

MONDAY, JULY 16, 2018
CITY COUNCIL MEETING AGENDA
Regular meeting 7:00 p.m.
Scappoose Council Chambers
33568 East Columbia Avenue

Call to Order

Mayor Burge called the meeting to order at 7:04 p.m.

Pledge of Allegiance

Roll Call

City Council Members Present:

| | |
|-----------------|-----------|
| Scott Burge | Mayor |
| Patrick Kessi | Councilor |
| Megan Greisen | Councilor |
| Natalie Sanders | Councilor |
| Joel Haugen | Councilor |
| Josh Poling | Councilor |

Staff Present:

| | |
|-----------------|-----------------------------|
| Michael Sykes | City Manager |
| Norm Miller | Police Chief |
| Susan M. Reeves | City Recorder |
| Laurie Oliver | City Planner |
| Garett Peterson | AmeriCorps RARE Participant |

Peter Watts Legal Counsel

Press: Courtney Vaughn, Spotlight

In the audience: Treatment Plant Supervisor Darryl Sykes and City Engineer Chris Negelspace

Excused: Council President Mark Reed

Approval of the Agenda

Councilor Sanders moved, and Councilor Haugen seconded the motion to approve the agenda. (Motion passed 6-0). Mayor Burge, aye; Councilor Kessi, aye; Councilor Greisen, aye; Councilor Sanders, aye; Councilor Haugen, aye, and Councilor Poling, aye.

Public Comments

There were no public comments.

Consent Agenda ~ June 18, 2018 City Council Work Session minutes, June 18, 2018 City Council meeting minutes, and appointment of the Park and Recreation Committee members

Mayor Burge amended the consent agenda to remove the appointment of the Park and Recreation Committee members, and add the appointment of Susie Wilson to the Economic Development Committee.

Councilor Haugen moved, and Councilor Poling seconded the motion to approve the Consent Agenda ~ June 18, 2018 City Council Work Session minutes, June 18, 2018 City Council meeting minutes, and appointment of the Susie Wilson to the Economic Development

Committee. (Motion passed 6-0). Mayor Burge, aye; Councilor Kessi, aye; Councilor Greisen, aye; Councilor Sanders, aye; Councilor Haugen, aye, and Councilor Poling, aye.

South Columbia County Chamber of Commerce Update

Simon Date, Executive Director, gave Council and staff a handout, and then gave an update of the Chamber.

INTRO ~ Simon Date, Executive Director

HISTORY ~ Brief chamber history, and specifically over the last few years (lack of action) Adversarial with other groups occasionally.

MEMBERSHIP

- What it entails, how it works, benefits
- Not your grandparents Chamber anymore
- Vernonia ~ recently took over the chamber in Vernonia

INITIATIVES & GOALS

- Getting the Chamber back online
- Closer relationship with the cities we represent
- Digital Magazine & Website
- Museum Move
- Partnering with schools (young workforce)
- Columbia County Leadership Program

Committees:

- Women Business Owners
- Latino/Hispanic Owners
- Business Owners Under 35

THANK YOU ~ Thank you for the \$3,637 check for Wings & Wheels as part of the Community Enhancement Initiative Fund.

QUESTIONS?

****end of handout****

Simon Date explained they lost about 70 members out of 200. He explained he would really like to start updating the City and having a closer relationship and a little bit more open and honest dialog for what works in the City, so we can get less businesses closing down. He stated that is where he needs help. He explained the fee to join is \$120, but currently they are redoing the membership tier.

Council thanked Simon and his son Jack.

New Business

Update on Friends of Scappoose Parks

AmeriCorps RARE Participant Garrett Peterson gave an update on the Friends of Scappoose Parks. He explained they have had two meetings, and the third meeting will be held on July 19, after the Park & Recreation Committee meeting. He explained there has been a pretty good turnout for the meetings so far. He explained it has been a round table discussion format to see what people's passions are, and what type of projects they want to focus on.

Councilor Greisen explained she told Public Works Director Dave Sukau how nice it was to have extra trash cans at Miller Park, and he replied they received feedback from the Friends of Scappoose Parks meeting that there weren't enough trash cans at the parks, so he put another one out there.

