

MONDAY, DECEMBER 3, 2018
CITY COUNCIL MEETING
Regular meeting 7:00 p.m.
Scappoose Council Chambers
33568 East Columbia Avenue

Call to Order

Mayor Burge called the City Council meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call

Scott Burge	Mayor	Michael Sykes	City Manager
Mark Reed	Council President	Kim Mann	Office Administrator
Patrick Kessi	Councilor	Elizabeth Happala	CDC Administrator
Megan Greisen	Councilor		
Josh Poling	Councilor		

Peter Watts	Legal Counsel	Press: Courtney Vaughn, Spotlight
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Approval of the Agenda

Councilor President Reed moved, and Councilor Greisen seconded the motion to approve the agenda. Motion passed (5-0). Mayor Burge, aye; Council President Reed, aye; Councilor Kessi, aye; Councilor Greisen, aye; and Councilor Poling, aye.

Public Comments

Annie Christensen of St. Helens, Oregon and Paulette Lichatowich of Columbia City, Oregon both came up to speak together. Annie attended the Port meeting on Wednesday and there's a proposal to change the commodity that the Port is transporting and she's here because she's concerned about the process and what she heard when at the meeting. She heard 3 different comments while there; concerns about traffic, concerns about the environment and emergency responses, and concerns about jobs. She heard lots of misinformation, confusion, and lack of solid clarity on all 3 of those topics. She wants to talk about changing the API, the density of the commodity that's being moved. The Port asked Global to clarify about Tarsans Oil and what API it was and there was not a clear answer because it's a very complicated process. She doesn't know that much about it but she does have a handout from a retired science teacher who is not the definitive person who we should rely on with such a big decision, but she does think we need some very clear facts about what it is we're talking about, what the process is, what happens in the trains as they go along in time. Her understanding is the ingredients that are added to the thick oil make it thinner so they can put it in the cars, but then it begins to evaporate out in the cars making a more volatile, flammable gas at the top, and a heavier, less liquid oil at the bottom that could sink if it ended up in the river. She also heard talk about people wanting jobs and she thought, Global is asking for increased flexibility in this density of the commodity that they want to move; they say they don't have anybody who might move it but in the event that somebody wanted to transport something they want to be more flexible and have this number changed, but

how does that result in any jobs at all? The Mayor of Scappoose and St. Helens spoke about traffic at the meeting. A couple years ago there were quite a few oil trains coming through and we saw the impact that the mile-long trains had in Scappoose and St. Helens. Now they're talking about a mile and a half long trains. She thought the trains had a speed limit of 25mph, the railroad is now saying the speed limit will be 10mph; that means it's going to take 4 times longer for the trains to cross the intersection. There's a lot of development on this side of town, including the Cascade Tissue trucks and OMIC. With OMIC, we're talking about 1400 students coming here. We have a lot of stuff going on in Scappoose and the impact of these trains seems very worrisome. There's also the Emergency Responders. There was a house fire a few years ago and it took 6 minutes for the fire engines to arrive. It's said that when you're having a heart attack every minute of delay increases your chances of dying by 10%, so if we were talking about 4 times longer intersections being closed, what does that mean for emergency responders when every second counts? The Port had planned on voting on Wednesday, but it was delayed until next Wednesday, December 12th. What about the concerns from citizens, what about our input? We're the ones that are going to bear the brunt of whatever decisions are made. What Global is saying is that they don't even have a plan, they just want increased flexibility. Why would we allow potential damage to our entire rail line for someone wanting something when they don't even really know what it is? Annie wants to know if the City Council for Scappoose and St. Helens is getting involved? Can the Council ask the Port to slow down their decision, so they can answer the questions from the citizens first? Annie thanked us and gave out flyers to everyone.

Legal Counsel Peter Watts asked Annie to give a copy to the clerk for our records.

Mayor Burge and Council thanked Annie Christensen for her statement.

