



# SCAPPOOSE *Oregon*

**Monday, September 15, 2025**

**City Council Meeting Minutes**

**Regular Meeting 7:00pm**

**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=mMNIY\\_OI4kc](http://www.youtube.com/watch?v=mMNIY_OI4kc).

## **Call to Order**

Mayor Backus called the September 15, 2025 City Council meeting to order at 7:03pm.

## **Pledge of Allegiance**

## **Roll Call**

Joseph A. Backus	Mayor	Benjamin Burgener	City Manager
Tyler Miller	Council President	Chris Fluellen	Police Chief
Jeannet Santiago	Councilor	Susan M. Reeves	City Recorder/HR
Marisa Jacobs	Councilor	Laurie Oliver Joseph	Community Development Director
Joel Haugen	Councilor		

**Remote:** Councilor Kim Holmes (left at 9:02pm); Assistant City Manager/City Planner N.J. Johnson (left at 9:02pm); Nicole Ferreira (left at 7:08pm); Amy Prince (left at 7:48pm); Alicia Heiges; and one unknown caller (left at 8:48pm).

## **Approval of the Agenda**

Councilor Jacobs moved, and Council President Miller moved to approve the agenda as amended; move agenda item # 5 to agenda item #2; move agenda item # 4 to agenda item #3; and add a new agenda item # 4 the announcement of Councilor Jacobs' resignation and how Council can move forward to fill the two vacancies today. Motion Passed (6-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Jacobs, aye; and Councilor Haugen, aye.

## **Public Comment**

Alicia Heiges, Scappoose, read her public comment ~ City Manager Evaluation September 15th, 2025. "Good evening, Mayor and Council. My name is Alicia Heiges, and I am a resident of

Scappoose. I have reviewed the draft City Manager evaluation tool, and I want to highlight how the standards outlined in this draft compare to the conduct we have seen from Mr. Burgener. Starting with Accountability and Transparency — the draft stresses integrity, honesty, and credibility. Yet, I have still not heard back from Council since the last meeting, despite making a formal request for a response. Instead, it was Mr. Burgener himself who replied, even though the complaint was about him. Allowing the subject of a complaint to control or limit the Council's response directly undermines the very accountability this draft tool calls for. Looking at Council Relations — the draft emphasizes open communication and respect for the governing body's role. By inserting himself into a matter that should have been addressed by the Council, Mr. Burgener disregarded your oversight responsibility and created the appearance of conflict of interest. On Citizen Relations — the draft outlines the importance of building public trust by listening and responding. Yet dismissing or redirecting citizen complaints without a Council-led review does the opposite. It damages public confidence and signals that leadership is not accountable to the community. When it comes to Leadership and Staff Accountability — the draft requires the City Manager to model ethical behavior, set standards, and ensure accountability at all levels. In practice, we have seen the opposite. Repeated staff misconduct and violations have gone unchecked under his supervision. From my own experience, every complaint I submitted regarding staff was quickly dismissed as if it had no merit, even when supported by evidence. My concerns were never validated, and no corrective actions were taken. This approach fosters a culture where misconduct is ignored and accountability is absent. Consistency of Standards is another concern. It is troubling that Council created a brand-new evaluation tool for Mr. Burgener when an evaluation process already existed for the previous City Manager. Why not use the same tool? How can performance be fairly compared if the benchmarks are different? This choice raises questions about whether the intent is true accountability, or simply a way to delay meaningful evaluation. Finally, the issue of timing. When is this evaluation actually supposed to take place? Each time I bring serious issues before you, the Council votes to cancel the next meeting. That does not appear to be an effort to address problems, it gives the impression that they are being ignored or minimized. And we cannot overlook the last evaluation of Mr. Burgener, where Council approved a cost-of-living wage increase despite misconduct concerns. Even worse, that raise was backdated into the budget and, by appearance, made it easier for him to purchase a more expensive home, as if he had not researched the housing market here before accepting this position less than a year ago. Council President Tyler Miller, you have spoken about transparency and accountability. I am waiting to see those values demonstrated through Council's actions, not just words. We still need answers from the last meeting, and the lack of response is unacceptable. With ongoing misconduct by both Mr. Burgener and Chief Fluellen, the question must be asked: why is Council not responding with urgency? Thank you."