Mayor Burge explained one thing to think about adding is recycling in the City parks.

Garrett Peterson replied he will bring recycling up at the next meeting. He explained he spoke with Dave Sukau and they are working on having more trash cans along the Crown Zellerbach trail, because that was also brought up.

Councilor Sanders stated she knows the Friends of Scappoose Parks meeting gets advertised in the newsletter, but she wondered if there has been any discussion on putting up signs along Highway 30 a couple of days before the Friends of Scappoose Parks meeting to help draw people in?

Garrett Peterson replied they haven't talked about that idea specifically, but he can bring it up. He explained in addition to the newsletter, they have had it in the newspaper and on the City's website and Facebook pages. He does agree that more marketing is needed.

Councilor Haugen thanked Garrett for his efforts this past year, he has done a wonderful job.

Municipal Court Subcommittee update ~ Municipal Court Judge

Mayor Burge explained the Municipal Court Subcommittee interviewed three candidates and they chose one, and she is in the audience. He asked if she would like to come up and introduce herself.

Cindy Phillips, explained currently she is the Judge in Rainier, Columbia City, and for a couple more weeks, in St. Helens. She explained she used to work with Jordan Ramis.

Mayor Burge explained on the Subcommittee Joel, Josh and himself served, and they interviewed three candidates and they are recommending Cindy Phillips to be the City's new judge. He explained Council will need to have a motion to terminate Judge Wood's contract. He explained Judge Wood decided not to reapply.

Councilor Haugen moved, Councilor Poling seconded the motion to appoint Cindy Phillips as the Scappoose Municipal Court Judge, and direct City Manager Sykes to negotiate an agreement with Cindy Phillips.

City Manager Sykes said there were three very good candidates for this position.

(Motion passed 6-0). Mayor Burge, aye; Councilor Kessi, aye; Councilor Greisen, aye; Councilor Sanders, aye; Councilor Haugen, aye, and Councilor Poling, aye.

Mayor Burge stated welcome aboard Judge Phillips.

Councilor Sanders moved, Councilor Kessi seconded the motion to provide the 30-day written notice to terminate participation in the current municipal judge agreement with Judge Wood. (Motion passed 6-0). Mayor Burge, aye; Councilor Kessi, aye; Councilor Greisen, aye; Councilor Sanders, aye; Councilor Haugen, aye, and Councilor Poling, aye.

League of Oregon Cities ~ 2018 Legislative Agenda

City Manager Michael Sykes explained for the past three months, eight policy committees have been working to identify and propose specific actions as part of the League's effort to develop a pro-active legislative agenda for the 2019 session. They have identified legislative objectives as set forth in the enclosed ballot and legislative recommendation materials. He explained LOC is asking Cities to choose their top four. He explained Council voted and came up with the following:

Infrastructure Financing and Resilience
Mental Health Investment
Safe Routes to School Match

City Manager Sykes asked Council to choose the final one out of the three that were tied ~ PERS Reform, Property Tax Reform, and Waste Water Technical Assistance Program.

Council's consensus was the Waste Water Technical Assistance Program.

Councilor Kessi moved, and Councilor Poling seconded the motion to approve the top four City recommendations to forward to the League of Oregon Cities ~ Infrastructure Financing and Resilience, Mental Health Investment, Safe Routes to School Match, and Waste Water Technical Assistance Program.

Mayor Burge would like to make Senator Betsy Johnson and Representative Brad Witt aware of the City's recommendation to the League of Oregon Cities.

(Motion passed 6-0). Mayor Burge, aye; Councilor Kessi, aye; Councilor Greisen, aye; Councilor Sanders, aye; Councilor Haugen, aye, and Councilor Poling, aye.

Cancel the August 6 City Council meeting

Mayor Burge stated let's just cancel the August 6 Council meeting.

Work Session ~ Food Cart Ordinance

AmeriCorps RARE Participant Garrett Peterson explained he and City Planner Laurie Oliver are here this evening to discuss bringing food carts to Scappoose. He went over the handout, which was included in the Council packet.



