



SCAPPOOSE *Oregon*

**MONDAY, JUNE 17, 2024
CITY COUNCIL MEETING AGENDA
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=HrhOJa_0aeM.

Call to Order

Mayor Backus called the June 17, 2024 City Council meeting to order at 7:00 pm.

Pledge of Allegiance

Roll Call

Joseph A. Backus	Mayor	Dave Sukau	Public Works Director
Tyler Miller	Council President	Susan M. Reeves	City Recorder
Kim Holmes	Councilor	Carol Almer	Finance Administrator
Marisa Jacobs	Councilor	Laurie Oliver Joseph	Community Development Director
Ty Bailey	Councilor	Chris Fluellen	Police Lieutenant
		Charlotte Baker	Contract Administrator

Excused: Councilor Jeannet Santiago; Councilor Andrew Lafrenz; and Interim City Manager Larry Lehman.

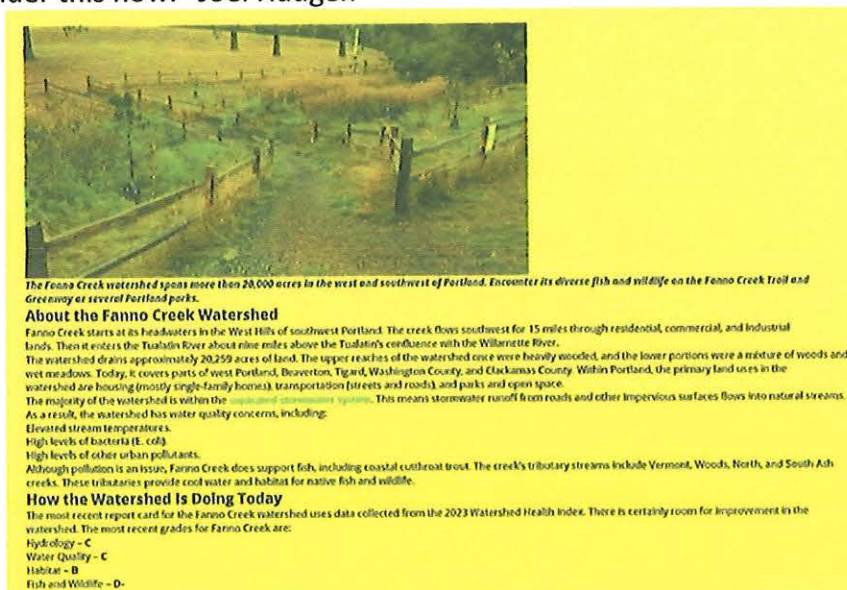
Remote: Beth Rajski; unknown caller; Leonard Waggoner (left at 7:15pm); unknown caller (joined at 7:20pm and left at 7:22pm); and unknown caller (joined at 7:36pm).