**Consent Agenda ~ August 18, 2025 City Council work session minutes; and August 18, 2025 City Council meeting minutes**

Councilor Jacobs moved, and Council President Miller moved to approve the Consent Agenda ~ August 18, 2025 City Council work session minutes; and August 18, 2025 City Council meeting

minutes. Motion Passed (6-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Jacobs, aye; and Councilor Haugen, aye.

### **New Business**

#### **Oath of Office for Patrol Officer Jacob Bernhard**

Mayor Backus reaffirmed the Oath of Office for Patrol Officer Jacob Bernhard. Congratulations Officer Bernhard!

#### **Appointment of Student Representative**

Councilor Haugen moved, and Councilor Santiago seconded the motion that Council appoint Tyler Ferreira as Student Representative. Motion Passed (6-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Jacobs, aye; and Councilor Haugen, aye.

Welcome Tyler!

#### **Councilor Marisa Jacobs Resignation**

Councilor Jacobs explained as stated earlier unfortunately due to competing priorities in her life, she had to make the tough decision to resign from Council effective immediately. However in weighing this decision and understanding where we are as a Council especially given we had two applicants, with speaking with City Manager Burgener today, if there is an opportunity within our Code for Council to be able to essentially waive the notice period given that we have gone through that step already and we have two, in her opinion qualified candidates, which she thinks they would be good additions to the Council. She is also thinking about this for the long term for the team. Her thought process here is what's important is having a whole holistic team come January for the goal setting. She stated putting two people on the team now that are qualified and available would help give these two individuals time to get acclimated to this rhythm and cadence and then be able to get up to speed and then you can go into a successful goal setting session as a cohesive team for next year.

City Manager Burgener explained the current process/procedure.

Mayor Backus, Council, and staff discussed the Council vacancies into more detail.

Councilor Holmes moved, and Councilor Haugen seconded the motion that Council suspend the rules on vacancy notification and consider the two candidates that have applied. Motion Passed (6-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Jacobs, aye; and Councilor Haugen, aye.

Mayor Backus read Resolution No. 25-21: A Resolution Declaring a Vacant Position on the City Council for the City of Scappoose.

Councilor Haugen moved, and Councilor Santiago seconded the motion that Council approve Resolution No. 25-21: A Resolution declaring a vacant position on the City Council for the City of Scappoose. Motion Passed (5-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; and Councilor Haugen, aye.

### **Appointment of new City Councilor**

Marty Marquis was appointed by the vote of the Council to the Council position ending December 2028.

John Riutta was appointed by the vote of the Council to the Council position ending December 2026.

### **Oath of Office for new Councilor**

Oath of Office for Councilor Marquis was administered by City Recorder Susan Reeves. Congratulations Councilor Marquis!

Mayor Backus thanked Marisa Jacobs for all her help over the years. Councilor Jacobs left the meeting at 7:43pm.

### **Run With Neil Event October 4, 2025**

Amy Prince gave an overview of the Run with Neil Event that will be held on Saturday, October 4, at the Scappoose High School.

**Run With Neil**  
Saturday, October 4  
Scappoose High School

1K Fun Run  
3K & 5K Routes  
5K Virtual Run

All ages and abilities are welcome.

Get ready for a morning filled with family fun, fundraising, competition and making memories together as a community!

Register Online

Run With Neil is a 501(c)(3) providing youth with resources for mental and physical well-being.  
For more info visit: [runwithneil.org](http://runwithneil.org)

Mayor Backus thanked Amy for the information.

