



SCAPPOOSE *Oregon*

**Monday, October 20, 2025
City Council Meeting
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=wrAt9wVIJDo.

Call to Order

Mayor Backus called the October 20, 2025 City Council meeting to order at 7:14pm due to technical difficulties.

Pledge of Allegiance

Roll Call

Joseph A. Backus	Mayor	Benjamin Burgener	City Manager
Tyler Miller	Council President	Chris Fluellen	Police Chief
Kim Holmes	Councilor	Susan M. Reeves	City Recorder/HR
Joel Haugen	Councilor		
Marty Marquis	Councilor		

Tyler Ferreira Student Representative

Excused: Councilor Jeanett Santiago; and Councilor John E. Riutta

Remote: Alicia Heiges

Approval of the Agenda

Mayor Backus proposed updating the agenda to add a discussion on cancelling the November 3, 2025 City Council meeting and to add a Veterans Day Proclamation.

Councilor Haugen moved, and Councilor Holmes seconded the motion to approve the agenda as amended. Motion Passed (5-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Holmes, aye; Haugen, aye; and Councilor Marquis, aye.

Public Comment ~ Items not on the agenda

Alicia Heiges, Scappoose, submitted (via email) and read her public comment into the record.

Public Comment – Scappoose City Council Meeting, October 20th, 2025

Good evening, Mayor Backus and Council members.

My name is **Alicia Heiges**, and I am a **resident of Scappoose**. I'm here tonight to address ongoing failures in transparency, accountability, and equal protection under the law. These failures have eroded public trust and revealed a pattern of self-protection and concealment within city leadership.

The Budget and Spending Decisions

When the City discussed potential **budget cuts** to address the deficit, there was no mention of reviewing or dissolving the **Assistant to the City Manager** position previously held by **Isaac Butman**.

That was a full-time salaried role. If eliminated, those funds should have reduced the deficit.

If the salary was absorbed elsewhere, taxpayers deserve to know where and why. The public cannot trust financial management when even basic staffing and spending changes are hidden from view.

Public-Records Requests and Accountability Failures

On **May 15th, 2025**, I submitted a **public-records request** for employee contracts. The City released several, including **Norm Miller's** and **Brian Jensen's**, but refused to release those for **Chief Chris Fluellen** and **Steve Lougal**.

Before I ever contacted **Council President Tyler Miller**, staff told me Fluellen "isn't part of the police union and is a city employee."

That's not a lawful reason to withhold a taxpayer-funded contract.

When I later reached out to **Tyler Miller**, he supported the refusal rather than promoting transparency.

When I asked for police training records, I was quoted **\$1,866.82** for information that's *freely available* on the **DPSST** website.

Those records show **Chief Fluellen** didn't earn his *management certification* until **March 4th, 2025**, long after being appointed Acting Chief in **July 2024**.

Even more concerning, **Officer Steve Barnes**, despite documented misconduct, was **never disciplined** and instead transferred to the **Washington County Sheriff's Office**.

This city has a **culture of self-protection**, not accountability.

The September 2024 School-Threat Incident

Both the **Scappoose Police Department** and the **Scappoose School District** withheld critical information about the September 2024 school-threat incident. There *was* a gun brought onto campus, but it was **not** by my son.

The official SPD report, **Case #240043172** shows **Officer Barnes** waited nearly five months, until **February 1st, 2025**, to identify the real student who brought a *Glock 19 replica BB gun* to school.

That delay preserved a false narrative and allowed my son to be harassed and ostracized. I later learned through public discussion that a **petition was circulated among students demanding Conrad's removal from school**, yet I was never informed by any school or city official that this even existed.

Students were sent back to class for "inciting a riot," showing that the district was more concerned with optics than my son's educational rights or safety. They created the hostile environment and then punished him for it.

The Swatting Concerns and Ignored Warnings

In **April 2024**, my husband **Casey Heiges** emailed **Lt. Chris Fluellen** and **Interim Director Brian Jensen** warning that false rumors could lead to a *swatting attempt*.

We never received a response.

Only after multiple **public-records requests** did we obtain the email chain proving they received the message and ignored it.