Approval of the Agenda

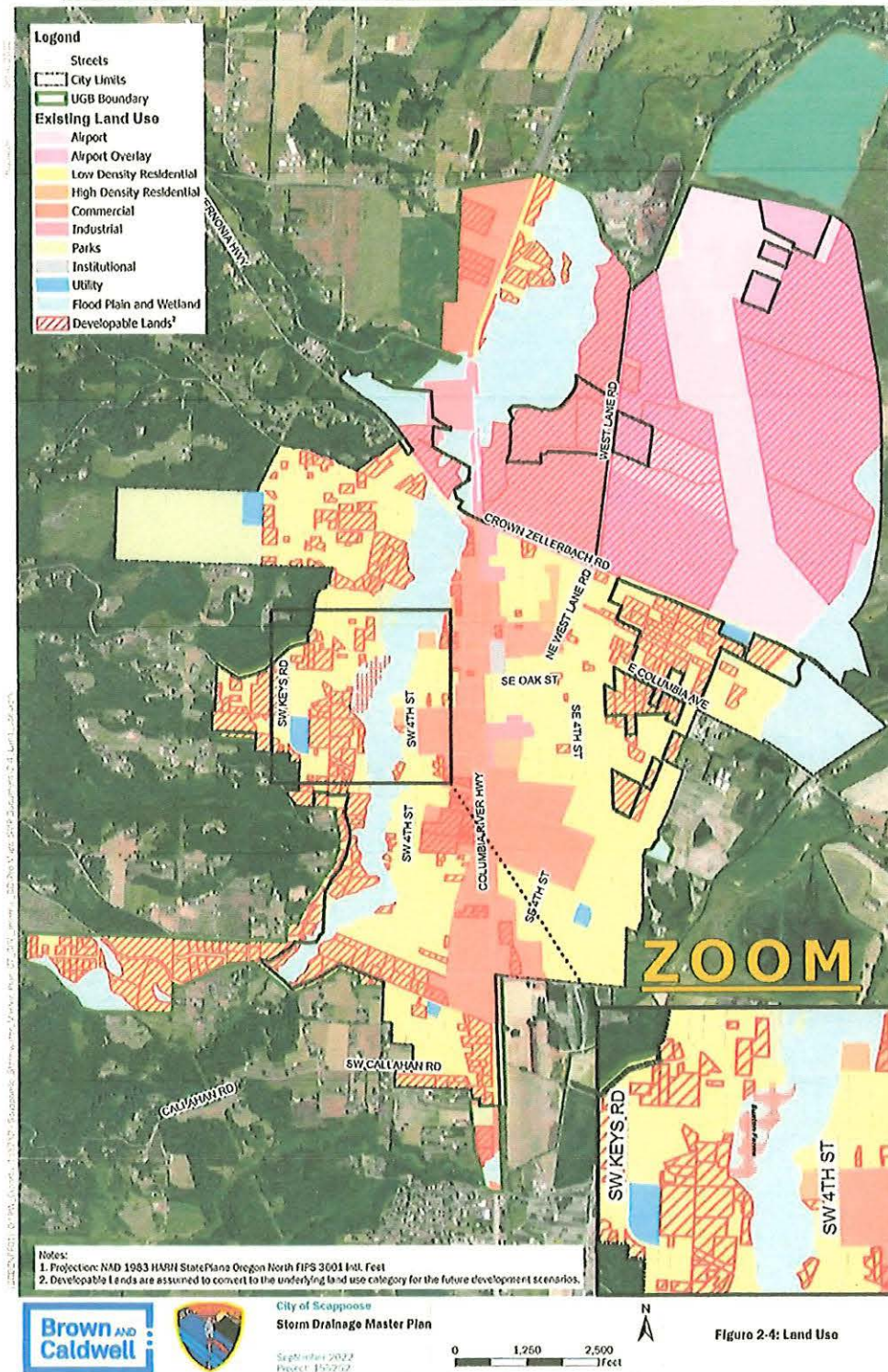
Councilor Holmes moved, and Councilor Bailey seconded the motion that Council approve the agenda as amended with removing agenda item number 3 and replacing it with discussion of appointment of acting city manager effective July 1, 2024. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Public Comment - Items not on the agenda

Joel Haugen, Scappoose, read a statement into the record. "Using the context of the ongoing 50-Year Scappoose Plan, fifty years ago the City of Tigard wisely established the Greenway along their portion of Fanno Creek right after their first flood insurance study conducted by the Corp of Engineers (COE) was completed. This move was taken to protect themselves from increased peak flood flows due to urbanization. Since FEMA ONLY studies and maps floodplains based on existing conditions hydrology, further development which may occur in the future is not considered. The City of Tigard did something unique. They established a ZERO RISE FLOODWAY, which means the increase between the un-encroached hydraulic model run and the encroached model run, specifies the width of a floodway cannot be more than 0.04 feet anywhere along the creek instead of the standard 1.0-foot rise that FEMA requires as a minimum. This means the mapped floodway, or the NO BUILD ZONE, will be much wider than it would have been with just the standard 1.0-foot rise. Tigard had the COE establish this zero-rise floodway as part of the original FIS completed in the mid-1970s. This decision saved their residents millions of dollars in damages from the massive November 1996 flood, estimated at that time as a 30-year return interval flood. Not to be confused with the February 1996 flood. However, the wider revised floodway remained mainly within the Greenway except in the downtown area. A developer submitting a CLOMR-F, based only on existing peak flow conditions, can squeeze the floodway further than it has already been mapped. Such narrowing of the floodway worsens downstream flooding because they are then allowed to fill and elevate the floodplain outside the narrow floodway. This is called the loss of floodplain storage, which IS NOT ALLOWED in the Portland Metropolitan area since 1990. The South Scappoose Creek Watershed and the Fanno Creek Watershed cover about the same acreage and have comparable challenges. Given the current Scappoose 50-Year planning efforts, it would be highly desirable to establish a greenway along South Scappoose Creek consistent with the 2023 adopted Stormwater Master Plan (see second page) to improve, preserve & protect this area for future generations; hence this public comment. Once this opportunity is gone, it is gone, so please do consider this now." Joel Haugen



2023 Stormwater Master Plan P.34



Consent Agenda ~ June 3, 2024 Executive Session minutes; June 3, 2024 City Council meeting minutes; Resolution 24-07 A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution 24-01; and Resolution No. 24-08: Extending Workers' Compensation Coverage to Volunteers

Councilor Bailey moved, and Councilor Jacobs seconded the motion that Council approve the Consent Agenda ~ June 3, 2024 Executive Session minutes; June 3, 2024 City Council meeting minutes; Resolution 24-07 A Resolution Adopting Public Contracting Rules and Procedures and Repealing Resolution 24-01; and Resolution No. 24-08: Extending Workers' Compensation Coverage to Volunteers. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

New Business

Scappoose student Catania Fenstermaker took Second Place at the State level of the OMA "If I Were Mayor..." Student Contest. Congratulations, Catania!