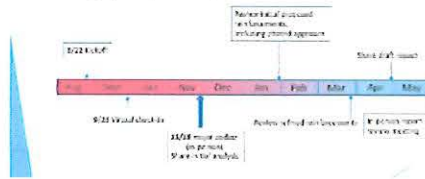
### Columbia River PUD Presentation

General Manager Michael Sykes, and Engineering Manager / Assistant General Manager – Branden Staehely went over their presentation.



## Deliverables

- A list of projects that expand local load serving capability
- Roughly how much load each of those projects enable and where that load can be interconnected
- A proposed phased implementation



## Load Combinations

### Studied Customer POCs and Load Instruments

- **Clatskanie POC (2020)**
  - Alton 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Alton 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
- **Clatskanie POC (2020)**
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
- **Clatskanie POC (2020)**
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV
  - Clatskanie 115 kV - Added load from 115 kV, 115 kV, 115 kV

0-700 MW

0-470 MW

0-450 MW

0-400 MW

## Clatskanie & Columbia River PUD



- Reinforce the 115 kV system by bringing 230 kV reinforcement from the north and south

Description	Miles	kV	Rebuild Type
New Oriskany 230/115 kV transformer	14.3	115	Rebuild transformer
Alton Oriskany 115 kV line upgrade	14.3	115	Rebuild double
New St. Helens 230/115 kV line (joint with PGE)	23	230	Rebuild double
Alton St. Helens 115 kV line upgrade	23	230	Rebuild double
New 230 kV line from St. Helens to the Clatskanie airport	6	230	New single
New 230 kV line from the Clatskanie airport to PGE T-joint	3	230	New single
New intermediate substation on PGE T-joint		230	Three breaker ring bus
Two new St. Helens 230/115 kV transformers (joint with PGE)		230/115	transformers
Two new Forest Grove 230/115 kV transformers		230/115	transformers
Kaiser Forest Grove #1 115 kV line upgrade to 230 kV	10.5	230	Rebuild single
Kaiser Forest Grove #2 115 kV line upgrade to 230 kV	10.5	230	Rebuild single
Forest Grove-Carlton 115 kV line upgrade to 230 kV	10	230	Rebuild single
Forest Grove-Robert 115 kV line reconductor	1	115	Reconductor single
Reconductor on existing Sheslay-Carlton 230 kV dual-circuit line		230	Line work
New 115 kV line from Carlton to the Cascade Top on Sheslay-Carlton 230 kV line	9	115	New single
Reconductor on existing 230 kV line serving Cascade Street	6.3	230	New 230 Breakers
New Cascade Street-McMinnville 230 kV line	2	230	New 230 Breakers
Carlton-McMinnville 115 kV #1 line upgrade to 230 kV		230	Rebuild double
Carlton-McMinnville 115 kV #2 line upgrade to 230 kV		230	Rebuild double
Replace Carlton-McMinnville 115 kV line with 230 kV		115	Rebuild double

Table 1.1: Proposed POCs expected projects

DISP. PRE-DECISIONAL

- Significant 230 KV expansions are needed to serve the maximum requested loads.
- Only partial reliability analysis has been conducted so far.
- More analysis is needed to determine the constructability of the preferred expansion.
- The scope of this study is similar to a dozen LLRS.
- This study does not replace the existing processes (LLR and TSR).
- Thank you to the PARS customers for input all along the way.

## Potential Next Steps



### Next steps include:

- Decide on preferred portfolio of projects to move forward
- Full reliability analysis to refine the expansion portfolio
- Cost allocation
- Coordination with other projects in the Portland area
- Determine project prioritization and phases

Mayor Backus and Council thanked Michael and Branden.

