



SCAPPOOSE *Oregon*

MONDAY, OCTOBER 17, 2022
CITY COUNCIL MEETING AGENDA

WORK SESSION – PCC/OMIC – 6:00 pm
WORK SESSION – Psilocybin Restrictions – 6:30 pm
REGULAR MEETING – 7:00 pm

COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056

ITEM AGENDA TOPIC	Action
Call to Order	
Pledge of Allegiance	
Roll Call	
Approval of the Agenda	
Public Comment - Items not on the agenda	
Please sign a speaker request form and turn it in to the City Recorder along with any written testimony	
1. Consent Agenda – September 19, 2022 Council Work Session and City Council meeting minutes; October 3, 2022 Council City Council meeting minutes	
<u>Old Business</u>	
Standing Committees – Code & Bylaw changes - SPRC and EDC Resolutions	
Assistant to the City Manager Isaac Butman	
2. Ordinance No. 905 An Ordinance Amending Scappoose Municipal Code Title 2; modifying section 2.04.080, Appointments, and 2.04.110 Committees	
	Public Hearing/First Reading
3. Resolution 22-19: A Resolution Rescinding Resolution No. 20-17 and Establishing the Bylaws for the Scappoose Parks and Recreation Committee	
	Approval
4. Resolution 22-20 A Resolution Rescinding Resolution 20-01 and Establishing the Bylaws for the Scappoose Economic Development Committee	
	Approval
<u>New Business</u>	
5. WWTP Phase 1 Engineering Additional Scope Discussion	
	Report Only
Public Work Director Dave Sukau; Austin Rabin, Consor Engineers	

This meeting will be conducted in an ADA accessible room. If special accommodations are needed, please contact City Hall at (503) 543-7146, ext. 224 in advance.

TTY 1-503-378-5938

6. ORD No. 906 Fireworks

Public Hearing/First Reading

City Manager Alexandra Rains; Assistant to the City Manager Isaac Butman

7. Discussion on Council's December meeting schedule (i.e. the 5th and 12th)

City Manager Alexandra Rains

Announcements – information only

8. Calendar

9. Updates: City Manager, Police Chief, Councilors, and Mayor

Adjournment PLEASE NOTE: IF YOU WOULD LIKE TO SPEAK WITH CITY STAFF ABOUT A PARTICULAR AGENDA ITEM, PLEASE CALL CITY HALL at 503-543-7146, EXT. 224, NO LATER THAN 3:00 PM ON THE DAY OF THE MEETING.

This meeting will be conducted in an ADA accessible room. If special accommodations are needed, please contact City Hall at (503) 543-7146, ext. 224 in advance.

TTY 1-503-378-5938

**City of Scappoose
Council Action & Status Report**

Date Submitted: October 11, 2022

Agenda Date Requested: October 17, 2022

To: Scappoose City Council

From: N.J. Johnson, Planning Department Intern
Isaac Butman, Assistant to the City Manager
Peter Watts, City Attorney

Subject: Consideration of Local Psilocybin Regulations

Type of Action Requested:

<input type="checkbox"/>	<input type="checkbox"/>	Resolution	<input type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	<input type="checkbox"/>	Formal Action	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Report Only

Issue: At the August 8, 2022 City Council meeting, Council unanimously voted to direct Staff to bring back options for reasonable regulations of psilocybin service centers above and beyond ORS 457A – Psilocybin Regulation. Section 475A.530 provides that City and County governments may adopt ordinances that impose reasonable regulations on the time, place, and manner of psilocybin service centers in their jurisdictional limits.

Under Section 530, ORS 475A (**Exhibit A**) lists the areas where local governments have the authority to enact reasonable time, place, and manner regulations. As listed in the Statute, local governments may enact ordinances to regulate the following elements of psilocybin service centers:

- a) Reasonable conditions on the manner in which a psilocybin product manufacturer that holds a license issued under ORS 475A.290 may manufacture psilocybin products;
- b) Reasonable conditions on the manner in which a psilocybin service center operator that holds a license issued under ORS 475A.305 may provide psilocybin services;
- c) Reasonable limitations on the hours during which a premises for which a license has been issued under ORS 475A.210 to 475A.722 may operate;
- d) Reasonable requirements related to the public's access to a premises for which a license has been issued under ORS 475A.210 to 475A.722; and
- e) Reasonable limitations on where a premises for which a license may be issued under ORS 475A.210 to 475A.722 may be located.

Analysis:

Passed by the People of Oregon, Measure 109 tasked the Oregon Health Authority with the rulemaking authority over the use of psilocybin in Oregon. ORS 475A provides existing regulations for this as well. The City of Scappoose may not enact regulations on psilocybin service centers which are in conflict with or have been addressed by the State of Oregon. Using the structure and language of SMC Chapter 5.06 – Medical Marijuana Facilities (**Exhibit B**) and an ordinance from the City of La Grande enacting time, place and manner regulations of psilocybin (**Exhibit D**), Staff is proposing the following regulations:

Under the authorization of ORS 475A.530 sec. (a), Staff recommends requiring psilocybin service centers to be licensed by the Oregon Health Authority, as the licensing body under Measure 109 and ORS 475A. Staff also recommends prohibiting remnants and by-products of psilocybin products that are manufactured on-site from being disposed in the facility's regular refuse container and prohibiting the storage of psilocybin products outdoors or in non-permanent structures (e.g. trailers, tents, and motor vehicles). These measures drastically reduce the possibility of someone consuming psilocybin products outside the advice, oversight, and care of a licensed psilocybin service center operator. Furthermore, Staff recommends requiring filtration and ventilation mechanisms which are adequate to keep psilocybin-related odors on the premises of the service center.

With the guidance of Legal Counsel, Staff does not recommend that the City regulate the manner that operators of psilocybin service centers provide services. Such restrictions are largely preempted by State statute or will become preempted by the administrative rules the Oregon Health Authority releases.

Under the authorization of ORS 475A.530 sec. (c), Staff recommends allowing psilocybin service centers to open no earlier than 10:00 am and close no later than 8:00 pm. This mirrors the City's current standards for medical marijuana facilities under SMC 5.06 – Medical Marijuana Facilities (**Exhibit B**).

Under the authorization of ORS 475A.530 sec. (d), Staff recommends prohibiting the use of walk-up or drive-through windows and requiring visual screening between the interior and exterior of the center. These measures protect the privacy and dignity of persons seeking psilocybin services and treatment as well as employees of the service center. Additionally, Staff recommends requiring lighting in order to advance the safety of customers and employees of the service center.

Under the authorization of ORS 475A.530 sec. (e), Staff recommends only permitting psilocybin service centers in Commercial and Expanded Commercial zones. Furthermore, Staff recommends prohibiting psilocybin service centers from operating within 1,000 feet, measured from the property line, of a public or private school, a public park, a public library, a licensed childcare facility, or another psilocybin service center. Mimicking the City's regulations of medical marijuana facilities (**Exhibit B**), these

measures eliminate the presence of psilocybin service centers in spaces where children/minors frequently gather. These measures would also eliminate “cluster” areas of several psilocybin service centers. See **Exhibit C** for a map of eligible and prohibited areas for a psilocybin service center under these place regulations.

The recommendations above are arranged and articulated in Code format in **Exhibit F**. If adopted, the proposed regulations would create SMC Chapter 5.07 – Psilocybin Service Centers. The list of proposed regulations was prepared by Staff in consultation with Legal Counsel.

Fiscal Impact: There is no revenue impact since the City cannot collect taxes from the sale or use of psilocybin. By installing regulations, staff time will be required to review conformance with City regulations.

Exhibits:

- A. ORS 475A.530 – Local time, place and manner regulations
- B. Scappoose Municipal Code Chapter 5.06 – Medical Marijuana Facilities
- C. Map of Psilocybin Exclusion Zones
- D. City of La Grande example Ordinance
- E. Draft Ordinance XXX
- F. Draft Scappoose Municipal Code Chapter 5.07

ORS 475A.530 Local time, place and manner regulations. (1) For purposes of this section, “reasonable regulations” includes:

(a) Reasonable conditions on the manner in which a psilocybin product manufacturer that holds a license issued under ORS 475A.290 may manufacture psilocybin products;

(b) Reasonable conditions on the manner in which a psilocybin service center operator that holds a license issued under ORS 475A.305 may provide psilocybin services;

(c) Reasonable limitations on the hours during which a premises for which a license has been issued under ORS 475A.210 to 475A.722 may operate;

(d) Reasonable requirements related to the public’s access to a premises for which a license has been issued under ORS 475A.210 to 475A.722; and

(e) Reasonable limitations on where a premises for which a license may be issued under ORS 475A.210 to 475A.722 may be located.

(2) Notwithstanding ORS 30.935, 215.253 (1) or 633.738, the governing body of a city or county may adopt ordinances that impose reasonable regulations on the operation of businesses located at premises for which a license has been issued under ORS 475A.210 to 475A.722 if the premises are located in the area subject to the jurisdiction of the city or county, except that the governing body of a city or county may not adopt an ordinance that prohibits a premises for which a license has been issued under ORS 475A.305 from being located within a distance that is greater than 1,000 feet of another premises for which a license has been issued under ORS 475A.305. [2021 c.1 §81]

5.06.010--5.06.040

Chapter 5.06MEDICAL MARIJUANA FACILITIESSections:

- 5.06.010 Purpose and Intent.
- 5.06.020 Definitions.
- 5.06.030 Certification Required.
- 5.06.040 Standards of Operation.
- 5.06.045 Subsequent Change in Use.
- 5.06.050 Violations.

5.06.010. Purpose and Intent. Purpose and Intent. The purpose of this Section is to create requirements for medical marijuana facilities that protect the public health, safety, and welfare. (Ord. 840 §1, 2015; Ord. 831 §1, 2014)

5.06.020. Definitions. Except where the context specifically requires otherwise, as used in this Chapter, the following words and phrases mean:

(A) "Applicant" means an agent or owner of a Medical Marijuana Facility.

(B) "Building" means any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels, or property of any kind.

(C) "Location" means any parcel of land, whether vacant or occupied by a building, group of buildings, or accessory buildings, and includes the buildings, structures, yards, open spaces, lot width, and lot area.

(D) "Medical marijuana facility" means a medical marijuana facility licensed by the State of Oregon under HB 3460 (2013) and/or ORS 475.300 et seq., including future amendments thereto. (Ord. 840 §1, 2015; Ord. 831 §1, 2014)

5.06.030. Certification Required. Prior to the City issuing a business license pursuant to Section 5.04 of this Code to a medical marijuana facility, the applicant shall certify to the City that the applicant is in compliance with section 5.06.040 of this chapter. (Ord. 840 §1, 2015; Ord. 831 §1, 2014)

5.06.040. Standards of Operation. A medical marijuana facility must comply with the following requirements, in addition to any other state or local requirements:

5.06.040--5.06.050

(A) Registration in good standing with the Oregon Health Authority as a medical marijuana facility pursuant to state law and in compliance with all applicable laws and regulations administered by the Oregon Health Authority for Facilities.