SCAPPOOSE FOOD CARTS

WHAT ARE FOOD CARTS?

Definition

A food cart is any vehicle that is self-propelled, or can be pulled or pushed down a sidewalk, street, highway or waterway. Food may be prepared or processed on this vehicle, and the vehicle is used to sell and dispense food to the ultimate consumer.

Types

- Mobile Temporary Units
- Stationary Permanent Units (Pods)

FOOD CARTS – MOBILE TEMPORARY UNITS




Mayor Burge explained in past discussions that the City has had when this was brought up, there was push back from property owners and/or restaurant owners about when a brick and mortar restaurant comes in and pays all the fees associated with it then food carts come in and don't have to pay the fees, no standards whatsoever. He stated the previous Council liked the pods idea as a design setup.

City Planner Laurie Oliver explained staff is looking to put something on the books in order to start permitting these with standards in place.

Garett Peterson stated there is also a pretty big need in the community. He stated it would be good for the City of Scappoose to actually formulate something.

PODS – STATIONARY PERMANENT UNITS




PURPOSE

Current Status of Food Carts in Scappoose

- The City requires food carts to obtain a temporary use permit that allows them to operate within the City for 90 consecutive days, and no extensions are permitted
- The food cart business can only apply for a temporary use permit once in a calendar year

Purpose of Updating Code

The City needs to create a food cart ordinance to develop standards to allow for proper review and regulation of different types of food carts



Garett Peterson continued to go over the handout.

PORTLAND STUDY ON FOOD CARTS

Pedestrian Access

- 65% of customers indicated that they walk to food carts.
- 76% of sites are located on streets where the speed limit is less than 30 MPH.

Neighboring Business Perceptions of Carts

- Overall, 66% of surrounding businesses surveyed reported a positive or very positive perception of food carts.
- 69% of restaurants and 94% of other businesses ranked their overall impression of food carts as positive or very positive.
- Only 35% of businesses would prefer parking over food carts.



PORTLAND STUDY ON FOOD CARTS

Financial Success

- 63% of vendors agreed or strongly agreed that operating a food cart has allowed them to support themselves and their family.
- 49% of the vendors report owning their own home.
- 19% of respondents reported having an additional year-round job and another 13% have seasonal jobs in addition to the cart.
- Push carts and food carts offer a range of start-up costs that require incrementally smaller investments than a small business.



BEAVERTON'S POD – OPENED IN 2018



BG Food Cartel is Beaverton's first food cart pod. Their pod includes **31 food carts** with a wide variety of food and beverage options to choose from. The pod offers a space to showcase **local vendors** in the heart of the Creekside District – across from City Hall. In addition to the carts, the pod includes a speakeasy bar with **indoor/outdoor seating** and a rotating tap of alcoholic and non-alcoholic beverages alike. The pod also offers an **event venue** large enough for 150 guests.

Garett Peterson stated it would be neat if Scappoose could have a food cart pod area. He stated each city kind of tailors their food cart ordinance to meet their needs.

Mayor Burge stated one thing he recalled from a previous request is they didn't want the food carts set up so that they looked like a bunch of carts that were put in a parking lot and just kind of there. He stated after seeing what other cities have done, he thinks that is more what they are looking for, and that is why he likes to see all these different options that have come out.

City Planner Laurie Oliver explained she wouldn't want to put so many restrictions that a food pod never comes. She was hoping the City could do two different types, where one is much easier to permit and regulate so there is low start up cost. She stated there are a number of ways to go about it. She explained she was contacted today regarding a food cart.

Mayor Burge stated our current code is not for food carts, and if anyone inquires we just need to let them know that we are working on it.

BEAVERTON FOOD CART POD REGULATIONS

Site Design

- Carts and amenities must be located on hard surfaces like asphalt or concrete.
- Carts cannot block any required parking, landscaping, or walkways.
- Carts must be six feet away from the street. Other setbacks are based on the property's zone, with more restrictive setbacks next to residential properties.
- Carts must be spaced six feet apart.
- No tripping hazards shall be created (i.e. hoses, cords, pipes, etc.).