Brian Jensen asked if anyone had contacted us and said he would if no one else had, but **Frank Basso** replied that he and **Fluellen** would handle it, something that never happened.

It now appears they stopped Jensen from responding so there would be *no record* of their knowledge when the false gun threats surfaced months later.

By preventing documentation, they erased evidence that the department had been warned in advance.

This was not oversight, it was deliberate concealment to protect themselves.

Retaliation and Misuse of Authority

When we reported that our younger son **Eligh** was being harassed by a neighbor, harassment that stemmed from the false rumors spread about his older brother, **Conrad**—**Chief Fluellen** claimed he would follow up.

Instead, he instructed **Officer Gabriel Johnson** to contact the principal of **Scappoose High School**.

The internal report literally says: "*Principal will be checking in and monitoring his behavior.*" Our child, the victim, was treated as the problem. That is retaliation, not public service.

In a separate incident, I asked **Chief Fluellen** to make a mandatory report to the **Child**

Abuse Hotline regarding misconduct by a **teacher at the high school**.

Rather than **willingly fulfilling his legal duty** as a mandated reporter, he **opposed the report and threatened me with DHS**, saying, "*We can go that route if you want.*" He later falsified information in that report to protect the district and himself. Even more troubling, **Fluellen recorded our conversation for his personal use and shared that recording with the school district**, breaching professional ethics and my family's privacy.

That act was coercive, retaliatory, and unethical, showing his willingness to weaponize authority instead of acting in good faith.

This pattern continued in **August 2025** when I emailed the City regarding a **massage business operating illegally**.

The **Mayor, City Council, and City Manager** were all included in those messages. Instead of addressing the violation, **Chief Fluellen** suggested conducting "unannounced inspections" of **all massage therapists** in Scappoose, referencing my past objection to an officer entering my business under false pretenses.

He asked if my "perception had changed" and offered to meet in person to discuss it.

This message felt like a **veiled threat**, a suggestion that if I continued to speak out, my business or my colleagues could be subjected to unwarranted scrutiny.

It was **retaliation and intimidation**, carried out through the abuse of his position and witnessed by City leadership, who did nothing to stop it.

Unequal Protection and Selective Service

Scappoose doesn't have a functioning police department, we have **private security for the privileged**.

At the **January 6th, 2025** Council meeting, Mayor Backus stated publicly that when he locked keys in his *child's car*, he called **Chief Fluellen**, who personally came to unlock it for him.

Yet when I call dispatch for help, I don't even get a return call or email.

When **Chief Fluellen** was on vacation, **Acting Chief Ron Larson** ignored my nonemergency dispatch call regarding false reports made by Fluellen and **the Dean of Students at Otto Petersen Elementary**.

I waited **six weeks** without any response before finally emailing the City to report that no one had followed up.

It was clear they had no intent to address the issue.

Even obtaining a *case number* from **Chief Fluellen** became an argument. His response was combative and dismissive.

This is not equal protection under the law, **it's selective service for insiders and retaliation** for those who speak up.

Legal and Federal Context

Oregon and federal law are both clear.

Under **ORS 244.040**, public officials are prohibited from using public resources for personal gain.

Under **ORS 192.620**, the public has the right to know the decisions and actions of its government.

At the federal level, **18 U.S.C. § 241** makes it a crime for officials or others to **conspire to threaten, injure, or intimidate** anyone exercising their constitutional rights.

18 U.S.C. § 242 makes it a felony to willfully deprive someone of those rights under color of law.

And **18 U.S.C. § 1346**, *Honest Services Fraud*, defines schemes that deprive citizens of their right to honest service from public officials through deception, abuse of power, or concealment of duty.

While there may be no direct evidence of bribes or kickbacks **yet**, there is clear evidence of dishonest service, collusion, and abuse of public trust.

These actions reflect **kleptocracy** and potential **embezzlement**, the exploitation of public office for personal and political advantage.

If this Council continues to fund and defend these actions, you are not just complicit, you are **participating in them**.

Continuing to pay officials who break the law is both unethical and **illegal** under state and federal law.

That, in itself, is an **emolument violation**.