(B) A facility may not have a walk-up window or a drive-through.

(C) Operating hours must be no earlier than 10:00 a.m. or later than 8:00 p.m. on the same day.

(D) The facility must utilize an air filtration and ventilation system that confines all odors associated with the facility to the facility premises.

(E) The facility must not manufacture or produce any extracts, oils, resins, or similar derivatives of marijuana on-site and must not use open flames or gases in the preparation of any products.

(F) The facility shall not be located:

(1) Within 1,000 feet of another medical marijuana facility.

(2) Within 1,000 feet of a public or private elementary, secondary, or career school. (Ord. 840 §1, 2015; Ord. 831 §1, 2014)

5.06.045 Subsequent Change in Use. A medical marijuana facility which is in compliance with this Code at the time of issuance of the business license shall be allowed to continue in existence, notwithstanding a subsequent change in use of another property which would otherwise render the medical marijuana facility to be in violation of section 5.06.040(F). (Ord. 840 §1, 2015)

5.06.050. Violations. (A) Violation of this Chapter shall be deemed a civil violation pursuant to Section 5.04.120 of this Code.

(B) In addition to all other remedies allowed by this code, operation of a medical marijuana facility within the City in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies. (Ord. 840 §1, 2015; Ord. 831 §1, 2014)



SCAPPOOSE
Oregon

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A horizontal number line with tick marks at 0, 0.2, and 0.4 Miles.

**CITY of LA GRANDE
ORDINANCE NUMBER _____
SERIES 2022**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA GRANDE, UNION COUNTY,
OREGON, ESTABLISHING TIME, PLACE AND MANNER RESTRICTIONS ON PSILOCYBIN SERVICE
CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS; AND DECLARING AN
EFFECTIVE DATE**

WHEREAS, in November, 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of July, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of La Grande is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.530 provides that a city council may adopt an ordinance establishing reasonable regulations governing the time, place, and manner for psilocybin service centers and the manufacturing of psilocybin products within the area subject to the jurisdiction of the city.

NOW, THEREFORE, THE CITY OF LA GRANDE ORDAINS AS FOLLOWS:

Section 1. DEFINITIONS INCLUDED BY REFERENCE. For the purposes of this Ordinance, the following definitions shall be used:

CAREER SCHOOL – means any private proprietary professional, technical, business or other school instruction, organization or person that offers any instruction or training or preparing persons for any profession at a physical location attended primarily by minors.

MANUFACTURING OF PSILOCYBIN PRODUCTS – means the manufacture, planting, cultivation, growing, harvesting, production, preparation, propagation, compounding, conversion or processing of a psilocybin product, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the psilocybin product or labeling or relabeling of its container.

MINOR – means an individual under the age of 18.

PRE-SCHOOL – means a school of instruction attended primarily by pre-kindergarten or age level equivalent (ages 2-5).

PRIMARY SCHOOL – (aka elementary school) means a learning institution containing one or any combination of grades kindergarten through 8th grade or age level equivalent.

PSILOCYBIN SERVICE CENTERS – means an establishment defined under ORS 475A.220 which provides psilocybin services to clients before, during, and after the client's consumption of a psilocybin product, and may include preparation, administration and integration sessions.

City of La Grande
 Ordinance Number _____
 Series 2022
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SECONDARY SCHOOL – means a learning institution containing one or any combination of grades 9 through 12 or age level equivalent and includes those institutions that provide junior high schools which include 9th grade.

Section 2. STANDARDS FOR PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURING OF PSILOCYBIN PRODUCTS.

- A. Location. Psilocybin service centers and the manufacturing of psilocybin products, measured from the real property boundary on which the facility is sited, shall not be located:
 - 1. Within 1,000 feet of the real property comprising a:
 - a. Public or private preschool, elementary, secondary or career school attended primarily by minors; or,
 - b. Public library; or,
 - c. Public park; or,
 - d. Community recreation facility attended primarily by minors; or
 - e. Participant sports and recreation facility attended primarily by minors; or,
 - f. Licensed daycare center.
 - 2. Within 1,000 feet of the real property boundary comprising a psilocybin service center and/or a business engaged in the manufacturing of psilocybin products.
- B. Residential Uses. Psilocybin service centers and the manufacturing of psilocybin products shall not be located on a property with a residence or a mixed-use property that includes a residence, including a caretaker's residence.
- C. Hours. Psilocybin service centers and the manufacturing of psilocybin products shall not operate between the hours of 8:00 p.m. and 8:00 a.m. Psilocybin service centers and the manufacturing of psilocybin products on properties with no other businesses, uses, or other patron activity are exempt from this restriction.
- D. Public View. All doorways, windows and other openings of psilocybin service centers and businesses engaged in the manufacturing of psilocybin products shall be located, covered or screened in such a manner to prevent a view into the interior from any exterior public or semipublic area.
- E. Lighting. Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lighting to provide after-dark visibility to employees and patrons. Fixtures shall be designed and located so the light patterns overlap, but do not cast light beyond the property boundaries, except over pedestrian areas within a public right-of-way.
- F. Storage. All storage shall be located within a permanent building and may not be located within a trailer, tent or motor vehicle. Outdoor storage of any material associated with psilocybin service centers and the manufacturing of psilocybin products is prohibited.
- G. Odors. Psilocybin service centers and the manufacturing of psilocybin products shall use an air filtration and ventilation system designed to ensure, that psilocybin related odors are confined to the premises and are not detectible beyond the property boundaries in which the facility is located.

City of La Grande
Ordinance Number _____
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- H. Secure Disposal. Psilocybin service centers and businesses engaged in the manufacturing of psilocybin products must provide for secure disposal of psilocybin remnants or by-products; psilocybin remnants or by-products shall not be placed within the facility's exterior refuse container.

Section 3. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after its adoption by the City Council of the City of La Grande, Union County, Oregon and its approval by the Mayor; specifically, November 4, 2022.

ADOPTED AND APPROVED on this Fifth (5th) day of October, 2022, by _____ (____)
of _____ (____) Councilors present and voting in the affirmative.

Stephen E. Clements, Mayor

ATTEST:

Stacey M. Stockhoff
Acting City Recorder

ORDINANCE NO. XXX

**AN ORDINANCE OF THE CITY OF SCAPPOOSE CREATING SCAPPOOSE MUNICIPAL
CODE 5.07 – PSILOCYBIN SERVICE CENTERS**

WHEREAS, the People of Oregon voted to pass Ballot Measure 109 in the 2020 General Election; and

WHEREAS, Measure 109 passed in both Scappoose and Columbia County in the November 2020 General Election; and

WHEREAS, Ballot Measure 109 directs the Oregon Health Authority to license and regulate the manufacturing, transportation, delivery, sale, and purchase of psilocybin products and the provision of psilocybin services; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the State's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, ORS 475A.530 – Psilocybin Regulation provides that City and County governments in Oregon may exercise their home rule authority to adopt reasonable time, place, and manner restrictions on psilocybin service centers; and

WHEREAS, the City Council unanimously voted on August 8, 2022 to request that Staff bring back options for reasonable regulations above and beyond ORS 457A; and

WHEREAS, the City Council held a work session on October 17, 2022 in which Staff presented a set of time, place, and manner restrictions for the Council to consider.

NOW, THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. A new Chapter 5.07 is adopted and added to the Scappoose Municipal Code as shown in Exhibit A.

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First reading: TBD
Second reading: TBD

Attest: _____
Susan M. Reeves, MMC
City Recorder

Creation of Municipal Code Chapter 5.07

Chapter 5.07 Psilocybin Service Centers

5.07.010. Purpose and Intent. The purpose of this Section is to create requirements for psilocybin service centers that protect public health, safety, and welfare.

5.07.020. Definitions. Except where the context specifically requires otherwise, as used in this Chapter, the following words and phrases mean:

(A) "Applicant" means an agent or owner of a psilocybin service center.

(B) "Building" means any structure having a roof supported by columns or walls, for the housing, shelter or enclosure of persons, animals, chattels, or property of any kind.

(C) "Location" means any parcel of land, whether vacant or occupied by a building, group of buildings, or accessory buildings, and includes the buildings, structures, yards, open spaces, lot width, and lot area.

(D) "Psilocybin service center" means a psilocybin service center licensed by the State of Oregon under Oregon Measure 109 (2020). Under State law, psilocybin service centers are not classified as healthcare facilities.

5.07.030. Certification Required. Prior to the City issuing a business license pursuant to Section 5.04 of this Code to a psilocybin service center, the applicant shall certify to the City that the applicant is in compliance with section 5.07.040 of this chapter.

5.07.040. Standards of Operation. A psilocybin service center must comply with the following requirements, in addition to any other state or local requirements:

(A) Licensed and in good standing with the Oregon Health Authority, or their designated licensing authority, as a psilocybin service center under state law and in compliance with all applicable laws and regulations administered by the Oregon Health Authority for Facilities.

(B) A center may not have a walk-up or drive-through window.

(C) Operating hours must be no earlier than 10:00 a.m. or later than 8:00 p.m. on the same day.

(D) The psilocybin service center, including any portion of the legal lot its situated on, shall not be located:

(1) In any zone other than Commercial (C) or Expanded Commercial (EC).

(2) Within 1,000 feet, measured from the property line, of a public or private pre-school, elementary, secondary, or career school.

(3) Within 1,000 feet, measured from the property line, of a public park.

(4) Within 1,000 feet, measured from the property line, of a public library.

(5) Within 1,000 feet, measured from the property line, of a childcare facility licensed by the City of Scappoose.

(6) Within 1,000 feet, measured from the property line, of another psilocybin service center.

(E) All doorways, windows and other openings of psilocybin service centers and businesses engaged in the manufacturing of psilocybin products shall be located, covered, or

screened in such a manner to prevent a view into the interior from any exterior public or semipublic area.

(F) Primary entrances, parking lots and exterior walkways shall be clearly illuminated with downward facing security lighting to provide after-dark visibility to employees and patrons. Fixtures shall be designed and located so the light patterns overlap, but do not cast light beyond the property boundaries, except over pedestrian areas within a public right-of-way.

(G) All storage shall be located within a permanent building and may not be located within a trailer, tent or motor vehicle. Outdoor storage of any material associated with psilocybin service centers and the manufacturing of psilocybin products is prohibited.