Paulette Lichatowich of Columbia City thanked Mayor Burge for speaking up for Columbia County at the November 28th Port Commission Meeting. The decision to approve the request by Global Partners could have serious consequences for Scappoose. You asked the Port to wait and include the effected cities and their decisions. Global Partners has requested a change in the type of products that it will ship out of Port Westward and they requested that the API weight restriction be removed from their lease. They indicated that the unit train links will increase to 1.5 miles from 1 mile or 150 rail cars. The health and safety risks caused by the increase in the number of trains and the risk associated with the heavier crude oil should be more fully known by the public. The environmental risk plus heavier oil poses a toxic inhalation hazard. The parties involved have not paused to obtain expertise in describing the allowable products. Heavier crude oils are diluted with additives to keep them liquid. Toxic fumes from the heavy crude with additives could put first responders and people close to it at extreme risk. It's important the City Council and Mayors communicate to the Port that all trains carrying heavy or light oil pose safety and environmental risk for which the local communities are not prepared. The Port should slow down, consider these issues, and involve DEQ in evaluating the risks rather than relying on Global's own experts. In 2012 train derailments, explosive burning rail cars, environmental concerns, and public health risks were not known about these unit trains carrying crude oil. We now know more but not enough to rush ahead with a decision on December 12th. Another reason for concern is OMIC investors may see the trains as a negative interference with their business. She's requesting that we ask the Port to delay their decision on Global's amended lease until City Government, including City Council, can understand the proposal. The public should be included as well and holding a public hearing would be a more appropriate and transparent way to move forward.

Mayor Burge and Council thanked Paulette Lichatowich for her statement.

Nancy Ward of Scappoose, Oregon is also here to talk about the crude oil trains. She thanked Mayor Burge for being at the meeting on Wednesday. She said that the people who spoke after he left were not heard. He was heard, they were not. This puts a big burden on his shoulders. They are hoping that Mayor Burge and Mayor Scholl will be the people's voice because she feels like the people don't have a voice. She says they are elected officials, but you wouldn't know it. This is a city where she lives and wants to feel safe. The city has blossomed, there are a lot of wonderful things coming, but this isn't one of them. Crude oil is not one of our finer moments. Who among us is going to be strong enough to say no? You need to say no to the Port and you need to say no to Global. It's very specific and its very simple, and the answer is no. She is asking everyone to say no to the crude oil coming into Scappoose.

Mayor Burge and Council thanked Nancy Ward for her statement.

Greg Pettit of Warren, Oregon has issues with the oil trains and the process the Port used. He thinks it was very non-transparent and it appeared to be intended to avoid as much public scrutiny of this decision to change this agreement as possible. The notice was sent out right after the election, most people didn't even know it was on the agenda, it was not properly noticed. It did not include the deleted language, so you were unable to compare the new language with the old language, and the space was left blank regarding the API and density requirements. The Port was only interested in hearing technical information from Global, there were a lot of technical questions later and the only people that would answer those questions were representatives from Global, so it was a very one-sided presentation of the scientific data supporting this. He believes there are a lot of specific technical questions that need answers before this is ever taken up and considered because it's going to have a tremendous impact and the county needs to be strategic about what its long-term plan is. He's looked at the demographics of Columbia County and our population is growing, despite the loss of jobs, so we have to plan for what the future of Columbia County is going to be and having a bunch of mile-and-a-half long oil trains running through an already congested city and exacerbating that problem would be a really poor long term decision for the residents in this county. If we did that and didn't really understand the consequences of this decision, the effect of that action could result in a lot of very unhappy people.

Mayor Burge and Council thanked Greg Pettit for coming in.

Brady Preheim of St. Helens thanked Mayor Burge and City Manager Michael Sykes for attending the Port Commission meeting. He thinks a very important thing they mentioned at the meeting was the rail study. He says it's critical that we put whatever pressure we can on the Port to delay their decision until a proper rail study is done. Over 3000 oil spills take place every year in Oregon, and the DEQ gets 10-18 calls per day. There have been more oil spills in the last 2 years in Oregon than in the last 35 years; those are some significant numbers. Columbia County has invested \$90 million dollars at Port Westward for 22 jobs. If we had taken that \$90 million and put it in a CD at 4% a year, we could pay all 22 of those people \$70,000 a year for that entire time, and still have \$1.5 million extra left to spend on whatever we wanted. This has not been a good investment - it's not going to be a good investment. Our future lies in high-tech, like OMIC, not in fossil fuels. There's a perception that this county is a poor county and we should take whatever crap comes along that nobody else wants. That's a false perception. We