Required Amenities

- If seating is provided in the food cart pod, restrooms with handwashing facilities must also be provided.
- Waste and recycling facilities must be provided and screened from view of the street and residential properties.
- Small structures for storage or weather protection are permitted.

BEAVERTON FOOD CART POD REGULATIONS

Individual Cart Standards

- The wheels and tongue must remain on the cart.
- Carts must be kept in good repair.
- Carts shall not be longer than 26 feet, nor taller than 15 feet.
- Cart operators must maintain a City of Beaverton Business License and all required licenses by State and Local agencies.

Parking & Utilities

- Food cart pods in Commercial and Industrial zones must provide one parking space per cart. No parking is required for pods in Multiple Use zones.
- Food carts shall connect to sanitary sewer lines and utilize a grease interceptor OR connect to a DEQ compliant above ground wastewater tank.
- Food carts shall connect to a permanent water source OR connect to an above ground potable water tank.
- Food carts shall connect to a permanent power source. Generators are not permitted in a food cart pod.

MILWAUKIE'S POD



LOCATION

Conveniently located at the Orange Line Main St. Station in downtown Milwaukie, adjacent to Milwaukie High School at 11301 SE 21st Ave. It is also served by the 34 bus line and on-street parking is available.



AMENITIES

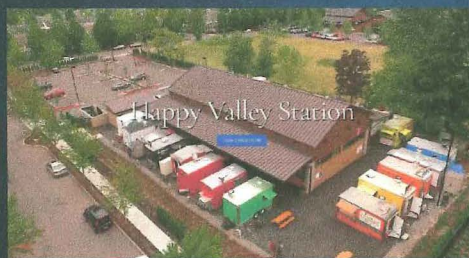
- Picnic tables with umbrellas
- Covered area for shade and rain protection
- Restrooms
- Hand washing stations
- Nearby on-street parking
- Seating for approximately 60

MILWAUKIE FOOD CART REGULATIONS

APPROVAL CRITERIA

- Carts must be totally self-contained.
- Carts must remain mobile and have wheels attached at all times.
- Carts must meet the eating establishment definition and must be located on property that allows eating establishments as a permitted, limited, or accessory use.
- If the cart locates in a required parking space for another existing use, that space will be removed from the parking count and will need to be replaced per MMC Chapter 19.600 Off-Street Parking and Loading (shared or on-site)
- Carts with wheels are considered vehicles, not structures, and are, therefore, not subject to development standards and downtown design review.
- Carts without wheels are Food cart pods in Commercial and Industrial zones must provide one parking space per cart. No parking is required for pods in Multiple Use zones.

HAPPY VALLEY'S POD



HAPPY VALLEY FOOD CART POD REGULATIONS

Exemptions to Food Cart Regulations:

- Locations where mobile food units stop for less than two hours in any twenty-four (24) hour period.
- Locations where mobile food units are stored when not in operation
- Mobile food units that are operated as part of an approved farmer's market.

Permit Procedures:

- Type I - Up to two carts on one site with no accessory structures other than trashcans and portable accessory items, such as picnic tables
- Type II - Up to four carts on one site and/or new accessory structures (administrative).
- Type III - Five or more carts on one site and/or improvements or new accessory structures other than those permitted through Type I or Type II approval requires design review approval (quasi-judicial).

HAPPY VALLEY FOOD CART POD REGULATIONS

Mobile Food Unit Site Standards. The following standards apply to mobile food unit sites.

- Zoning - Mobile food unit sites are not permitted in residential zones, but are permitted, as restricted, within the commercial and industrial district use tables found within this title.

With Type II approval, new accessory structures may be constructed, as follows:

- A maximum of two restroom structures, provided that the combined square footage does not exceed two hundred (200);
- A maximum of two storage buildings, provided that the combined square footage does not exceed two hundred (200);
- One trash enclosure; and
- Outdoor seating areas, which may have roofs, floors, and railings, but no walls (e.g., decks, picnic shelters), provided that the square footage does not exceed two hundred (200) square feet per mobile vending unit and that no single structure exceeds two hundred (200) square feet

CONCLUSION

Next Steps

- Research other food cart ordinances
- Consult with other City Departments (Engineering, Public Works, etc.)
- Draft a food cart ordinance that matches the needs of Seapooac
- Present proposed food cart ordinance to City Council and Planning Commission to gain feedback
- Present final food cart ordinance to City council for adoption



QUESTIONS?