(H) Psilocybin service centers and the manufacturing of psilocybin products shall use an air filtration and ventilation system designed to ensure, that psilocybin related odors are confined to the premises and are not detectible beyond the property boundaries in which the facility is located.

(I) Psilocybin service centers and businesses engaged in the manufacturing of psilocybin products must provide for secure disposal of psilocybin remnants or by-products; psilocybin remnants or by-products shall not be placed within the facility's exterior refuse container.

5.07.045 Subsequent Change in Use. A psilocybin service center which is in compliance with this Code at the time of issuance of the business license shall be allowed to continue in existence, notwithstanding a subsequent change in use of another property which would otherwise render the psilocybin service center to be in violation of section 5.07.040(F).

5.07.050. Violations. (A) Violation of this Chapter shall be deemed a civil violation pursuant to Section 5.04.120 of this Code. (B) In addition to all other remedies allowed by this code, operation of a psilocybin service center within the City in violation of the provisions of this Chapter is hereby declared a public nuisance and shall be abated pursuant to all available remedies.



SCAPPOOSE

Oregon

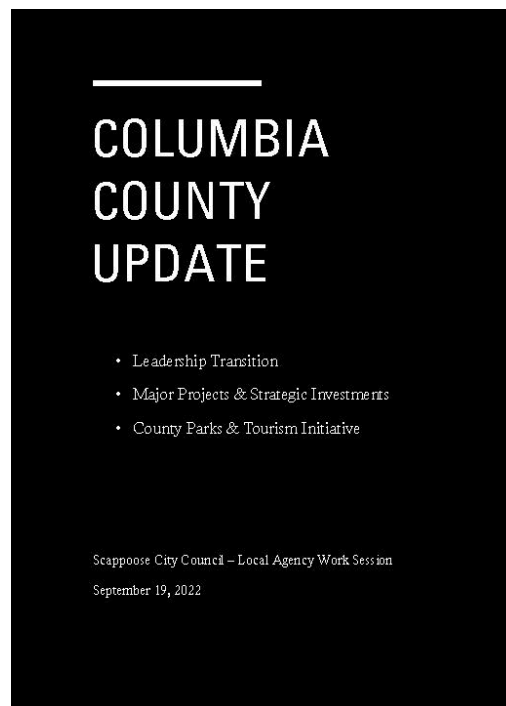
MONDAY, SEPTEMBER 19, 2022
CITY COUNCIL MEETING
WORK SESSION ~ COLUMBIA COUNTY, 6PM

Mayor Burge opened the work session at 6:00 p.m.

Present: Mayor Scott Burge; Council President Megan Greisen; Councilor Brandon Lesowske; Councilor Pete McHugh; Councilor Tyler Miller; Councilor Jeannet Santiago; City Manager Alexandra Rains; Community Development Director Laurie Oliver Joseph; Assistant to City Manager Isaac Butman; and Legal Counsel Peter Watts

Remote: Kim Holmes

Columbia County Commissioner Casey Garrett went over a Columbia County update presentation.



LEADERSHIP TRANSITION

Department Heads

- Director of Community Corrections
- Director of Emergency Management
- Director of General Services
- Director of Human Resources
- Director of Transit
- Director of Land Development Services
- Director of Finance & Taxation
 - Recruitment in-progress
- Director of Public Health
 - Recruitment in-progress

Program Managers

- Land use Planning Manager
- County Building Official
- Assistant Director of Public Works
- Solid Waste Coordinator

Appointments to Elected Positions

- County Assessor
- County Clerk
- State Senator, District 16

❖ Significant leadership transition – 11 out of 16 County Departments in 20 months

MAJOR PROJECTS & STRATEGIC INVESTMENTS

John Gumm & Courthouse Renovations

- Relocation of County Admin. and State Court Offices
- New home for:
 - Columbia Economic Team
 - Columbia Pacific Economic Development (Col-Pac)
 - Small Business Development Center
- County Museum
- Public Auditorium
- Public Health Center

Prescott Beach Land Acquisition

- 63 acres PGE owned
- City of Prescott Wastewater Facility
- Park Development Plan

Broadband Study

- ColPac agreement - regional analysis
- Preparing “last-mile” grant app
- RFP for Facilities fiber provider

Ambulance Service Area Study

- Phase 1 complete

Hospital Feasibility Study

- Negotiating Contract

Water Needs Analysis

- Community Water Forum

County Records Management System

- Developing RFP
 - Includes archive scanning
 - GIS Mapping - Records access

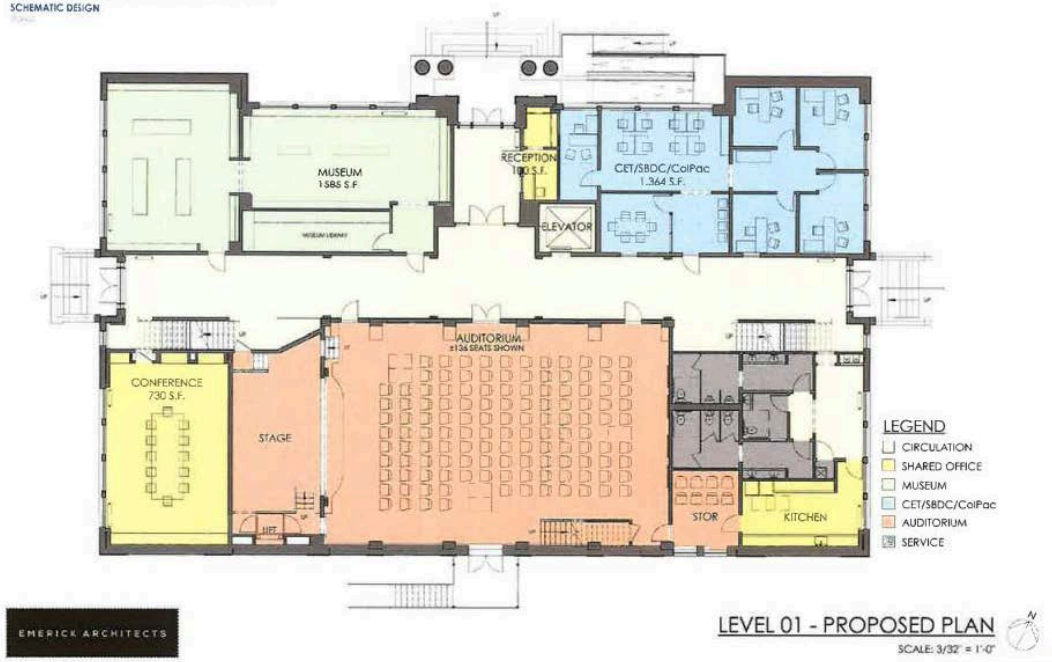
Office 365 Upgrade

- Microsoft Teams

Fairgrounds - Indoor Arena Planning



JOHN GUMM BUILDING CIVIC OFFICES
SCHEMATIC DESIGN



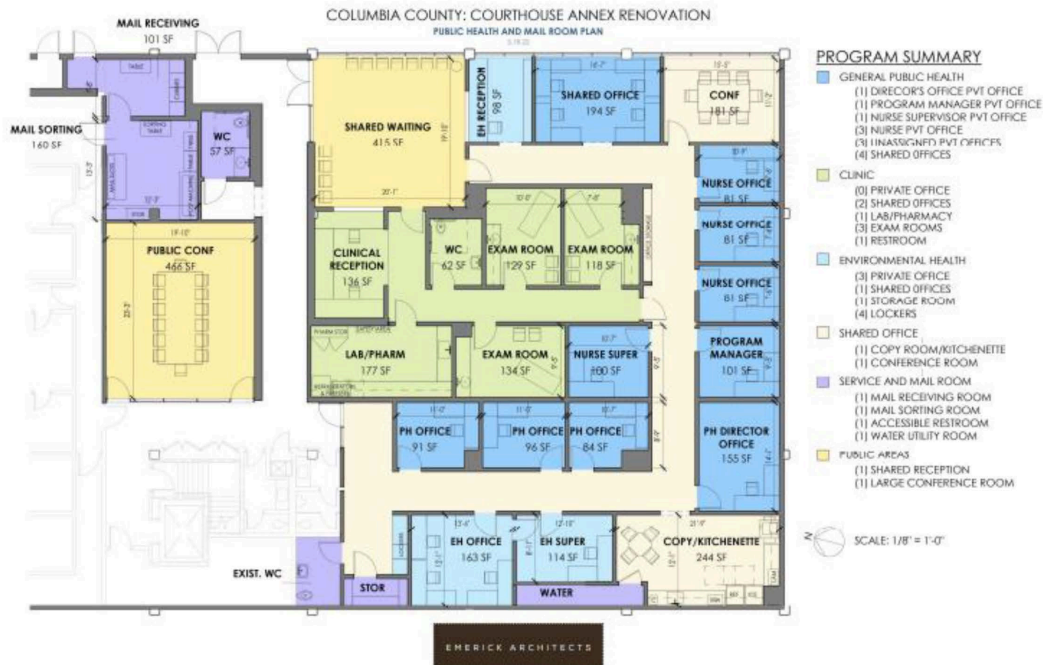
JOHN GUMM BUILDING CIVIC OFFICES
SCHEMATIC DESIGN



EMERICK ARCHITECTS

LEVEL 02 - PROPOSED PLAN

SCALE: 3/32" = 1'-0"



COUNTY PARKS & TOURISM INITIATIVE

Travel Oregon/CET – Destination Ready Workshop

- Water/River access focused
 - Prescott Beach & Sand Island

Recent Grants

- OPRD
 - Crown Z – Holce Trailhead
 - Hudson Parcher Park Play Structures
- Cultural Advocacy Coalition of Oregon
 - Columbia County Museum (Pending)

Projects Complete and In-progress

- 20 Historical/Interpretive Signage Kiosks installed along Crown Z Trail
- Hwy 47 & Vernonia Wayfinding Signage
- Bike Hubs & Historic/Interpretive Signage Kiosks
 - Vernonia, Clatskanie, Rainier
 - Opportunity to include Scappoose

Upcoming Projects

- Prescott Beach phased development
 - Overnight Camping
 - Tent, RV, Cabins
 - Restrooms & Showers
 - Increased River Access
 - Boat Launch & Dock
 - ADA Fishing Pier
 - Walking Trails & Wildlife Viewing Areas
 - Event Venue Amenities
- Camp Wilkerson Campsites & Cabins
 - 10 new campsites
 - 5 new cabins
 - Vault toilet, power/water services extensions

DESTINATION PRIMARY LURE HUB & SPOKE

The Hub & Spoke exercise helps a community narrow in on the primary reasons visitors are coming to their community. As a community thinks about building or enhancing experiences, it is important to make sure the experience is true to who the community is and isn't completely divergent or, conversely, diluting the experience.