Closing and Call to Action

Scappoose was once *the first city in Oregon* to adopt **Ordinance 910**, a regulation that set professional standards and ethical expectations for massage therapy businesses.

It reflected a time when this city valued accountability, compliance, and doing what was right.

That same sense of responsibility has been lost.

Instead of protecting citizens, this administration has protected officials who have engaged in **criminal misconduct, abuse of power, and retaliation**.

The actions I've described tonight are **potential federal crimes** under **Title 18 of the United States Code**.

Based on the evidence, **Chief Fluellen and others** appear to have willfully violated citizens' civil rights, conspired to deprive my family of equal protection, and abused their authority under color of law.

These acts must be **investigated and prosecuted by federal authorities**.

I am not here to attack anyone personally, but I am here to demand accountability under the law.

No one, regardless of their title or position, is above it.

Mayor Backus and members of the City Council, you have been aware of this misconduct, you have watched it unfold, and you have done nothing to stop it.

So tonight, I urge you to do the right thing: **terminate the employment of Chief Chris Fluellen and City Manager Ben Burgener immediately.**

And to the newer members of this Council, I ask that you look closely at what has been happening under your leadership team and take meaningful action to restore integrity to this city.

God and history will remember your choices and your silence.

****end of public comment****

Alicia Heiges stated thank you for letting her finish.

Consent Agenda ~ September 30, 2025 City Council work session minutes; October 6, 2025 City Council work session minutes; October 6, 2025 City Council meeting minutes; and Appointment of Harry Bludworth; and Peter Williamson to the Planning Commission

Councilor Marquis moved, and Councilor Haugen seconded the motion to approve Consent Agenda ~ Consent Agenda ~ September 30, 2025 City Council work session minutes; October 6, 2025 City Council work session minutes; October 6, 2025 City Council meeting minutes; and Appointment of Harry Bludworth; and Peter Williamson to the Planning Commission. Motion Passed (5-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Holmes, aye; Councilor Haugen, aye; and Councilor Marquis, aye.

New Business

Proclamations

Mayor Backus read a message he received from Colleen DeShazer, who was at the last Council meeting and talked about domestic violence abuse. She stated she cannot attend tonight, but she'd like to thank the City of Scappoose and the Council for taking the issue of domestic violence seriously and committing to help move the needle for the victims and their families. She and the other organizers of the Columbia County domestic violence walk are greatly appreciative of the elected officials that were able to attend and those that are serious about their commitment to reducing the incidence of domestic violence in our communities. She explained she will be visiting often in hopes of having presentation from the Council on a grassroots domestic violence coalition effort, wide sweeping, measurable changes in our legal education support system that's targeted and rebuilding saving life.

Recognizing October as Domestic Violence Awareness Month

Mayor Backus read the Recognizing October as Domestic Violence Awareness Month Proclamation.

Veterans Day

Mayor Backus read the Veterans Day Proclamation.

Cancellation of the November 3, 2025 City Council meeting

Councilor Haugen moved, and Councilor Marquis seconded the motion that Council cancel the November 3, 2025 City Council meeting. Motion Passed (5-0). Mayor Backus, aye; Councilor President Miller, aye; Councilor Holmes, aye; Councilor Haugen, aye; and Councilor Marquis, aye.

Work Session

City Manager Performance Assessment Tool: Functional areas and performance assessment

Councilor Holmes reviewed the feedback she received from Council and staff.

Mayor Backus, Council and City Manager Burgener went over the draft document and discussed it in further detail.

Councilor Holmes will take the feedback and update the assessment tool and then send it out with redlines and then Council can send her additional feedback.

City Manager Burgener suggested getting Sharon Harris with CIS feedback on the performance assessment tool also.

Announcements – information only

Calendar

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

City Manager Burgener explained the Quarterly City/County dinner meeting will be on November 12. He updated Council on his time off. He gave an update on Keys Road and explained that the City is working with the County regarding the road repair. He stated in response to the public comment from today, there are a lot of inaccuracies. We've obviously kept the Council, throughout all these, informed and we follow our processes, our policies, procedures and have been considerate of as best we can of all parties involved but there are a lot of inactions in that report that was given from the staff side.