Mayor Backus & Catania

Appointment of Acting City Manager

Council President Miller moved, and Councilor Bailey seconded the motion to appoint Public Works Director Dave Sukau as Acting City Manager starting July 1, 2024 until the new city

manager is hired. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Council President Miller talked about compensation for Public Works Director Dave Sukau while covering the city manager duties.

Council President Miller moved, and Councilor Bailey seconded the motion that Council approve Public Works Director Dave Sukau being compensated at the same rate as Interim City Manager Larry Lehman's pay rate. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Resolution No. 24-09: A Resolution of the Council of the City of Scappoose Authorizing the City Manager to Enter into a Loan Agreement with the Department of Environmental Quality for the Purpose of Funding the Wastewater Treatment Plant Phase I Improvements and Repealing Resolution 20-03

Public Works Director Dave Sukau went over the staff report. At the January 21, 2020 meeting, Council authorized the City Manager to enter into a loan agreement with the Department of Environmental Quality's Clean Water State Revolving Loan Fund for \$6,430,600. In the four years since that initial loan agreement was signed, the cost of construction has risen significantly, and it has become clear that \$6.4 million is not enough to complete the project. The City is currently in talks with McClure and Sons to complete the project; their bid was over \$16 million. In light of that, the City would like to increase the loan amount to \$20 million to ensure the entire project is paid for. The interest rate and loan forgiveness amount remain the same; they are 1.88% and \$500,000, respectively. There is also a 0.5% fee to be paid annually. The loan will be paid off over a 30-year period. Staff recommends City Council authorize the City Manager to proceed with the DEQ Clean Water State Revolving Fund Loan increase for construction of the Wastewater Treatment Plant Phase I Improvement project.

Mayor Backus asked when would the interest start accruing, and we start making payments?

Contract Administrator Charlotte Baker replied interest accrues as you draw from the loan. The first payment would be within six months after project completion.

Councilor Holmes moved, and Councilor Jacobs seconded the motion that Council authorize the City Manager to proceed with the DEQ Clean Water State Revolving Fund Loan increase for construction of the Wastewater Treatment Plant Phase I Improvement project. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Increase contracting limit for Smith Road Pump Station Project

Public Works Director Dave Sukau went over the staff report. In September 2023, the City entered into a contract with Rotschy, Inc. for design-build services for the Smith Road Pump Station project. At that time, Council gave approval for a contract totaling \$1,066,000. Now that the design phase is coming to a close and the construction phase is about to begin, the contractor has been able to provide a more complete picture of what will be required to complete the project. As a result, they are requesting additional funds for construction. The initial contract was for \$1,066,000.00, and the contractor has now quoted a guaranteed maximum price of \$1,142,437, an increase of \$76,437.44. However, staff would request that Council provide approval for a contracting limit up to \$1,200,000. While staff does not anticipate going over the \$1,142,437.44 quoted by the contractor, this would allow enough wiggle room to cover future expenses that may arise as the construction phase of the project begins. The total increase requested by the contractor is \$76,437.44. Staff is requesting an increase up to \$134,000 over the original price of \$1,066,000, for an approval of up to \$1,200,000. Staff recommends that Council authorize the City Manager to approve a contract increase with Rotschy, Inc. up to \$1,200,000.

Council President Miller moved, and Councilor Bailey seconded the motion that Council authorize the City Manager to approve a contract increase with Rotschy, Inc. up to \$1,200,000. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Fiscal Year 2024-2025 Budget

Hold a Public Hearing to determine if the City should elect to receive State Shared Revenues

Finance Administrator Carol Almer explained the process in order to receive State Shared Revenue.

Public Hearing

Mayor Backus opened the public hearing at 7:25pm and closed it due to no one wanting to speak on this matter.

Resolution No. 24-10: A Resolution Certifying that the City of Scappoose Meets All Requirements to Receive State Shared Revenues for Fiscal Year 2024-2025

Resolution No. 24-11: A Resolution Declaring the City's Election to Receive State Revenue for Fiscal Year 2024-2025 for the City of Scappoose

Councilor Bailey moved, and Councilor Jacobs seconded the motion that Council adopt Resolution No. 24-10: A Resolution Certifying that the City of Scappoose Meets All Requirements to Receive State Shared Revenues for Fiscal Year 2024-2025 and Resolution No. 24-11: A Resolution Declaring the City's Election to Receive State Revenue for Fiscal Year 2024-

2025 for the City of Scappoose. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Adopting the City of Scappoose 2024-2025 Budget

Resolution No. 24-12 Hold a Public Hearing on the proposed Approval budget for the Fiscal Year 2024-2025, Making Appropriations, Imposing the Tax, and Categorizing the Tax

Finance Administrator Carol Almer explained this would adopt the budget with the updates in the staff report.