It begins with identifying the primary lure—this is the primary reason visitors are coming to the area. Think about it through the lens of inviting friends and family to visit. What is the main thing you plan to do while they are with you?

PRIMARY LURE: The Columbia River and its natural wonders invites residents and visitors to enjoy numerous recreational opportunities including fishing, boating, paddling, and swimming. People can also relax along the river's banks and on its beaches, as well as camp on shore and boat-accessible islands.

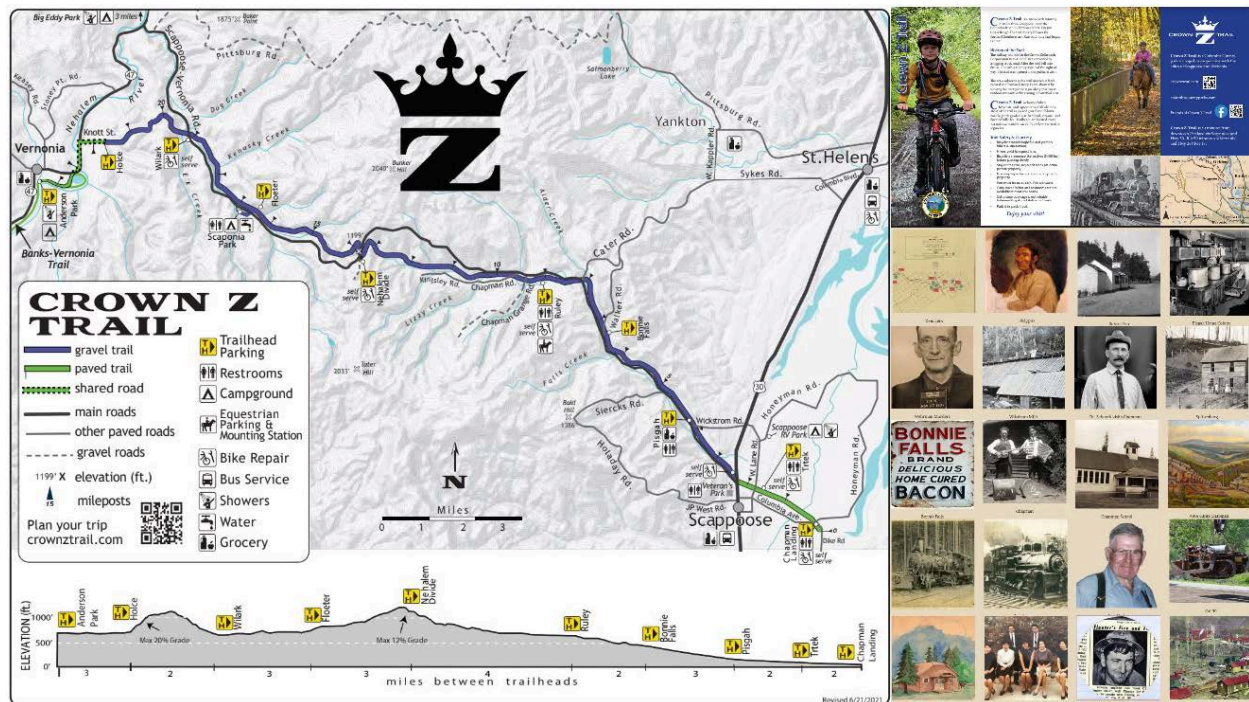
From there, the spokes are identified. The spokes are the other key things a traveler is likely to do in the community and may be secondary lures.

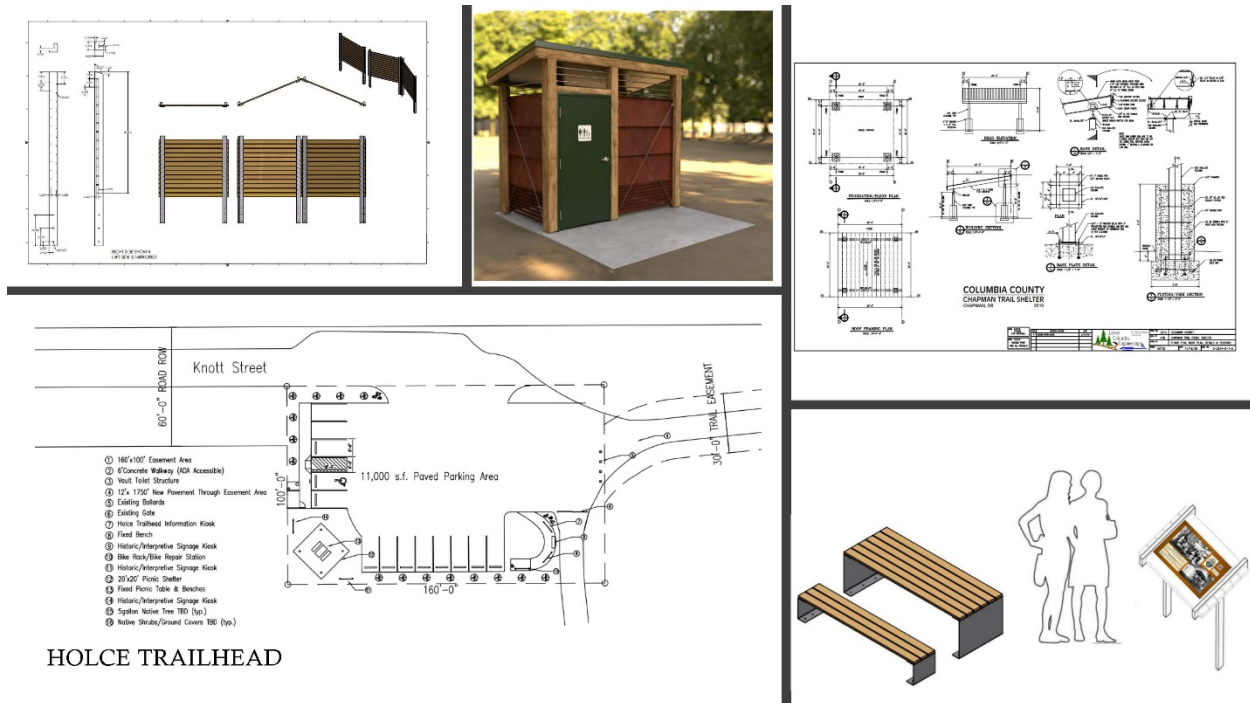
SECONDARY LURE: Active outdoor recreation encompasses the second lure, inclusive of road and gravel biking, hiking, hunting, and fishing.

SPOKES: Columbia County has numerous towns that possess strong and (re)emerging main street areas with quality food and beverage options as well as shopping and cultural experiences including historical museums. Again, camping in the many parks and along the waterfront keeps people in the county overnight.



PRESCOTT BEACH CONCEPTUAL PLAN





Council thanked Commission Garrett for all the updates.

SCAPPOOSE COMMUNITY AND SENIOR CENTER, 6:30PM

Kay Stuck-Werings, President of the Scappoose Community and Senior Center explained they have mostly been dealing with repairs and rejuvenation of the center. She stated hopefully they can get it up to where they can do meals and be at full capacity. She explained however they keep having setbacks. She thanked the City for the funds for the HVAC unit, but now it turns out they need a total three. The units are twenty-five years old. She is working on a grant to hopefully pay for two new units. She explained they are looking for board members. She gave an updated on their fundraising events and their garden.

Robert Glosenger, Secretary for the Scappoose Community and Senior Center explained he volunteers at the bread store which is located next to the Scappoose Thrift Store. He explained they have about twenty volunteers and they are open six days a week.

Councilor Lesowske asked if there is any collaboration with the bread store and the farmers market, where someone could get a voucher and get fresh produce from the growers? If not, he would love to put Robert in connection with the farmers market to look at the next grow season where there would be resources which could open up the availability to those most populations that we could get the food to.

Robert Glosenger replied that sounds good.

Clara Pell, Vice President of the Scappoose Community and Senior Center talked about the need to get more members and more volunteers.

Councilor Lesowske suggested the Scappoose Community and Senior Center using a “Go Fund Me” account to raise funds to help offset the cost of the HVAC systems.

Kay Stuck-Werings explained if Council knows someone who would be willing to come and help them get that set up it would be greatly appreciated.

Councilor Lesowske replied he will see what he can do and let her know. He explained he appreciates the updates and appreciates all the Boards service and dedication to our community and to the organization.

Councilor Miller asked what happened with the roof and siding projects.

Kay Stuck-Werings replied they started their siding fund, but it is on hold because of the HVAC issue. She explained the Thrift Store roof has been done.

Councilor McHugh thanked them all for their hard work. He stated no one works harder than Kay, she is there every day, and she is a leader and takes care of business. He also appreciates City Manager Rains being involved with the Center.

Kay Stuck-Werings said City Manager Rains has been a regular attendee at their Board meetings and they really appreciate that. She stated PUD has been represented at every meeting also.

Also in attendance at the meeting: Scappoose Community and Senior Center Board Directors Joanne Rauch; Cynthia Hoff; and Beth Glosenger.

Council thanked all who attended from the Scappoose Community and Senior Center.

Mayor Burge adjourned the work session at 6:55pm.

Mayor Scott Burge

Minutes typed by

City Recorder Susan M. Reeves, MMC



SCAPPOOSE *Oregon*

Regular meeting 7:00 pm
COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056

Call to Order

Mayor Burge called the meeting to order at 7:00pm.

Pledge of Allegiance

Roll Call

Scott Burge	Mayor	Alexandra Rains	City Manager
Megan Greisen	Council President	Isaac Butman	Assistant to the City Manager
Brandon Lesowske	Councilor	Laurie Oliver Joseph	Community Development Director
Peter McHugh	Councilor		
Tyler Miller	Councilor		
Jeannet Santiago	Councilor		
Peter Watts	Legal Counsel		
Ashley Driscoll	Legal Counsel		

Excused: Councilor Josh Poling; City Recorder Susan Reeves; Chief Steven Lougal

Remote: Rick; Kim Holmes

Approval of the Agenda

Councilor Lesowske moved, and Council President Greisen seconded the motion to approve the agenda. Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; Councilor Tyler Miller, aye; Councilor Jeannet Santiago, aye.

Public Comment

There were no public comments.

Consent Agenda ~ September 6, 2022 Council Work Session minutes; and September 6, 2022 City Council meeting minutes

Council President Greisen moved, and Councilor Lesowske seconded the motion to approve the Consent Agenda ~ September 6, 2022 Council Work Session minutes; and September 6, 2022 City Council meeting minutes. Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; Councilor Tyler Miller, aye; Councilor Jeannet Santiago, aye.