## Request by Carmen Haun for early connection (prior to annexation) to City water and sewer services

Community Development Director Laurie Oliver Joseph went over the staff report. The Community Development Center received an email (Exhibit A of the staff report) from Carmen Haun, trustee/owner of property located at 34106 E Columbia Ave, on August 7, 2025, which stated that the well on the property that was recently purchased for her 93 year old father is unsafe to drink and requested that the City allow the property to connect to City water service as soon as possible (prior to annexation). Additionally, the Planning Department was contacted by the County Sanitarian, who alerted the City that the septic tank on this property was failing and would need to be repaired or replaced. However, since public sewer is available along the frontage of the property and the property abuts City limits and is eligible for annexation, a sewer repair permit cannot be granted by the County and annexation must occur instead so that the property can connect to the public sewer line. The Haun property is abutting City limits along its western property line and its E Columbia Ave frontage and is within the Urban Growth Boundary (see Vicinity Map, Exhibit C of the staff report). Analysis: The City of Scappoose Municipal Code (SMC) generally prohibits connections to City water and sewer services for property not within City limits. However, under certain circumstances, such as health and safety reasons, early connection (prior to annexation) can be approved by Council. The following are applicable sections of the SMC which discuss the prohibition of connection outside City limits and how this can be allowed by Council for health and safety reasons:

SMC Chapter 13.04.020 – Water Mains

B. Extension of water mains within the corporate limits of the city may be made by the water department, but such extensions will be made only when, in the judgment of the city council, it is economically feasible. Outside users may be connected to the city water system upon a two-thirds affirmative vote of approval by the city council, it being the policy of the city that no outside users will be connected to city water.

[..]

2. Allow the construction of certain public facilities, including water lines, sanitary sewer lines and storm sewer lines outside the Urban Growth Boundary when it is beneficial to the City from an engineering or operational basis, and in regard to water line extension, in specific scenarios where such extension might provide the potential for recovery of required improvement costs. However, the City will not allow any connections to these facilities except for health and safety reasons, and only when alternative solutions have been proven unviable. As stated in the email received from Carmen Haun (Exhibit A), the well water, which was tested on July 3, 2025, by Alexin Analytical Laboratories, contains coliforms, making the water unsafe to drink. The water is being used for other household purposes; however, a water dispenser is being used for drinking water. The water dispenser is an alternative solution for now, but Carmen's 93- year-old father has short term memory loss and there are concerns about him not remembering to drink from the water dispenser only; therefore, early connection to water services has been requested. Chapter 13.12 – Sewer Service System, states the following: 13.12.100 Limits of hookup--City limits. It is declared to be the policy of the city that there will be no sewerage hookups to property outside the city limits of the city.

And,

13.12.090 Revision and modification of rules, regulations and charges. The city council may from time to time as the occasion may demand or require, and in the council's sole discretion within the requirements of state statutes, and the city charter, make such modifications, revisions and additions to the rules and regulations as may be deemed necessary and in the interest of the city. Rates and charges for sewer service, connection charges, cost of side sewers, and extensions of sewers shall be revised as necessary and required in the general public interest and to meet financial obligations relating to the construction, maintenance, repair and efficient operation of the entire system. As previously stated, the Planning Department was contacted by the County Sanitarian, who alerted the City that the septic tank on this property was failing and would need to be repaired or replaced. However, since public sewer is available along the frontage of the property (physically available) and the property abuts City limits and is eligible for annexation (legally available), a septic repair permit cannot be granted by the County(1) and annexation must occur instead so that the property can connect to the public sewer line. It is clear that the Municipal Code prohibits connection to City sewer services to properties outside of City limits; however, Section 13.12.090 gives Council the sole discretion to modify the rules for sewer services (within the requirements of state statutes and the City charter) when it is deemed necessary and in the interest of the City to do so. In conformance with ORS 222.115, a City may enter into a contract with a landowner whereby a landowner consents to eventual annexation of their property in exchange for extraterritorial City services, in this case, sewer and water services. After discussions with the City Attorney, City Manager, City Engineer, and Public Works Director, there was consensus that this matter