are number 3 (or 5, depending on how you look at it) in the State as far as wealthiest counties. We are not a poor county that has to settle for ancient technology involving fossil fuels. Our future is not this. Anyone that wants to continue investing in this does not have the correct vision that we need to have for this county. The cleanup company is a cooperative owned by the oil companies, and the President of their board is from Global Partners. When asked about this question specifically, the gentlemen from the Columbia River cooperative said no, we are not owned by Global Partners. That is a lie. All 21 members of the cooperative own the cooperative. This gives Global a very nice advantage in that they can deduct the money that they spend by giving to this non-profit because they are a non-profit cooperative, and when there's a wreck they get to deduct the entire cost if there were to be an accident. The cleanup on average cleans 10-12% of the oil that's spilled. He requests that Council put whatever pressure they can on the Port to delay this decision, to turn down the lease agreement with Global Partners and the Port until a lot more research can be done.

Mayor Burge and Council thanked Brady Preheim for coming in.

Consent Agenda ~ November 5, 2018 Work Session minutes and November 5, 2018 City Council meeting minutes

Council President Reed moved, and Councilor Greisen seconded the motion to approve the Consent Agenda ~ November 5, 2018 City Council Work Session and November 5, 2018 City Council meeting minutes. Motion passed (5-0). Mayor Burge, aye; Council President Reed, aye; Councilor Kessi, aye; Councilor Greisen, aye; and Councilor Poling, aye.

Presentation to West Coast Shoe Company

Mayor Burge read the Proclamation to West Coast Shoe Company. The Proclamation recognizes the 100th Anniversary of West Coast Shoe Company and designates December 5th and 6th 2018 as West Coast Shoe Company Days. The Mayor presented Bruce Shoemaker with a key to the city and thanked him for providing jobs in our community. Mr. Shoemaker thanked Mayor Burge and invited everyone to come to their Open House on Wednesday, December 5th and for their Customer Appreciation Day on Thursday, December 6th.

Presentation to Travis Killens

Officer Travis Killens has been an exceptional officer for the Scappoose Police Department. Travis has grown tremendously from the time he started as a Reserve until now. When you ask for an Officer, you ask for someone who is well-rounded and versed in a lot of different things, and Travis is one of those Officers. He not only does Ordinances, Traffic, and Investigations, he is very proactive, and he's also part of the community; this week he's getting training through ODOT to be a truck inspector. Tonight, we're here to recognize Travis for his actions on September 3rd. He was on duty that night monitoring all the channels when he heard of a house fire over the radio. He self-dispatched himself to the fire. When he got there, he saw that there were several people still there. He assessed the situation, made contact, and saw that there were still some citizens inside the house, so he came up with an active plan to get those people away from the fire. So tonight they are commending him for going above and beyond the call of duty on September 3rd, 2018. Chief Miller presented the award to Officer Travis Killens.

Mayor Burge thanked Travis for his exceptional work.

New Business

Resolution 18-26 – Abstract Results of the November 6, 2018 Election

City Manager Michael Sykes went over the results of the 2018 Election. Every year we get a copy of an abstract from the Columbia County Clerk and it is the Council's responsibility to approve it. Basically, it certifies that Council agrees with the official results of the election. On the back page it lists the election results of the Mayor position and the 3 Council positions.

Councilor Poling moved, Councilor Kessi seconded the motion to approve Resolution 18-26, Abstract Results of the November 6, 2018 Election. Motion passed (5-0). Mayor Burge, aye; Council President Reed, aye; Councilor Kessi, aye; Councilor Greisen, aye; and Councilor Poling, aye.

Discussion on December 17th City Council Meeting Cancelled, 2018 Holiday Dinner at Warren Country Inn

City Manager Sykes spoke about the City's Employee Appreciation Dinner which will be on Monday, December 17th from 6-8 pm at The Warren Country Inn. We tried to find a facility in Scappoose, but it just wasn't possible. We thought Warren Country Inn would be perfect and we hope everyone can make it so please RSVP.