Old Business

Ordinance No.904: An Ordinance Renaming 6th Street to SE 6th Court

Mayor Burge explained this is on second reading.

Community Development Director Laurie Oliver Joseph explained Council held a hearing on September 6, and made a motion and a second for approval.

Mayor Burge read the ordinance for a second time ~ Ordinance No.904: An Ordinance Renaming 6th Street to SE 6th Court.

Motion passed (6-0). Mayor Burge, aye; Council President Greisen, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; Councilor Tyler Miller, aye; Councilor Jeannet Santiago, aye.

New Business

Council to discuss the request from Kat Balogh for an Ordinance banning the sale of puppies and kittens in pet stores

Councilor Miller explained since this was a request from the public that came in and we didn't have a chance to discuss it as a Council he thought it was important that we have this dialogue to see if Council wants to move forward with a draft ordinance for consideration. He did have communication with City Manager Rains regarding this and he had heard that at this point there's already a ban at the state level for selling puppies in pet stores.

City Manager Rains replied there is not a ban at the state level which is one of the reasons why they've been searching for bans at the local municipal level. she stated then we also have a sample ordinance that we could work off if this is something that council would want to pursue.

Councilor Miller stated based on the public testimony he is in favor of moving forward with a draft ordinance banning the sale of puppies and kittens at pet stores.

Councilor Lesowske stated he appreciates Councilor Miller bringing this to council's attention at least to follow up with the citizens concern and that we're addressing it and he thinks that's very valuable. He did do a little research on his own in regards to this because he was informed that there was a state bill that was actually moving through and in his research he did note that there was a previous House Bill he believes it was in 2020 that actually died in the chambers. So there isn't currently anything in the works but he thinks there's a coalition of folks that are still trying to make that movement to be a statewide ban. He explained he talked to the management at the local pet store, and they do not sell cats and dogs there. He explained in that conversation they did acknowledge that there is a need to ensure that those that are breeders are breeding in a way that it's humane. He explain the pet store management concerns are if we do put these bands in place all it does is pushes illegal breeders into doing more illegal breeding. He explained he's not against, nor for this ordinance. He would be willing to absolutely hear it out and see how it would be drafted but he does want to at least acknowledge the voice of the business owners and how they feel about these particular ordinances. He just wanted to share that with council as we move forward in whatever direction it may be that we are very mindful of how it can impact not only the animals but also our businesses and our residents.

Councilor Santiago explained she did do some research and there's terrible stories about puppy mills and how the animals don't come very healthy, they're not taken care of and how puppies are packaged or the way that they held them. The puppies are not getting the love and affection that they need in the beginning like any kind of infant. She asked if in the ordinance we could have a possible clause that says the person has to be certified or have some type of a license.

City Manager Rains explained not having a sample in front of her, it's hard for her to say as it could be in there, but she doesn't know. She explained that's the type of flexibility that council would have to make those kind of determinations. She explained that certainly something staff could look at if Council wants to move ahead with this.

Legal Counsel Peter Watts explained he thinks all of us did a little research into this and he found a couple cities that have really good templates. He thinks there are a couple of reasons that people are going to different city councils and doing this. He explained maybe it's breeders that don't want members of the public that are purchasing the puppies to come onto their property. Another reason is the more cities that pass the ordinance, the more it sends a signal to the Legislators that there's a statewide concern for this end for the regulations. He thinks the operations that people are most concerned about probably don't happen within cities they probably happen in county areas and so the State is probably the best entity to regulate. He explained both California and Washington have ended this practice and he thinks there is concern that it will become more prevalent in the state of Oregon if measures aren't taken.

Mayor Burge said he does support some sort of ordinance like this. He wanted to make sure when he read through this that rescue animals were still available because he worked with rescue organizations in the past. He thinks this is also an opportunity to work with the Oregon Humane Society and find out what their thoughts are on this kind of law, and are they supportive of this because they are the ones with the animals that get surrendered/rescued. He feels this is a good opportunity for the City to have a voice in an issue that's coming forward.

Council President Greisen replied she agrees with Mayor Burge regarding the rescue animals. She explained a storefront in city limits provides more traffic and maybe the Humane Society is in the pet store with some animals that have not been adopted out yet and it provides a space for the public to maybe be open to adopting a pet are intrigued by it. She's definitely in favor of seeing a draft ordinance. She doesn't condone people doing a mass breeding and then trying to get them sold at our pet stores but the idea of a having rescue animals at the pet store doesn't bother her.

Councilor Miller explain he fully supports the pet stores collaborating with shelters to try and adopt dogs and cats out that don't have homes.

Mayor Burge Explained the model ordinance that was provided has that in there.

Councilor Lesowske explained he too would like to hear what the Oregon Humane Society feels about this particular subject. He thinks that would definitely persuade him in understanding our organizational view.

Announcements – information only

Calendar

Mayor Burge went over the calendar.

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

City Manager Rains thanked the staff and committee members that showed up at the Adventure Festival, in addition to staff members who did cleanup.

Councilor Miller explained Mitch with the Scappoose School District emailed him this morning and said that he had been in communication with the tower companies to see what the rates would be for adding the receivers there. We are waiting for a quote from Communications Northwest to see with the costs would actually be. He explained depending on what the cost is, he may come to Council to see perhaps if we could use some ARPA money for that. He explained as soon as we have that information from the tower company and the school district says they can handle that piece of it he believes that City Manager Rains is going to reach out to

the 911 District and confirm that they are willing to make the connection because it does require them to cooperate and make the connection to their system. He explained in one way or another he will find funding for this to get it done. He explained as far as a new radio system engineering they are continuing to get the interviews done with all the different agencies, which hasn't been easy, but they are making progress.

Council President Greisen explained Run with Neil was a very successful event and fundraiser and that kicked off the Adventure Fest, which she knows it took a lot of funding on our part which maybe wasn't met with an equal amount of sponsorships. She knows we want to continue this event long term and we'll probably have to make some tough decisions going forward if financially this is something we can put on. She saw a stress lifted off more from staff by using Treadway and just not having to rely so much on volunteer support and running around. She felt like people could enjoy the event. She heard so many families giving thanks to the City that they could show up to an event and experience could be had by their children that they didn't have to pay for. As a Council she'd really would like us to see how we can make something like this continue. She had a blast, it was just great! She explained there's been a lot of fall sports in full swing right now. The Scappoose School District Board of Directors voted not unanimously, but majority in favor to name the new turf field McNabb Field after the McNabb family. The dedication will be at the homecoming game. She explained she has a lot of people reach out to her about traffic concerns and she just always encourages the citizens to continue to share that but as a member of the Traffic Safety Committee there is an outlet as a citizen for you to go on the Police Department website and fill out a formal document that then comes to the committee and they review all those sorts of concerns. She explained it's election season and we are starting to see signs out and about and she just encourages citizens to take the time to visit with candidates at the county and city level, get to know them and their story and take the time to read about them to see what they potentially could do to benefit our communities.

Councilor Lesowske thanked Isaac for his time and energy with the Adventure Fest because we provided what we wanted to do for the community. He also thanked other staff members and Treadway for putting in a lot of time and effort. He stated it was truly appreciated, and it was great. He explained as Council President Greisen stated it is an event that our community members can come partake in. He explained school has started and we have more people out and about walking. He appreciates seeing more sidewalks in our community. He explained he was able to attend the Farmers Market and Bill has done a phenomenal job in addition to all the volunteers. They are always seeking new volunteers so if you want to get more engaged in the community the farmers market is a great entry point for those interested. he explained he got the opportunity to meet with ten local business owners over the weekend to just talk about what their thoughts are around the climate of how the city is moving forward to better understand their needs as the city continues to grow in both size and spirit. He was very, very happy to be able to hear from them, not a lot of complaints as they were very happy with the way that the City is moving forward which is building up their businesses. He attributes that to a

lot of the work that we as elected representatives have done to move our economy forward especially with Mayor Burge's foresight with OMIC and being able to work with a variety of different agencies and other representatives to see that space over there starting to grow and how that the residual effect is that our businesses here locally are seeing positive impacts because of it.

Councilor McHugh explained he agrees with everything that was said about the Adventure Fest. Great job Isaac, it was a lot of things to pull together. He stated it just went very well and he appreciates the visibility of our Police Department at the event. he explained last Saturday was the Out of the Darkness walk and Timmi Sue, Chief Lougal and the chaplains with the Police Department we're all part of that sponsorship and it went very well and was well attended. He said he was very impressed and it's a very important issue that we need to support.

Councilor Santiago thanked staff for all their hard work on the Adventure Fest. She talked about people speeding and said please slow down. She explained she hears from community members and invites them to come and share their comments with Council. She did the Run for Neil, which was awesome.

Mayor Burge explained the Adventure Fest was a really good event. He thinks with the financial concern what Council should do is set the date for the next advent right away. He thinks the thing that dragged the fundraising effort was we got the logo together late which delayed fund raising and then he thinks there is a little bit of miscommunication who was doing the fundraising but some of them stepped in and did some fundraising at the last minute and that worked out pretty decently. He stated early information for people helps us raise money and the money raised for sponsorships helps pay for the event. He appreciated the fact that City staff was there all day representing the City. He talked about Scappoose being the 8th best place to live in Oregon and that is something to be proud of. He stated we all should be proud of the community that we have built.

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

Mayor Burge went into Executive session at 7:38pm.

Open Session

Mayor Burge came out into open session at 8:42pm.

Adjournment

Mayor Burge adjourned the meeting at 8:42pm.

Mayor Scott Burge

Minutes typed by

City Recorder Susan M. Reeves, MMC

DRAFT



SCAPPOOSE

Oregon

MONDAY, OCTOBER 3, 2022
CITY COUNCIL MEETING
Regular meeting 7:00 pm
COUNCIL CHAMBERS
33568 EAST COLUMBIA AVENUE
SCAPPOOSE, OREGON 97056

Call to Order

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

Pledge of Allegiance

Roll Call

Scott Burge	Mayor	Alexandra Rains	City Manager
Megan Greisen	Council President	Isaac Butman	Assistant to City Manager
Brandon Lesowske	Councilor	Susan M. Reeves	City Recorder
Peter McHugh	Councilor		
Peter Watts	Legal Counsel		

Excused: Chief Lougal

Remote: Councilor Josh Poling; Councilor Tyler Miller; Councilor Jeannet Santiago (left at 7:55pm); Kim Holmes (left at 9:27pm); Liz Bian (left at 7:21pm); Christine Turner; Beth Rajski; Anna Del Savio with the Spotlight; Kevin Bryant Lay (left at 7:42pm); Margaret Trenchard-Smith (left at 7:42pm); Marilyn Allen (left at 7:42pm); Wela Negelspace; and Legal Counsel Ashley Driscoll (arrived at 8:00pm).