should be forwarded to Council for a decision on whether or not to allow early connection to City water sewer, as long as the property owner entered into an annexation agreement, in conformance with ORS 222.115. In consultation with the City Attorney, staff drafted the attached annexation agreement (Exhibit B of the staff report), which specifies that the property owner has 90 days in which to submit an application for annexation, and would be required to pay half of the annexation fee at the time the annexation agreement is executed, with the other half due at the time the annexation land use application is received. In exchange for signing the agreement, the owner would be allowed to connect to City water and sewer services once the applicable permits (plumbing and right of way) have been issued, and all applicable connection fees have been paid. Staff have had discussions with the trustee/owner, Carmen Haun, and she is in support of this approach. Additionally, Carmen has hired a land use consultant to assist her through the annexation process and staff held the required annexation pre-application conference with Carmen and consultant Erica Smith on (1 Where public sewer is physically and legally available, septic repair permits cannot be issued by the County) September 3, 2025. This makes clear their intent to annex into City limits once the annexation application is prepared and ready to be submitted. Annexations, which require 35 day-notice to the state (DLCD) prior to the first evidentiary hearing, one Planning Commission hearing, one Council public hearing/first reading of the ordinance, and a second Council meeting for the second reading of the ordinance, can be a lengthy process to get through. By allowing early connection to water and sewer, the Council will alleviate any ongoing health and safety concerns, while still having assurance that annexation will occur.

Options:

1. Direct the City Manager to enter into an annexation agreement with the owner allowing early connection to City water and sewer services, in conformance with ORS 222.115, using discretion given to Council by Section 13.04.020 and 13.12.090 of the SMC.
2. Do not direct the City Manager to enter into an annexation agreement with the owner and require that they complete the annexation process first.

Staff recommends that Council direct the City Manager to enter into an annexation agreement with the owner allowing early connection to City water and sewer services, in conformance with ORS 222.115, using discretion given to Council by Section 13.04.020 and 13.12.090 of the SMC.

Council President Miller moved, and Councilor Marquis seconded the motion that that the Council direct the City Manager to enter into an annexation agreement with the owner allowing early connection to City water and sewer services, in conformance with ORS 222.115, using discretion given to Council by Section 13.04.020 and 13.12.090 of the SMC. Motion Passed (6-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Holmes, aye; Councilor Haugen aye; and Councilor Marquis, aye.

**Ordinance No. 923: An Ordinance of the City of Scappoose Amending Scappoose Municipal Code Chapter 13.24 Regulating System Development Charges For Residential Fire Sprinklers**

Community Development Director Laurie Oliver Joseph went over the staff report. HB 3505, which has an effective date of January 1, 2026, prohibits a local government from imposing a new or increased system development charge for the installation of a residential sprinkler system or for the increased capacity of a water meter for the sprinkler system. With a number of new homes requiring sprinkler systems in the near future, Community Development Center staff wish to amend the Municipal Code to reflect HB 3505 now rather than waiting until its effective date. Analysis: System Development Charges (SDC's) are one-time fees that local governments and utilities charge to new developments to help pay for the infrastructure needed to support growth. These charges are intended to fund the expansion of public facilities, ensuring that new developments contribute their fair share to the costs of roads, water, sewer, stormwater, and parks. SDC's in Oregon are authorized under ORS 223.297 to 223.314, which sets out guidelines for how local governments can establish and administer these fees. The City of Scappoose collects System Development Charges (SDC's) for connections to the municipal water system based on the size of the water meter installed. Wastewater SDC's are also based on water meter size since there is a direct correlation between the amount of wastewater generated and the size of the water meter (e.g., the larger the water meter, the more wastewater potentially produced). A typical home most often requires a ¾" water meter to meet its needs. The water meter size is determined by calculating a property's total peak water demand, primarily using the Water Supply Fixture Unit (WSFU) method, which assigns values to various water fixtures like sinks and toilets. The number of fixture units, along with factors like the developed length of the pipe, the elevation of the highest fixture, and the existing water pressure, are used to determine the necessary meter size. Pressure loss and manufacturer specifications for flow rate and meter type are also critical considerations. For a home that requires a fire sprinkler, the typical meter size needed to meet fire flow requirements in addition to the residential uses is 1-inch rather than the more typical ¾-inch meter. There are a number of factors that may trigger the need for fire sprinklers, including but not limited to, a house that is set back more than 150-feet from the street (like a home on a flag lot with a long driveway) or because a home is on a dead-end street. The City previously kept the ¾-inch meter cost the same as the 1-inch meter cost through the adoption of Resolution 14-21; however, that resolution has since been repealed since it was an amendment to a previous fee resolution and each time a new fee resolution is adopted it repeals the previous one. To respond to HB 3505, and to memorialize this policy in a long-term manner, staff propose to amend Scappoose Municipal Code Chapter 13.24 – System Development Charges to include the below language in Section SMC 13.24.100 – Exemptions (attached as