Mayor Backus replies staff is keeping us updated on everything and any decisions and thoughts that they have, and we appreciate that.

Chief Fluellen gave an update on the Police Department. He explained through Columbia County Emergency Management; the City applied for a grant to potentially pursue license plate readers. When the time comes, they'll be more information about that, and in addition they would like to get the community's input as a possible crime fighting tool for our community, but he thinks it'll be something that our community should be aware of. He explained this upcoming Saturday he will be in St. Helen's for a Safety Day event. He also addressed the public comment. He stated this is proof of a stack of emails for roughly two years of correspondence with Ms. Heiges and he just wants to talk about just one paragraph. He read the paragraph that talks about what type of service you would expect from us. It states "Ms. Heiges, our department's dedicated to assist members of this amazing community, I believe that our numerous correspondents from the Police Department and the City Manager show that we have intended to provide the best customer service as possible with every new claim allocation as presented. As stated previously, ma'am, please share this e-mail with any oversight body and I'll be more than willing to assist them with an objective assessment of your allegations. I would also like to reiterate that if you have an emergency, please call 911 and the dedicated men and women of this department will continue to assist you and other members of this community. Thank you for your time and please have a good remainder of your day, ma'am." He explained that was on August 18th. He has not had an e-mail since then. He explained being personally attacked, it's part of the job. He understands that but just wants everyone to know that we are dedicated to the people of this community. We're not perfect, but we are dedicated to making sure we do the best we can for the Scappoose Police Department.

Mayor Backus stated thank you. He does want to say one thing because the public comment does talk about he and Chief Fluellen personally, and he doesn't want anyone to think that Chief Fluellen is doing him any favors because he would never expect that and he wouldn't. In one of the comments, it is mentioned that he stated publicly that his son locked himself out of the car and that Chief Fluellen personally came down to unlock it, and that was not true. He explained he texted Chief Fluellen and asked if we owned anything to unlock cars, but he never responded so he called the locksmith. The locksmith came and unlocked the car, which he has the receipt for that work. He explained that is the comment that he wanted to respond to because it wasn't accurate.

Student Representative Ferreira explained he attended the Hillsboro & Happy Valley's Youth Advisory Councils (YAC) to see how they work. He talked about learning that the Hillsboro YAC attend volunteer events to promote civic engagement. He has talked to the principal at Scappoose High School about possibly having something like a youth advisory council at the school.

Councilor Marquis stated congratulations to Peter and thank you for stepping up to be on the Planning Commission. He thanked Councilor Holmes for all her hard work on the assessment tool.

Councilor Haugen talked about the cities that have the youth advisory council and what their process is as far as how they move forward, time staff, etc. He explained what has worked in other communities and is more efficient is to have staff working with the youth advisory council. He gave an update on the School Board meeting. He explained the official enrollment for 2025-2026 was 3,343, which is up from a year ago, 1,972. He talked about honoring the Rotary student of the month in our newsletter.

Councilor Holmes explained she saw on Facebook that the City has put up some signage at the EV charging station to help with any disruptions that that might be causing. She appreciates staff being responsive when public comment is made and there are opportunities to make improvements to the community. She also just wants to say kind of having lived through kind of the most recent transition of the police department, really your hire of Chief Fluellen has been transformational, and we have seen a change in the type of applicants that we are getting, and she thinks that speaks volumes to his leadership and what he brings to the department. She stated when you attract the confidence of peers, that is true validation of his leadership and what he brings. She thinks he has demonstrated his value to the community, and she appreciates his dedication and service.

Chief Fluellen stated thank you very much and it is a team effort for sure.

Council President Miller thanked Councilor Holmes for her work on the assessment tool. He explained he would like to address perhaps in a little bit more comprehensive manner some of the comments that Miss Heiges has made both written and verbally. He stated first, just for context, he has been on multiple emails or copied on those emails to the City Manager and the Police Chief, and he thinks the Mayor has too. He has seen all of the City Manager and lot of the Police Chief's responses to Miss Heiges's allegations and the City Manager has been very comprehensive, inciting how policy has been followed and also he believes, in one case, Miss Heiges was not satisfied with the outcome or what she was told, anyway. He believes we asked the Sheriff's Office to even take a look at something as well, so that was done also. So, he feels like we kind of went out of our way there. That's not something that traditionally happens within a law enforcement structure.