Approval of the Agenda

Mayor Burge explained he is going to recommend a couple of amendments to the agenda. He would like to add a consent agenda item to add Ian Holzworth to the Park and Rec Committee and then he would like to remove Resolution 22-19 & Resolution 22-20 and have them reviewed by the respective committees for comments.

Councilor McHugh stated he thinks it is the right thing to do.

Councilor Lesowske asked for point of clarification; so we would be sending the current bylaws back to each of those individual committees for review and recommendation prior to Council's discussion to create a more inclusive dialogue around this subject matter, is that what your hope and desire is?

Mayor Burge replied that is the goal.

Council President Greisen stated she thinks that any agenda item is open to public conversation and those that are able to participate can speak on agenda items. She thinks this is an afterthought and whether it is the right thing to do or not she thinks it's important the Council continue to move forward so that our committees can continue to do the great work that they are doing.

Mayor Burge feels there's a lot of changes in those bylaws and having the committees be able to comment on them within their format and make recommendations that they may look at it and say these do or don't work for us might be a better way to go than giving them a chance to make public comments because these two are resolutions and there's no public hearings on them and that would give them the maximum opportunity to look at it and make recommendations to Council.

Legal Counsel Peter watts explained what we tried to do with these was to capture all of your comments. He thinks just from a staff perspective regardless of whether these need to be reviewed by those committees or how much more information Council needs in order to make a decision what would be helpful for us is to know whether we kind of captured what you were looking for in these or if we need to revise them. He explained knowing if we're on the right track or not is something that would be helpful to us.

Council President Greisen explained she also believes there are certain councilors or mayor that have Comments that are noted in here and they're included because those comments were made and she thinks it's important to have dialogue with her fellow councilors for clarification on why they asked or didn't ask for certain things to be included. She is fully prepared to have a discussion and weed through some of this with her fellow councilors because they did take the time to ask for some of these things in here.

Councilor McHugh explained He doesn't recall bringing up the park and rec issue up at their last council meeting in a detailed sort of way. He did remember that city manager rains explain that staff is being treated poorly but he doesn't remember council saying well let's have staff go back to the Drawing board on the park and rec committee and drop all new guidelines and how about if we don't allow someone living out of the city to be the chairman. He doesn't recall any of that.

Council President Greisen replied those are conversations that may be the Mayor or Councilors have given staff their feedback and staff has captured that in this document and that's why she's fully prepared to talk about these this evening. She has had conversations with committee

members over the last week. She empathizes with their concerns, and she'd like to speak up for them and have that discussion amongst ourselves this evening.

Councilor Lesowske asked Mayor Burge if he has any concerns with staff being able to present what they provided Council tonight with discussion.

Mayor Burge feels it should be a work session. He explained he's not prepared to vote on anything because even when he looked through the documents it just seems very prescriptive and limiting of creativity from the Parks committee.

City Manager Rains explained from her perspective staff is simply just trying to implement whatever instructions we hear from council and that's all we're trying to do. she explained we felt like we tried to take notes and stick with what was in the minutes and go back through and really look at what was requested and reflect those in the bylaws changes that were proposed. if for whatever reason when these went out to you, and you didn't feel that reflected that we would have been happy to take them off but we didn't hear anything. She thinks from the staff perspective if it is something that you all don't feel good about, she would rather just remand it back to the committees and not go into it to be honest, not if it's going to become some kind of big disagreement essentially.

Mayor Burge replied a lot of his calls came in over the weekend.

Legal Counsel Peter Watts stated traditionally when you have whether it's committees or anything else that are in the same category Council has instructed staff that you want uniformity and rules. He explained when you have standing committees, he would anticipate that the bylaws for all of them would be uniform.

Mayor Burge explained there are people here who want to talk on the resolutions because they are opposed to them, and most of them are members of the Park & Rec Committee or other committees. He doesn't think they're opposed to the ordinance just opposed to some of the bylaw changes and he would rather see this placed into a work session where we can review these items after the Park and Rec Committee and the Economic Development Committee both make recommendations on what they think the bylaws should look like. He thinks the biggest thing is that the bylaws became so wordy, and bylaws should be much more simpler than that.

Councilor McHugh moved that Council remove Resolution 22-19 & Resolution 22-20 from agenda so we can have a work session to discuss them and add the Consent Agenda with the appointment of Ian Holzworth to the Park & Rec Committee.

Councilor Santiago asked Mayor Burge in regard to the phone calls he received can he explained what the concerns were.

Mayor Burge explained the calls were regarding the changes in the bylaws.

Mayor Burge asked for a second to Councilor McHugh's motion. Seeing none, the motion dies.

Mayor Burge asked if there was a motion to approve the agenda.

Councilor Lesowske moved, and Councilor Miller seconded the motion approve to the agenda with the addition of adding the consent agenda appointing Ian Holzworth to the Park and Rec Committee. (Motion passed 7-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Tyler Miller, aye; Councilor Pete McHugh, aye; and Councilor Jeannet Santiago, aye.

Public Comment

Joel Haugen, Scappoose, explained he wanted to comment on concerns of the Park and Rec Committee and the Economic Development Committee. He explained continuity he thinks is really important for a community engagement and if you don't meet regularly on a monthly basis you lose continuity. He would strongly urge Council to keep that continuity in the equation. He talked about overkill on rules and regulations and the least possible amount of rules for a committee especially a volunteer committee is desirable. He hopes Council can minimize the amount of rules and regulations for a committee. He thinks everybody recognizes the value of an engaged and skilled set of volunteers in a community and so let's leverage that to its maximum extent possible. Let's not sideline them or push them away, let's make sure that we really celebrate that whole action because that's what makes a vibrant community and without that kind of vibrancy everybody fails. He hopes Council will keep that in mind as you go forward.

Paul Fidrych, Scappoose, explained he's been a member of the Park and Rec Committee for over four years and he comes here to state his personal comments on the agenda item number 4. He thanked Council President Greisen for reaching out to him and discussing this beforehand. He did have some concerns about it after he read it. He talked about the change of meetings to quarterly, which would be four hours per year. He explained he believes this was stated by the city attorney in a previous meeting that "these committees don't really have that much to do and really only need to be meeting quarterly". He stated so if you haven't been paying attention with current events, we have the recently acquired Grabhorn parcel, which as we know had some public input issues and there was an ad hoc committee created for it and there have been some updated designs that were just released that's going to need even more citizen input. We have finally taken ownership of Chapman Landing and in its current state it needs a lot of work to reach its full potential as it's the only public access to waterfront in the city. Vista Park is in completely raw form and lots of work needs to be done to figure out what we're going to do with it and lastly the Mayor's primary objective is to further create parks within walking distance of all city residents. That's an impressive work list. We are also behind with amenities per capita ranked by other Oregon towns, so there's a lot going on. He stated four hours a year, not only would that be ineffective, but he thinks that would scare people away from joining the committees because it's not about the hours it's about being effective in creating change and being part of the change. He really hopes that we strike that. He went over responsibilities and

objectives, it appears that “as directed by Council” Has been added to all facets of the illicit responsibilities and objectives. He stated it seems fine on the surface, but committees are here to give advisement to the Mayor and City Council of course but to propose code by law changes will not allow us to comment, discuss or to put on the agenda any items that are not first specifically directed by Council. He explained how they currently handle it is if something comes up they discuss it as a group, they discussed the validity and they might assign the study for more information. They don't want to bother the Council until they do some work first and then they try to understand it and then they decide should they go in front of the City and tell them about it or not, the way they are doing it now is working. He stated to have such stronghold on them it just doesn't seem to make a lot of sense. He doesn't want to miss out on opportunities, opportunities for the citizens. We as the committee members feel that we are an extension of the citizens and they're reaching out to them, and they have created relationships and they end up reaching back out to the Committee when they have questions about what's going on with parks. he stated all the listed objectives and responsibilities he asked to strike those. He talked about the local issue, everyone has a vested interest in Scappoose whether we live on the hill like he does, they pay taxes, they are members of the school district, they use the same amenities and ultimately they have a hand in what Scappoose is today and where we are going to go in the future and they're doing it because they care. He explained he's not part of the city, but he works for the citizens and once to continue to do that and to have these rules just doesn't seem to make sense to him. He thanked Council.

Marisa Jacobs, Scappoose, explained she's speaking as a citizen this evening regarding agenda item number 4 regarding the bylaw changes to the committees. She explained after a thorough reading of the proposed changes to the committees she ask you hold, hold to making sweeping changes to the committees at this time. The optics of these changes are questionable and alarming. First the current mayor is weeks away from leaving his post and a new mayor will be sworn in along with two new council members. The new council who will be installed shortly should be given an opportunity to review, discuss, and decide how they want to engage with our committee members. Secondly the proposed changes detour volunteerism, transparency, and collaboration with the citizens. If it weren't for a group of concerned citizens it's very possible Mr. Mayor and Council that you may have approved the original Grabhorn Park design without the Park and Rec Committee input. Imagine the uproar you all avoided by including the Park and Rec Committee. Through the group of volunteers they dedicated their time to research and to completing community engagement, to identify the needs of the City, to form a more collaborative park design. In the process alleviating many hours of work from City staff by leveraging a committee that wants to work hard for the City they live and play in. Her recommendation is proceed with caution with these proposed changes, are these changes needed for committees to be most effective, absolutely yes. Are these the ones written here that will get the job done, not exactly. Perhaps consider further refining the framework for how the city staff stakeholders attend and participate with our engage citizen community committees with the objective of advancing the livability of the Scappoose citizens. Maintaining and expanding a city requires true collaboration in teamwork and we need volunteers to help. Lastly Scappoose has a reputation for being non collaborative and difficult to work with, this is fact, and she has heard it too many times to count. These proposed changes will only

substantiate this perception and further divide between the City and its citizens. Do the right thing, take a breath, talk about it, don't vote on it tonight. She thanked the Council.

Joe Backus, Scappoose, explained he would like to comment on item 4 of the agenda, specifically the reduction in meeting time for the committees. People that he has spoken to over the past few years have expressed their concerns with transparency and limiting public engagement and this will further magnify this issue. If they are willing and able to meet more often and volunteered with that understanding the city should take advantage of their desire to help and their free service. He is not sure what prompted this change but by limiting their engagement they'll be less likely to volunteer in the future. We need more people involved not less. More regular or monthly expectations should be the norm with a canceled meeting because it being the exception when nothing is happening instead of the other way around. We should be embracing our engaged citizens as a valuable resource and conduit to the citizens of Scappoose. He thanked Council.