Exhibit A of the staff report to Ordinance 923):

E. If a customer installs a National Fire Protection Association 13D residential fire sprinkler system, the City shall not charge the customer SDC's in connection with (1) the system's installation, or (2) the difference between the increased capacity of a water meter required by the system and the capacity of the water meter that would otherwise be required without the system installed. If the customer subsequently adds additional fixture units necessitating the need for a larger water meter to meet its residential needs, beyond what would be needed without the fire sprinkler system installed, the customer will be required to pay the difference of the water and wastewater SDC for the larger meter at the current rate, then in effect.

Staff worked with the City Attorney on the appropriate code language, which mirrors the reference to the specific type of residential sprinkler codified in HB 3505(1). The last sentence in the amended language was added to address a concern that the Public Works Director had in regard to ensuring that the City (1 The National Fire Protection Association 13D standard establishes the minimum requirements for the installation of automatic fire sprinkler systems in one- and two-family dwellings and manufactured homes. It is designed specifically for life safety, meaning its primary goal is to allow residents enough time to escape during a fire) collects the appropriate water and wastewater SDC based on fixtures units, in the event that additional fixture units are added at a later date which would have necessitated a 1-inch meter even without the fire sprinkler system. By keeping the cost of a 1-inch meter the same as a ¾-inch meter for homes that require a fire sprinkler, it means that the developer will not pass the higher cost for the 1-inch water and wastewater SDC onto the homebuyer. The current combined SDC fees based on a ¾-inch water meter for water and wastewater are \$16,410.79 (water \$10,579.78, wastewater \$5,831.01) and for a 1-inch water meter are \$27,350.82 (water \$17,632.96, wastewater \$9,717.86), for a total difference of \$10,940.03. Fiscal Impact: The City is required to make this change, as stated in HB 3505. The total fiscal impact is dependent on the number of new homes that would require a 1-inch water meter vs a ¾-inch meter due to the need for a residential fire sprinkler system. The exact number of homes this applies to during the next fiscal year is estimated to be 6 (all within the Dutch Cayon Estates Phase 4 subdivision). Staff is unsure when building permits will be issued for the Buxton Estates subdivision, but all 44 homes in that subdivision require sprinklers, based on the fire code and conditions of approval. Staff recommends that Council adopt Ordinance 923, thereby amending SMC 13.24.100 as shown in Exhibit A of the staff report, to comply with HB 3505.

Mayor Backus opened the public hearing at 8:31pm.

Fire Chief Pricher stated Mr. Mayor, Council president, members of the Council, thanks for the opportunity to speak about this ordinance. He explained as he gets started he just wanted to point out a couple key things that hopefully will help influence your decision. He stated first and foremost got to thank City staff. When you look at your Council goals, #1, which is all about communication and collaboration. We spent a lot of time collaborating on this and we have in the past, which I think is important. The Fire District's role is all about community risk reduction and this ordinance falls in line with community risk reduction, which also touches on Council goal #3, which is health and safety. When we look at new construction in communities, the big challenge for the fire service is we can't put those fires out fast enough. The homes are built with engineered timber, so you're seeing smaller dimensional lumber, a lot of glue lam construction and when those things come under fire, they burn super-fast, and we can't get there fast enough to slow the spread of fire down. So putting sprinklers in these new homes is really important now. We are conditioning into what homes that we can put sprinkler systems into. There are very specific conditions that allow us to make that as a requirement, and so we are very judicious when that happens. He talked about a question regarding passing costs on, historically what happens is people will either lose out on an opportunity to actually finance their home because the builders do pass on the cost and the cost of a sprinkler system is anywhere from \$6,000 to \$10,000, depending on the size of the home. A lot of times we argue