Announcements ~ information only

Calendar

Mayor Burge went over the calendar.

City Manager, Police Chief, Councilors, and Mayor

City Manager Sykes mentioned that City Staff will be holding a pre-application conference with PCC on January 3rd to discuss their site development review application for their campus in Scappoose, which he is really excited about. They're also holding a pre-application conference on December 11th for a proposed annexation zone change for a 1.59-acre parcel which would be our first venture into cottage housing. He handed out a questionnaire on Affordable Housing for each Council Member to fill out and send back to City Planner Laurie Oliver. The Mayor is appointing an Advisory Committee in January; he is recommending Casey Mitchell from Community Action to be on the Committee as well as Bill Blank from the Planning Commission. We are about 3 weeks away from finishing Chief Concomly Park; plus, they are excited about going to Wesco on Wednesday. He and Mayor Burge did attend the Port Meetings regarding the oil trains and they also met with the Port this morning to talk about some of the issues. Lastly, he thanked Council President Mark Reed for everything he's done and said it's been a pleasure working with him for the last 3-1/2 years and he hopes he continues to stay involved with the City.

Chief Miller said Donut Day starts this Saturday at 6am at Scappoose Middle School and runs until they are out of Krispy Kreme donuts. He also thanked Mark for his service to the City and

as a firefighter and he says he knows that just because he's not going to be on City Council anymore, he knows Mark will still be involved with something in the City because that's the type of person Mark is, and he can't wait to see what that will be.

Councilor Poling talked about the safety bars and the fencing going up at the schools and he thinks that's great that they are doing that. He thanked Council President Reed and said he hopes he enjoys the time with his family and wishes him good things moving forward.

Councilor Kessi spoke about the Christmas Tree Lighting at Heritage Park; it was a good turnout this year and they did a really good job with the lights and the event. The choir from Scappoose High School was there this year. They had a traffic committee meeting today and they went over questions, concerns, and suggestions they've received from citizens and sometimes solutions take time, but they are tracking different concerns that have come up and working on solutions to them.

Councilor Greisen thanked Mark Reed and told him good luck. The biggest thing for her is the connection with the school district and she thinks their persistence and Troy's presence is really sending a message and she appreciates that as a parent and an educator, and she thinks people are now more open for employees at the school district to come for city support because we've held up our end of the bargain and we take our responsibility seriously when it comes to student safety, so thank you.

Council President Reed spoke about being on the fence about running again for Council, he had decided that regardless of whatever the outcome was, he would be happy with it, and he is. He remembers one of the issues they dealt with when he started on Council was the coal trains and some of the numbers that came up were the same as the numbers that came up tonight and these are disturbing numbers. As a previous paramedic and firefighter, it is frustrating to have to wait for a train to go by when you are trying to get somewhere to help someone and that issue appears to have not changed at all; in fact, it seems to be getting worse. There were issues that none of them wanted to touch so he wishes the Council good luck with this issue that's coming up with the trains and he hopes they can come up with a resolution. He says it's been fun serving on the Council and now he's going to go have some fun.

Mayor Burge thanked Mark and said the person that will be replacing him is on our Budget Committee and that means we will have a vacancy on the Budget Committee, so he would like to offer Mark that position, if he's interested; but he doesn't have to answer now. This way he can still stay involved with the City. Mark said he will consider it.

Mayor Burge said they did meet with the Port today and they did express concerns, it's been the same concerns they've had with the coal trains when it was any length of trains. About 19 years ago the City had some foresight about the potentiality of the rail being used again (more than it was), and they went through a process and developed something unique from the rail study that the City of Scappoose created. If you look at roads that were once crossing the railroad and roads that are now crossing the railroad, all that came from that study. Crown Zellerbach Road, Havlik Road, Santosh Road being closed, that was all part of that study too. They did that study