Kim Holmes explained she is a resident of Scappoose, Vice Chair of the Park & Rec Committee, and candidate for City Council and the comments she is sharing with Council today are solely hers. She explained she did read that part of the bylaws and approve of that. She stated thank you for the opportunity to speak to agenda item 4, specifically the revised bylaws and changes for the Park and Rec Committee and Economic Development Committee. She explained she'd like to begin by speaking to the challenges of the Park and Rec Committee over the past year and she thinks what has led to perhaps just some of the changes that are being proposed in the bylaws for both committees. She really does believe that public engagement is a cornerstone of good governance and she applauds then City Manager Mike Sykes for helping to create these committees really to serve in the advisory capacity to the Mayor and City Council and she would say from the perspective of a participant it has been truly a rewarding experience to connect with other likeminded residents of Scappoose and with the goal of supporting the growth of our parks and natural spaces but however there has been a breakdown in the feedback loop. For the Parks and Rec Committee the City has provided secretarial support for the group and it's a role that Isaac has served in well and she thanks Isaac for that, but we really are lacking involvement from any City staff that directly oversees the parks. She explained in looking into the meeting minutes of other cities like St. Helens Park and Recreation Commission it is really not uncommon for the parks and rec manager, the government affairs and project support specialist, or the public works assistant to attend those meetings and she thinks that is a critical piece of that communication and feedback loop to the city. She would ask that we perhaps consider having someone from that staff function attending as well and just speaking on attempts to bridge that gap she also wants to thank Council President Greisen for reaching out to herself and others to begin to talk through some of these challenges, but specifically regarding those changes to the bylaws she thinks the most concerning aspect to herself is reducing the meetings from once a month down to quarterly. She explained if we look to other cities once again that kind of had committees and looking at the precedents they set they all meet monthly and formally reducing the Scappoose meetings to only quarterly would truly be exceptional and not in particularly a good way. She would just ask that Council look at the frequency of the meetings. She will also speak to the fact that she doesn't agree with the

change making the chair and vice chair be residents within the City limits. As she has talked to more residents, she gets a sense that there is this growing urban rural divide and she would hate to see the city do something that would formalize that divide and make access to participating in local government more challenging and difficult for some who are in our community relative to others. She would ask that Council look at that. She thanked Council for the time to provide comments tonight.

Consent Agenda ~ Appointment of Ian Holzworth to the Park and Rec Committee

Councilor McHugh moved, and Councilor Lesowske seconded the motion to approve the consent agenda ~ appointment of Ian Holzworth to the Park and Rec Committee. (Motion passed 7-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; Councilor Tyler Miller, aye; Councilor Jeannet Santiago, aye.

New Business

Columbia County Song

Margaret Trenchard-Smith thanked Mayor Burge and City Council for allowing them to speak on such short notice. She explained this is an announcement and a bid for their support. She explained Marilyn Allen is the Chair for the Columbia Chorale of Oregon.

Kevin Bryant Lay thanked City Council for hearing them.

Margaret Trenchard-Smith explained she would like Council to hear Kevin's music. She gave an overview of the story behind this. Here is the email sent to Mayor Burge and the City Council ~ Dear Mayor Burge and Scappoose City Council: For over four years, the Columbia Chorale of Oregon, also known as the River City Singers, has been fostering a major choral piece, The Wisdom of Columbia County. I am its lyricist, Kevin Bryant Lay is its musical composer, Artistic Director Alice Rice Boyer is its producer; Marilyn Allen is President of the Board of the choir. We just learned two weeks ago that after its inaugural performance in Columbia County on June 16th of next year, this work will be performed at Carnegie Hall in mid-2024. The Wisdom of Columbia County is a major work of choral music. In form it is a cantata, which in eight movements of prose and poetry tells the history of our county through a series of picaresque characters—a Chinook mother and daughter, naval explorers, a "mountain man," a pioneer and settler, a logger, farmers, and a newcomer—who impart their "wisdom" (sometimes ironically or tragically overturned) through song. Composer Kevin Bryant Lay has elevated a deliberately simple text to high art, composing an ambitious choral work which, although grounded in Columbia County, should resonate universally. 2 1. 2 Alice Rice Boyer's reputation in the world of choral music led to her being invited by James Redcay of Mid-America Productions to conduct a work of her choosing at Carnegie Hall. Alice took the risk of offering this newly

composed work to him. Kevin Bryant Lay's score was vetted and enthusiastically received. So, after its inaugural performance in Columbia County on June 16, 2023, The Wisdom of Columbia County will be performed on the stage at Carnegie Hall under Alice's baton in mid-2024. Kevin, Alice and I are all from Scappoose. What we hope to inspire in audiences is a reverence for the Native American past and present, a shared history and identity transcending divisions, and love for the natural beauty of the county. More than anything, the work was created for the youth of Columbia County, today and in posterity. Now we have the opportunity to sponsor choristers from the county's high schools to sing on the Carnegie stage. Since some youth in the county have limited exposure to the world beyond it, this will be a life-enlarging experience. To cover this and the many new costs involved in this ambitious project, we are seeking widespread community support which will enable us to secure a \$25,000 grant from the Ford Family Foundation. Would the Scappoose City Council be willing to meet with us in person or online, so that you can scroll through the score and get a sense of the work, and ask us questions? This work will make Columbia County a household name affectionately received by many persons beyond our county and state, and perhaps over time, our country. We look forward to introducing it to you. Sincerely, Dr. Margaret Trenchard-Smith.

Due to technical difficulties, Kevin was not able to present his music. They will come in person to a future Council meeting.

Parks Committee Update

Scappoose Park & Rec Committee Chair Cara Heinze thanked Council for having her here tonight. She gave an update to Council.

Good evening, I was asked to present to the council an update of our accomplishments and the most recent challenges that the committee has been addressing. I want to thank everyone from council and the city who have been working with us to address these issues over the past 2 months. I wanted to begin with showcasing all that we have accomplished over the past year. All of these accomplishments have been from January 2022 on... • Created internal and external committee goals to help us focus our agendas • We have created a master list of parks and recreation stakeholders to increase opportunities for liaisons and recruitment • We have worked with city staff to update the city app to improve park visibility • We began signage discussions including both wayfinding and informational signage • Created a master list of small parks improvements for public works. Amenities included signage needs, bench locations, needs for trash cans and dog pick up stations • Earth Day • Partnered with SBWC, Scouts, library and Solve to host a park Clean up at Chapman Landing collecting over 15 bags of trash • Hosted a scavenger Hunt to increase visibility and traffic to our local parks-We learned that many people were completely unaware of 2 of our parks-Vista and Creekview • Added over 100

photos to current parks google pages through our earth day competition • SPRC member, JJ Duerhan, ran Movies in The Park with the last event hosting over 500 individuals. It is her hope to incorporate more SPRC members in next year's planning • Re-established relationship with SBWC ○ Emily hosted talk regarding riparian repair updates ○ SPRC members assisted in young tree waterings at Veteran's park during the heatwave ○ SPRC members have attended SBWC public information meetings to learn more about their policies and planning for the environment • Donated \$500 of our Centennial Fundraising dollars to Scappoose High School for turf fields • Engaged in ARPA funds discussions • Reviewed and discussed pickleball locations as this was a popularly named amenity in GPAHC and we have received public comment in support of this amenity • Engaged in 50 year planning committee discussions • Engaged with former DOG members to review best options for dog park maintenance with the city • Engaged citizens at the AT hall meeting regarding parks, wayfinding and signage • We will begin master planning with MIG next month I hope that from this list, it is evident how our committee can be an asset to the city. For all our challenges, I am really proud of what we have accomplished over the past year. In August, we began to encounter significant frustration. We were feeling that through all of the work and effort that we were putting forward, we still were not being engaged in the way that we had hoped and that there were missed opportunities. Since that time, we have had many fruitful conversations that have helped us uncover where there have been disconnects among our committee, city staff and council and ways that we can solve our issues. Our first major discovery was that we had internal goals that were not shared with the council or the city, so everyone was not aware of all that we had been accomplishing. This was something that we began a few years ago and with the transitions of group members and city staff, the fact that we do them was lost in the shuffle. We are hoping to resolve this through finalizing our committee goals with the city and council involvement. Another frustration that we came upon was parks development happening without our knowledge. I want to share a little history about how this lack of communication impacts our group. I have been on the committee for close to 7 years and was part of the development of the previous master plan. In the process of designing a nature based play structure at Miller Park for the master plan, the play structure was removed and replaced with a plastic play structure. I learned about this development from my son. The recent discussions about the zipline brought that event close to mind because I was hopeful that we had moved on from there. We are about to embark on another master planning adventure. It will, without a doubt, be an endeavor that takes a significant amount of time on our part and we will leave the process with even more knowledge about parks, amenities and citizen needs than ever before. We are hopeful that we can be utilized for that knowledge and be further engaged when our ideas can't work for whatever reason. We are hoping to improve upon this issue by meeting with Dave Sukau on a more regular basis so that we can better understand the needs of public works and learn more about his upcoming planning. We are also hoping that more city staff will

attend our future meetings. The newest challenge for our group has been the update to the bylaws. The committee was immediately concerned that meeting quarterly unless otherwise directed would limit our ability to connect and pursue the interests of the community. I understand that we will be very busy for the next year and meetings can still be held at the direction of the chair, but I want to share the general concern that this could lead to the committee having less say in what happens with meetings in the future. I am also hopeful that as the council liaison position grows, this will be an opportunity for us to discuss these agenda items prior to the council meetings so that we can proactively share our concerns. We have already begun to work on the information that the council receives from us by agreeing on major points for our liaison to communicate to the council at the end of our meetings. We have accomplished a significant amount over the past year and our members are ready and willing to continue on that journey. Over the past few weeks, I have seen that the city staff, council and committees all have the same goals in mind; to make this city a better place to live in for future generations. I hope that we can continue to build up the SPRC, and our parks, in a way that benefits all involved. At the end of the day our goal is to be involved and included in big decisions and I really want to end with a big thank you for everyone who has taken the time to address our concerns over the past month.

****end of Cara's update****

Council thanked Cara.

City Video Updates

City Manager Alexandra Rains explain we currently have three promotional videos on the website and there are several years old. There was a company that reached out to City staff after speaking with Mayor Burge at a conference and they have offered to simply redo those videos at no cost to the city. She did want to make Council all aware of it and simply get any feedback before we proceeded forward with that. If council were to approve it now this could occur during the spring. She explained this far as content she can't really speak to that right now, again we just wanted to get lined up for having them redone in the spring and so we just wanted to see if that was alright with Council.