Legal Counsel Peter Watts replied the City's current code is really set up for a farm stand. He explained you have examples in front of you, but there are some cities that have said no. He stated it is going to happen, and the City staff has done an excellent job at getting ahead of the curve. He stated there is nothing wrong with doing this process incrementally. He stated every community does it a little bit different.

Mayor Burge explained he has concerns about sanitary condition requirements and he has serious concerns about temporary permitting.

Garett Peterson explained staff feels the Happy Valley ordinance is very thorough and pretty much touches on everything you need to specify about the food carts and thinks this is a really good starting point. He handed out a copy of the Happy Valley municipal code.

Laurie Oliver asked Council if there is anything they want to see, or don't want to see because that will help guide her.

Mayor Burge explained for him parking is a big one, along with utilities. He stated administrative permit procedure is probably the minimum. He thinks any site should have some sort of site design standards.

Councilor Kessi stated he thinks this a great idea for small businesses and also affordable commercial. He stated this is a great way for people to start a restaurant, or dream of starting a restaurant.

Councilor Poling stated this fits along with Councils goals.

Mayor Burge stated by allowing food carts it gives the community more options.

Council thanked Garrett and Laurie.

Announcements ~ information only

Calendar

Mayor Burge went over the calendar. He gave the dates of the movies that will be held in Heritage Park, put on by the Scappoose Library.

City Manager, Police Chief, Councilors, and Mayor

City Manager Sykes explained Council has a copy of his written report. He explained Crow Water came in and helped with the pump at Dutch Canyon, and we are back on line. He explained Nick Sund has already started his efforts to help with where the South Scappoose Creek is going to go. He explained we have lot of projects going on. He explained we are losing Garrett and he is really sorry to see him go, he has been a great asset, and we are going to miss him.

Police Chief Miller stated great job Garrett. He explained the Scappoose Police Department was lucky enough to participate in the Special Olympics torch run. He explained there were five Police Department staff members that ran with the Special Olympic participants, and that was fun. He explained this year they received their 2015 and 2016 honor roll plaques for the donations they have made. He talked about National Night Out, which will be held on Tuesday, August 7, from 5:00 p.m. to 8:00 p.m.

Councilor Poling thanked Garrett for all his hard work.

Councilor Kessi explained he spoke with an architect who does urban planning around the World, and they met with us about a year ago, and they are interested in meeting with us again regarding our long-term plan. He stated it is kind of exciting that they are still willing to work with us.

Councilor Greisen explained a couple of weeks ago she was present when Chief Miller presented to the School District, and they were very receptive to Chief Miller's comments and feedback. She thinks it is just another example of our willingness to work alongside the District in any capacity. She explained she met with the School Superintendent today.

City Manager Sykes explained when he met with the School Superintendent he gave him a copy of the Councils goals.

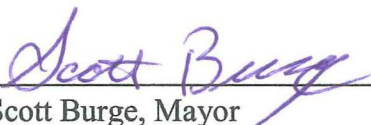
Councilor Sanders thanked Garrett, wished him all the best.

Councilor Haugen explained he will miss the next meeting.

Mayor Burge explained the Chamber and the City are working on doing some tourism work. He explained this is the foundation for the next step.

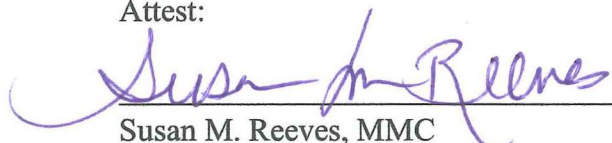
Adjournment

Mayor Burge adjourned the meeting at 8:38 p.m.



Scott Burge, Mayor

Attest:



Susan M. Reeves, MMC
City Recorder