397. This contract is funded by the Department of Environmental Quality's State Revolving Fund, as well as American Rescue Plan Act funds distributed by Business Oregon. Staff recommends that the Council authorize City Manager Lehman to enter the City into a contract with McClure and Sons to complete the Wastewater Treatment Plant Phase I Improvements Project.

Council and staff discussed this agenda item.



Councilor Bailey moved, and Council President Miller seconded the motion that Council authorize City Manager Lehman to enter the City into a contract with McClure and Sons to complete the Wastewater Treatment Plant Phase I Improvements Project, not to exceed \$16,384,397. Motion passed (7-0). Mayor Backus, aye; Council President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

**Resolution No. 24-05: A Resolution amending Resolution No. 21-13**

Public Works Director Dave Sukau went over the staff report. A Resolution amending Resolution No. 21-13 by including the use fee in the annual rate adjustments. City Staff is proposing one update to Resolution No. 21-13, Section 6: Index. The City Council has determined that the base and use charge shall increase annually by 2.5% or the CCI, whichever is greater. Staff recommends Council adopt Resolution No. 24-05 as presented.

Councilor Jacobs explained her request moving forward is if staff can come and show Council more holistically of what we're looking at versus doing piecemeal because ultimately Council is the ones who have to answer to individuals that approach them. She has already been approached by several residents that saw the notice in the newsletter and asked her what is going on.

Council and staff discussed this agenda item further.

Mayor Backus asked about having information explaining increases in the newsletter.

Councilor Holmes moved, and Councilor Lafrenz seconded the motion that Council adopt Resolution No. 24-05: A Resolution amending Resolution No. 21-13. Motion passed (7-0). Mayor Backus, aye; Council President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Interim City Manager Larry Lehman explained in the future Council could look at adding a certain amount of water that would be included with the base fee.

Public Works Director Dave Sukau replied keep in mind there might be a fee associated with that, which would be included in the base rate.

**Discussion on Scappoose Municipal Code 2.24.020 ~ The police force of the city shall consist of a chief of police and all necessary policemen to be appointed and serve as prescribed by the city charter regarding other officers. (Ord. 233 § 2, 1961)**

Mayor Backus explained this came to Council's knowledge within the last month of so that the code language does say the police force will have a police chief. He explained after discussing this they asked Interim City Manager Lehman to try to come up with something to get us up to code.

Interim City Manager Larry Lehman read a memo to Council. "All of you are aware of the Police Department has had difficult times for many years. We believe it is turning around. Our goal is to set the department up on the right track and work towards the Council goal of having a professional, fully staffed, community-oriented department. We have worked hard with the Police Guild to develop and a contract that is both affordable to the city and offers wages and benefits adequate to attract top notch officers. We anticipate proposing a new contract to you before the end of June. We currently have three out of eight patrol positions vacant. Effective a week ago, the city is paying no wages to any individual who is not working. We will have one Sergeant position open no later than August 1st. The city is going to be advertising the vacant positions with the hope of having them all filled by the end of 2024. Brian Jensen, the current Public Safety Director will be appointed as temporary police chief until December 31, 2024. He does a psych evaluation tomorrow and is expected to be recertified by DPSST for 18-month period within two weeks. The appointment will be as a temporary employee. On his own discretion he has indicated he will not be accepting medical coverage in other coverage not required by law. This is the savings of approximately \$2,000 per month over a full-time employee. His contract will include a 30-day severance clause, allowing the new city manager to make changes before the end of six months if he's inclined to do so. Toward the end of this six-month period, the hope is that we'll be fully staffed with experienced employees and allow the new manager to appoint a chief from within the department or if necessary to advertise to hire one from without". He stated that's a program we've laid out now for the next six months trying to get the department in a good operating mode.

Mayor Backus stated he appreciates this, and he thinks for the last six months we have been going in the right direction. He asked by doing this does this qualify?

Interim City Manager Lehman replied he would be a certified officer.

Council President Miller asked about the requirements. He also asked why is it changing from 10 days to 30 days?

Interim City Manager Larry Lehman replied they are following the requirements and DPSST will accept what they are doing. He explained his thought process behind extending it to a 30-day severance.

Council and staff discussed this agenda item more.

Councilor Lafrenz explained there is a lot of reasons this makes sense, and he supports this.

#### **Discussion on cancelling the July 1, 2024 City Council meeting**

Councilor Santiago moved, and Councilor Jacobs seconded the motion to cancel the July 1, 2024 City Council meeting. Motion passed (7-0). Mayor Backus, aye; Council President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Lafrenz, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

## **Announcements – information only**

### **Calendar**

Mayor Backus went over the calendar.

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

Interim City Manager Lehman asked Council if they have any interview questions or updates, please let him know. He went over the Waste Management rate increase that was provided in the packet.

Interim Public Safety Director Jensen gave an update on the Police Department.

Councilor Bailey congratulated the Class of 2024! He thanked Carol and those putting together the newsletter.

Councilor Jacobs explained Summer Festival is this Saturday. She gave an overview of what they will be doing at the next Parks and Recreation Committee.

Councilor Lafrenz thanked City staff for all their hard work.

Councilor Holmes congratulated the 2024 grads! She explained at the Summer Festival there will be a tent for the City. She thanked Dave, Susan, and Laurie for quickly getting things together.

Councilor Santiago explained she is excited about the Summer Festival. She thanked Interim City Manager Lehman for his proposal. She explained she has been to The Lodge food carts.

Council President Miller followed up on getting information for a booth at the County Fair, as he has not seen anything yet. He also congratulated the graduates.

Mayor Backus thanked JJ and Jeff for their hard work on Summer Festival. Congratulations to the Scappoose Baseball Team. He thanked Dave for doing the tour on the interview day.

**Adjournment** ~ Mayor Backus adjourned the meeting at 8:43pm.

  
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Mayor Joseph A. Backus

Attest:

  
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City Recorder Susan M. Reeves, MMC