Chief Fluellen stated we talked to the juvenile department as well.

Council President Miller stated he did notice in Chief Fluellen's emails on more than one occasion, he had offered to meet with her in person and go over her complaints and try to come to an understanding on multiple different topics. He explained on page one of her written statement that she submitted, under the header Public records request and accountability failures, on the topic of the employee contract. He can't speak to if Norm Miller had a contract, but he knows that Brian Jensen had some sort of an agreement in place because of his temporary role with the city. However, he did explain to her that it is not common for public employees to have employment contracts. That's something that's done in the private industry. So, when she says that he, he can't remember her exact words, but that he supported not releasing the contracts, well, that insinuates that there was a contract to exist or to release,

and so that is why the nonexistent contract was not released as at least that's what his understanding was.

Chief Fluellen stated he doesn't have a contract.

Council President Miller stated he feels like there's a lot of misrepresentations, omissions, and mischaracterizations throughout this letter and these verbal statements that continue. He stated there's a statement in here about Chief Fluellen, that he didn't earn his management certification until March 4th, 2025, but he had been acting chief. Well, DPSST and OARS have rules that do give some grace periods on that.

Chief Fluellen explained he was officially appointed as Chief Police in December 2024. The DPSST website, which he also confirmed today, says he has two years since being appointed, to receive his management certificate. He did it less than four months. He stated thank you for pointing it out.

Council President Miller stated on page #2 at the top, it says even more concerning officer Steve Barnes despite documented misconduct, her own documented misconduct, that's her characterization of it, was never disciplined and instead transferred to Washington County Sheriff's Office. He stated that's not how it works. He applied for employment over there, he went through the testing process that they have established. He went through their background process completely independent of ours because that's how it works and they made the decision to hire him. He is concerned about, he will say it again, the continued misrepresentations, omissions and mischaracterizations of information. He will continue to address those in his comments because he thinks that's what's fair and he thinks it needs to be on record that the city is responding to these things professionally. He stated City Manager Burgener, you've done an excellent job at documenting and responding to her emails as well. He stated thank you.

Councilor Haugen explained he thinks this really raises an important point about having a civility pledge to make a public comment where you have to read through this and acknowledge that you can't make up falsehoods and so forth. He stated you have to be honest and honorable and so having that write up and you sign your signature, you don't make a public comment and that's a very reasonable thing to require for public comment.

Council President Miller explained he agrees that everybody has their freedom of speech and their right to come give public comment, but we do as well. So, he is going to respond to it again, omissions, misrepresentations, and mischaracterizations of information.

Mayor Backus explained at the LOC conference there was a big seminar on public comments and every city kind of does it differently and by rule we don't have to have public comment, and some don't. He explained that some have limited it to even less, and some of them have really asked to keep it to certain topics or things that they can control and not things that they can't control. He explained a lot of cities do different things and League of Oregon Cities really recommended that everybody looks at their public comment guidelines and we're kind of doing

that to see what do we want out of it. Like Council President Miller said, freedom of speech. We definitely want to hear from our constituents, but it is definitely something that we need to look at a little bit more to let everybody understand our purpose.

City Manager Burgener explained the public has a right to petition the government, but the way that they go about that does not mean it has to be at a Council meeting. When there's an operational issue with an employee that goes to the city manager as the administrative head of the city. If there's an issue regarding the city manager, they typically will talk to the mayor. He explained these public meetings are for the Council to conduct business, but our City does allow public comments because we want to hear from the community. It is not to hide anything, it is not to limit those, it's just to come up with the right way to work with the city and to work with the residents back and forth.

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

Executive Session ~ ORS 192.660(2)(i) Employee Evaluations

Mayor Backus read the Executive Session statement and went into Executive Session at 8:44pm.

Open Session

Mayor Backus came out into open session at 9:30pm.

Adjournment

Mayor Backus adjourned the meeting at 9:30pm.



Mayor Joseph A. Backus

Attest:



City Recorder/HR Susan M. Reeves, MMC