with the developers about what's more important, a granite countertop, a set of stainless-steel appliances or something that's going to basically have a fire fighter on duty 24 hours a day, seven days a week, which is what you get with the sprinkler system. He stated going back to our conditions for when we require these, one of the significant impacts to our community is anytime we have a fire loss, the insurance companies look at that fire loss and that affects our potential rating within the community. Right now, we are at an ISO class 3, which is probably the lowest you could see in a community our size. He wants to say there's about 1600 fire agencies out of 30,000 in the Country that are at an ISO class 3. He stated ISO class 1 is the best rating. He explained that the Fire District strongly supports the city staff in their proposal with this ordinance because again it really goes to the importance of the health and safety of our community.

Council, Staff and Chief Pricher had more discussion on this ordinance.

Council President Miller moved, and Councilor Marquis seconded the motion that the Council adopt Ordinance 923, thereby amending Scappoose Municipal Code 13.24.100 as shown in Exhibit A of the staff report, to comply with HB 3505.

Mayor Backus read the title for the first time ~ Ordinance No. 923: An Ordinance of the City of Scappoose Amending Scappoose Municipal Code Chapter 13.24 Regulating System Development Charges For Residential Fire Sprinklers.

### **Work Session ~ City Manager Performance Assessment Tool: Functional areas and performance assessment**

Councilor Holmes addressed the earlier public comment as to why the city manager performance assessment tool is being looked at, at this time. She explained we have been operating off a prior assessment tools, and she knows that this Council in particular we have gone through a couple of cycles of it. They have always struggled with it because with our Council and City Manager form of government, the tool that they had frankly asked for assessment areas that we as Council don't have real good visibility into those performance areas and so they felt using that tool couldn't offer a meaningful evaluation. As part of a thoughtful process that created a couple of touch point opportunities to provide feedback to the city manager this became kind of another element of that and we decided that we wanted to revise the assessment tool to be something that is much more meaningful. She does want to recognize, though, that we will have a couple of new Councilors on board, so we may want to reconsider the timing for review and feedback of this. She stated that's one question she would pose. What we had planned was we were hoping to go through this draft tool. In prior work sessions we kind of identified the key performance areas we wanted to assess or the functional areas that we wanted to look at and so that's what you see reflected in budget and finance, leadership, creating a culture of innovation and accountability, missions and values, communication with staff and relationship building and community relations in our governmental relations. Those were kind of the key functional areas and then we have the performance areas that we've identified within those and then we've drafted some questions

that we would pose that we would put a rating against to try to assess performance. The idea is this performance tool would be utilized not only by Council but would also be available to staff to offer anonymous feedback and to the city manager themselves to also assess their performance and then we would look at the ratings kind of side by side, identifying kind of where there's strengths and opportunity areas for development. That's what we have as the draft tool tonight. Recognizing the time though and kind of some of the changeover that we've had on Council, she asked how far do we want to go into review of this today and if we didn't go deep into review today and allowed the two new Councilors some time to review, could we tack this on to the work session that we're having for the 50 year on September 30<sup>th</sup>, maybe tack on an extra half hour before then? She thinks one of the outcomes of this evening, if we were able to give a substantive, if Council, were able to give some substantive feedback, we were going to then see if this were ready to send to perhaps the department heads and the city manager for their input, just to make sure that we've captured all of the key performance areas, but maybe so we don't lose time, she asked is that a step that we would want to take to get together their feedback over the next two week so we're dealing with everyone's feedback at the same time.

Councils' consensus was to move ahead with Councilor Holmes' suggestion.