and it accomplished a lot. At the Port Meeting he was trying to tell them we need to go back and revisit this study because it's now 2018 (it was published in 2002). The Council made it a goal to do a renewed look at this because there's a continued potentiality of more trains and longer trains and he thinks having a plan that works and the brilliance of that plan was the staff changed over at ODOT Rail or the railroad and they would balk at something when you'd present them with a plan, they'd say, "Oh, we already agreed to this." So, having that mutual conversation is important and that's what he and Mayor Scholl were trying to impress on the Port. The mutual conversation was about the issues surrounding rail and what the impacts are and in a lot of ways, the commodity on the train doesn't matter as much as the impact it's going to have through the community. Twelve-minute blockage time is huge for emergency responders. Some of the discussions he's had with the Port were: Wouldn't it be great if our Police Department and Fire Department could have *real time* train locations? We're not publicly putting that out, just to our emergency responders so they could plan, knowing where that train is on the track. One issue the Port brought up is people crossing the railroad where there's not crossings, so they're talking about putting up fences along the railroad to stop people from crossing, which is technically trespassing, crossing the rail where they're not supposed to. A few years ago, we had a fatality at one of the rails so one thing is to try and keep people away from the train when its coming. Our City engineer brought up ADA issues; sidewalks are broken, ADA ramps are not compliant, and pedestrian crossings that cross the railroad need improvement. They are all in violation of the ADA. ODOT Rail or the Railroad is responsible because the sidewalks and crossings are on their property, not ours. They are going to bring that up at the meeting. How do we direct people safely to where they need to go? That could be a trail or a fence along the way, or a walking path. It was a good meeting for people who don't want the oil; Mayor Burge thinks they will pass it. He thinks we should work on the safety issues in our area and through St. Helens. Our first step is to make sure it's safe and our community stays safe. His goal is to make it as safe a place as possible and that's the best we can hope for, the law doesn't allow for anything else.

City Manager Sykes replied you might want to clarify where the trail and the fence would go; on the far East side from the High School to Heritage Park, or where?

Mayor Burge replied that way people can walk on the East side from the High School to Heritage Park without having to cross the train tracks at all. The fence would be on that side, but it would discourage people from either side going across the rail. Back in 2001 we had construction plans for a sidewalk that went from High School Way to Havlik to Fred Meyer. We had construction plans, we had a grant, we had it secured, then ODOT showed up and said if you do that, we'll have you thrown in jail Mr. City Manager, so that project ceased. We have in the past attempted to do things that enhanced the community in that area. He thinks the sidewalks throughout the town is a big issue and that will be our next goal.

Council President Reed stated that Chief Miller talked about people saying, "This is Scappoose, this won't happen here." A few years ago, there was a catastrophic train accident that happened around Cornelius Pass which involved our community and our responders are the ones that had to respond to that. So, his point is: it can happen here, it has happened here.

Mayor Burge replied that's why we are making sure that everyone in the City is heard; our police department is heard, our fire department is heard, it is so important that they are open to communication.

City Manager Sykes replied the Port's existing lease gives them the ability to operate 38 trains a month now, regardless of if they change anything, and it's with the higher API oil which is more combustible. It would be nice to have more information. What we were told is by lowering the API it allows them to move a safer product that's heavier – if that's true or not, he doesn't know, – but if they don't change the API, the oil trains can still use the tracks anyway. They should be meeting with the Rail and the Port on a regular basis and have a lot more dialogue. Until this last meeting, they weren't sure who to contact at the Rail Company, which made it very difficult, but hopefully now they can raise the level of awareness with the railroads about some of the issues that are significant. They will be meeting with the Railroad in a couple of weeks.

Councilor Greisen asked if that will take place before the December 12th meeting?

Mayor Burge replied no.

A citizen from the audience asked Mayor Burge who did he meet with at the Port?

Mayor Burge replied the Executive Director and Commissioner Erickson.

Mayor Burge asked if there were any more questions or comments.

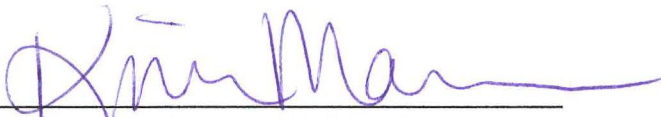
Adjournment

Mayor Burge adjourned the meeting at 7:50 p.m.



Mayor Scott Burge

Attest:



Office Administrator, Kimberly Mann