Public Hearing

Mayor Backus opened the public hearing at 7:32pm and closed it due to no one wanting to speak on this matter.

Councilor Holmes moved, and Councilor Bailey seconded the motion that Council adopt Resolution No. 24-12 Hold a Public Hearing on the proposed Approval budget for the Fiscal Year 2024-2025, Making Appropriations, Imposing the Tax, and Categorizing the Tax. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Resolution No. 24-13: A Resolution Establishing all Fees and Charges for the City of Scappoose and Rescinding Resolution No. 23-11: 2024-2025 Fee Resolution

Public Works Director Dave Sukau explained annually the City updates the fee schedule and that is what Council has before them.

Community Development Director Laurie Oliver Joseph went over the Community Development fees.

Public Hearing

Mayor Backus opened the public hearing and closed it due to no one wanting to speak on this matter.

Councilor Jacobs moved, and Councilor Holmes seconded the motion that Council adopt Resolution No. 24-13: A Resolution Establishing all Fees and Charges for the City of Scappoose and Rescinding Resolution No. 23-11: 2024-2025 Fee Resolution. Motion passed (5-0). Mayor Backus, aye; Council President Miller, aye; Councilor Holmes, aye; Councilor Jacobs, aye, and Councilor Bailey, aye.

Announcements – information only

Calendar

Mayor Backus went over the calendar.

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

Public Works Director Dave Sukau explained there is a lot going on in the Public Works Department. He explained he is very appreciative of Larry Lehman being here. He explained Larry's experience has been really beneficial. He also stated Larry's energy to make improvements here has been unmatched, and that says a lot.

Mayor Backus thanked Finance Administrator Carol Almer for her budget information in the newsletter. He explained maybe in the fall we can talk more about the Urban Renewal.

LT Fluellen gave an update on the Police Department.

Councilor Jacobs explained the Parks and Rec Committee is meeting this Thursday and they will be prioritizing their projects for the rest of the calendar year.

Councilor Holmes thanked all the Councilors who participated in the City booth for the Outdoor Fest and all the staff that very quickly assembled all the resources for them. She thinks it made a nice experience for them engaging with the community. She explained the community did leave them some nice thoughts about things they love about the community, which she shared with all by having it posted in the Chambers. She thanked JJ and the Library for all of the hard work. She stated we look forward to future years.

Council President Miller thanked JJ and all the volunteers that helped make the Outdoor Festival possible. He read part of Resolution No. 22-11 regarding fireworks since we are approaching 4th of July, Independence Day. He explained this can be found on the website as well.

Mayor Backus thanked JJ and explained we will have a recap of the Outdoor Festival, probably next month. He thanked staff for their help with the city manager interview process. He talked about Career Day at Grant Watts and explained he appreciates the City staff for assisting with that. He talked about the flags that were put up over Memorial Day weekend.

Executive Session ~ ORS 192.660 (2) (a) Employment of Manager or Attorney

Mayor Backus went in Executive Session at 7:54pm and read the opening statement for the Executive Session ~ ORS 192.660 (2) (a) Employment of Manager or Attorney.

Present: Mayor Joseph A. Backus; Council President Tyler Miller; Councilor Kim Holmes; Councilor Marisa Jacobs; and Councilor Ty Bailey.

Remote: Consultants Bob Larson.

Excused: Councilor Jeannet Santiago and Councilor Andrew Lafrenz.

Return To Regular Session

Mayor Backus came into open session at 9:06pm.

Present: Mayor Joseph A. Backus; Council President Tyler Miller; Councilor Kim Holmes; Councilor Marisa Jacobs; Councilor Ty Bailey; and City Recorder Susan M. Reeves.

Remote: Consultants Bob Larson.

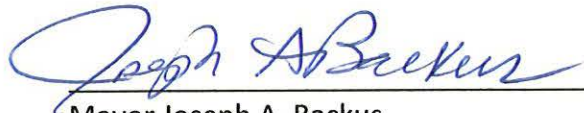
Excused: Councilor Jeannet Santiago and Councilor Andrew Lafrenz.

Authorize Employment Contract for City Manager

There was no action taken on this agenda item.

Adjournment

Mayor Backus adjourned the meeting at 9:06pm.



Mayor Joseph A. Backus

Attest:



City Recorder Susan M. Reeves, MMC