Councilor Holmes asked City Manager Burgener if he would be able to circulate this to Department Heads and ask them to send her feedback within a week.

City Manager Burgener replied, yes, he will send this out to them tomorrow.

Council President Miller moved, and Councilor Santiago seconded the motion to extend the meeting past 9:00pm. Motion Passed (5-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Santiago, aye; Councilor Haugen aye; and Councilor Marquis, aye.

Council President Miller stated the topic that he wanted to bring up related to the city manager performance assessment tool is the proposed rating skills that Council talked about during that meeting was basically a one through five or one through three rating scale. He would like us to think a little bit more about just three very specific rating criteria and that's needs improvement, meets expectations and exceeds expectations. He explained the reason is because he thinks the point scale just kind of creates confusion and they're open to interpretation. If you keep it very simple, there's no room for misinterpreting needs improvement, meets expectations or exceeds expectations. He thinks it's clear, it's concise, and especially as new Councilors rotate in, there's going to be different definitions for each counselor as to what 1, 2, 3 or 1, 2, 3, 4, 5 means. He thinks needs improvement, meets expectations and exceeds expectations are very specific and doesn't need any further explanation.

Councilor Holmes replied this is one of the considerations that we'll need to come back to in the next discussion is do we have a preference for a three-point reading system or a five-point

reading system. She thinks they both have pros and cons. Having three offers, some pretty clear and discreet rankings, but you are a little bit limited as well.

There was a discussion on having the next work session on October 6 instead of September 30.

### **Announcements – information only**

Councilor Holmes thanked Councilor Jacobs and stated it was certainly unexpected news, but she respects her decisions and has really appreciated her contributions to Council, it has always been very thoughtful and respectful dialogue. She wishes her well. She looks forward to working with both Marty and John, and Tyler.

### **Calendar**

Mayor Backus went over the calendar.

**Updates: City Manager; Police Chief; Councilors; and Mayor** (This tab includes Department reports)

City Manager Burgener explained the League of Oregon Cities conference is in Portland this year, during the first week of October. He explained staff has identified several ordinances that have State organizations do a lot of what we are asking for in the ordinances and so as we look through these and look for potential recommendations for amendments is the Council more in favor of not duplicating efforts and sticking with what we can impact or duplicating those efforts. He explained the three that we are looking at right now are the liquor license, social gaming ordinance and even the massage business, where there's already State organizations that do a lot. With the liquor license we don't even really have approval, as we just give recommendations for that and with that one specific. We already have a process in place we're just making sure it's up to date with our code. It was done with a resolution and an ordinance, we're just putting them together, so it's easy to map together. He explained this is more of a preference of the Council to keep with what we have and duplicate those or to remove areas that are already the State's responsibility. He gave an update on the basalt well.

Community Development Director Laurie Oliver Joseph explained she checked with ODOT who the City will be in a kickoff meeting with, hopefully at the beginning to middle of October for the St. Helens to Scappoose trail.

Chief Fluellen congratulated the new Councils. He explained it was great working with Councilor Jacobs. He gave an update on the Police Department.

Student Representative Ferreira explained he is really excited to be working with the Council.

There was a discussion on what information the Student Representative could bring to Council.

Councilor Marquis explained he is pleased to be up here. He thanked everyone for their hard work.

Councilor Haugen explained the School District enrollments are off the charts and they have added more teachers. He talked about the State is suggesting that they are going to have a billion-dollar shortage in federal funds that are being pulled and next year up to five billion.

Councilor Santiago stated she is sad to see Councilor Jacobs leave but she totally understands. She welcomed Marty, John and Tyler and stated she is happy to have them on board and is looking forward to working with them all.

Council President Miller thanked Marisa for her service. He welcomed Marty and Tyler.

Mayor Backus welcomed Marty, John and Tyler.

### **Adjournment**

Mayor Backus adjourned the meeting at 9:29 pm.



Mayor Joseph A. Backus

Attest:



City Recorder/HR Susan M. Reeves, MMC