Councilor McHugh stated free is a very good price.

Mayor Burge explained just so Council knows it is free to us, but they do sell ads from local businesses on the video and that's how they make their money.

Councilor Lesowske asked if we don't like the product what can we do?

Legal Counsel Peter Watts explain that's one of the questions he flagged. He explained the City is not allowed to edit these and the reason is because they take their professional reputation seriously and they're concerned about substandard editing but it's kind of a two-way street. If you don't like the end product we're not going to be able to demand that they edit it. He feels they would work with us if we had substantial concerns.

City manager Rains explained she was told that the company would have some discussions with Council about the content and she thinks from staff perspective we wouldn't have any intention of posting anything until Council has seen it and made sure that you all approved it.

Councilor Miller explained he would be fine with the fact that we don't personally edit it, we give feedback and ask if they are willing to edit it based on the feedback. He stated at the end of the day he wouldn't want to post something on our City website that doesn't 100% meet our expectations.

Mayor Burge stated you can view their previous work on the City's website.

Council President Greisen moved, and Councilor Miller seconded the motion that Council direct the City Manager to entered into a contract CGI Digital to update the City video series at no cost to the City, contingent that we are not required to post it any sort of City platform.

Paul Fidrych stated being a marketing professional for many years, he explained this company doesn't want to do a video and all the work and then come back. He explained what normally happens is you ask for a storyboard. A storyboard is very easy for them to make. The storyboard we'll say very visually here's the images the video is going to have and here's our messaging. He suggests that we put into the contract that they have to give us a storyboard and we have to approve the storyboard before they go to video production. He thanked Council.

Council thanked Paul.

Councilor McHugh moved, and Councilor Lesowske seconded the motion to amended the motion to add the terms that the storyboard is approved before moving forward to production. (Motion passed 6-0) Mayor Burge, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Mayor Burge explained the amendment to Council President Greisen as she had stepped away.

(Motion passed 6-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Standing Committees – Code & Bylaw changes SPRC and EDC Resolutions

Ordinance No. 905 An Ordinance Amending Scappoose Municipal Code Title 2; modifying section 2.04.080, Appointments, and 2.04.110 Committees

Mayor Burge explained we will be starting with Ordinance No. 905.

Assistant to City Manager Butman went over the staff report. At the August 8, 2022 City Council Meeting during the discussion about a complaint that had been filed regarding committee member conduct multiple members of City Council noted that both the Municipal Code and the Committee Bylaws lacked formal mechanisms to address complaints such as the ones filed. At the September 6, 2022 Council Meeting Council Members reaffirmed their request to look at a variety of changes to committee's bylaws, and to add new language to the Municipal Code to guide complaint processes in the future. ANALYSIS: Based on the requests from Council to have staff open and look at both the Economic Development Committee Bylaws and the Scappoose Parks and Recreation Committee Bylaws, as well as the wish of Council to have a well defined process for handling complaints relating to Committees written into the Scappoose Municipal Code, Staff worked with Legal Counsel to draft changes to all three of these documents.

Changes focus on:

***Requested changes from Council**

- o Addition of language guiding the complaint process for complaints received that relate to Committees or their members.

- Hearing like a Hearing in Rem for complaints process.

- Pause on Committee Activity while complaint process is undertaken.

- Special Meeting away from normal Council Meeting times for any complaint hearings.

- Tiered approach allowing for mediation before a more public resolution is undertaken. Maintain due process for all parties involved.

- o Reaffirm the code of conduct Council requires of its committees, and make it a more central part of the bylaws, as well as align conduct requirements to Council's code of conduct.

- o Look at meeting frequency, internal function, reporting requirements, attendance requirements.

- o Clarify expectations.

- Administrative changes to address inconsistencies and inaccuracies in the old bylaws.

In working through these changes Staff used every avenue to not create new language. While the complaints process is new, much of the additional language in the bylaws is taken directly from the Council Team Agreement, the Committees' Team Agreements, the Scappoose Municipal Code generally, and from the Municipal Code sections on Council Ethics.

Mayor Burge opened the public hearing at 8:06pm and closed it due to no one wanting to speak on this matter.

Council President Greisen asked about the section that talks about three unexcused meetings.

Legal Counsel Peter Watts talked about adding the language of without prior notice to the chair.

Councilor Lesowske asked about adding the language that staff would be notified also.

City Manager Rains explained we could add the recording secretary to be notified also.

Council President Greisen went over the appointment section. She explained for those that don't know it is written in the City Charter that the Mayor has sole power to assign people to commissions and committees and in order for that to be changed it has to go to a vote on the ballot to change the language of the Charter. She is not suggesting that we go that far however she would like to propose some language to this section that would not require a change to the Charter. She explained at this point when someone submits a citizen interest application it directly goes to the city recorder or some sort of a platform that the city office staff is able to see and immediately upon receipt city staff response to the person acknowledging receipt of their application. It is her understanding that then staff takes the application and forwards it on to the mayor and then at that point it's the mayor's discretion on the time in which it's responded to or handled or when they see it as a council. She proposes that we add upon immediate receipt a staff member replies to the applicant letting them know that it's been received and that it has been forwarded to the mayor. She would like to put in that the applicant will be responded to by the mayor with an answer to their application within 30 days. She explained one thing that she would like to see change when an application is received by city staff that it's not just forwarded directly to the mayor that it is forwarded to all of council and the mayor so that council knows what applications have been submitted.

Mayor Burge doesn't have a problem with that change.

Assistant to City Manager Butman asked in regard to the addition of notifying the recording secretary in addition to the chair, would Council be opposed to adding that to the bylaws instead of the ordinance?

Consensus of the Council was they are fine with adding that to the bylaws and not the ordinance.

Council President Greisen moved, Councilor Lesowske seconded the motion to postpone Ordinance No. 905 until the next meeting. (Motion passed 6-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Resolution 22-19: A Resolution Rescinding Resolution No. 20-17 and Establishing the Bylaws for the Scappoose Parks and Recreation Committee

Resolution 22-20 A Resolution Rescinding Resolution 20-01 and Establishing the Bylaws for the Scappoose Economic Development Committee

Assistant to City Manager Butman explained there are quite a few changes in here and he's guessing it might be fairly difficult to capture them all in a motion. He explained they took very thorough notes when they were talking about committees during August and September. The bylaw changes that are reflected in here are a direct result of that. He explained a vast majority of the language is not new, it's just being repurposed and instilled into the bylaws. He explained given all the discussion about the quarterly meetings and various pieces of this he is just going to kind of run down the list.

Council talked about the quarterly meetings.

Legal Counsel Peter Watts explained this wasn't at all about the Parks Committee and he did not mean to offend anyone. What they had heard about the other committee was that there had been multiple meetings in a row where there were no agenda items. He thinks the comment that he made wasn't they all need to be quarterly. His comment was if there's nothing on the agenda it probably doesn't make sense for them to meet more than quarterly. He explained in being in on a lot of committees himself the thing that bugs him the most is when he shows up and either they don't make quorum, or they don't have anything on the agenda substantive. He explained his thought with a quarterly was if there was nothing really on the agenda for so many meetings and a row at least quarterly maybe they could get together and brainstorm, but they probably didn't need to meet more than that so again he wasn't trying to denigrate great your committee in any respect.

Mayor Burge likes the idea of having monthly meetings.

Councilor Miller feels it makes sense that these committees are empowered to make their own schedule as soon as Council scope of work comes out after the goal setting session at the beginning of the year.

Councilor Lesowske explained it could say the baseline is that we expect that the committee will meet at least quarterly and then it would be on the chair to develop agendas for additional meetings.

Legal Counsel Peter Watts explained that is what they were attempting to do.

Councilor McHugh stated maybe we don't need to do everything the same for the Park and Rec Committee and the Economic Development Committee. He feels the Park and Rec Committee should meet every month and if they don't have any agenda items then they cancel it.

Assistant to City Manager Butman stated he would like to address the point about why the bylaws are the same. Historically it has been one staff member that's done both of these committees and for administrative convenience it helps staff do the job because then we would know exactly what's going on with both committees at the same time.

Councilor Miller feels the committee should set their schedule based on their workload. He explained his only worry is if they meet more than once a month the staff time that will take.

City Manager Rains replied she appreciates that comment. She explained what we have done when there's been very labor-intensive projects, we've just simply carved out the time and made sure staff was available for that.

Legal Counsel Peter Watts explained what staff heard from Council at the last meeting was your goal was to have a work session with your committees at the beginning of the year to come up with the tasks that you jointly believe they could work on, and the ideas that you wanted them to pursue. So that is kind of mapping out the year.

Christine Turner talked about the idea of quarterly meetings for the Economic Development Committee. She explained their scope is a little different than Parks in that they have community partners that they do bring into their meeting monthly, to hear reports so they know what is happening within our community and their job as economic development is to do just that, to create economic opportunity. If they are limited to only meeting quarterly, then they certainly would lose their effectiveness.

City Manager Rains explained there were complaints because they didn't want to meet just to hear those updates.

Mayor Burge explained under responsibilities because he doesn't like the "as directed by City Council", he would rather it say that one of the responsibilities and objectives of the Park Committee is to support the City Council's annual goals in the development of parks and recreational activities.

Council President Greisen explained she interprets that as quite the opposite because if the Parks Committee has an opportunity to explore something and it wasn't a goal Council created then it's limiting them on exploring that option but if they come to us and say there's an opportunity to explore something we can say go for it. She doesn't see it as her role as a City Councilor to limit their creativity and their energy and their passion for the topic that they're on.

Councilor Miller feels this really comes down to communication and standard operating procedure. He explained we don't want to limit the parks committee ability to bring things forward to Council as they come up. He thinks it's more of a matter of the Park & Rec Committee chair just coming to Council and letting us know that they have something that they really want to look at.

Council President Greisen moved, and Councilor Lesowske seconded the motion to extend the City Council meeting past 9:00pm. (Motion passed 6-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Councilor Lesowske asked if the idea here is not to create parameters to allow for the City Council to get the information that we request of the committees to ensure that we're all working together. He feels that we should create a parameter or framework that allows everyone to understand the rules and responsibilities and then also understanding the chain of command. If you want to call it something else, please do. He explained Council provides consent with the expectation that the committees would work on goals identified by the Council. If they do have other ideas fantastic. The chair should work with the liaison to ask for a moment on the agenda to say we really would like to focus on this it wasn't on the goals are outlined the beginning of the year, so we create opportunities for change to occur based on an adoption of the Council approving those changes because again we don't want them working on things that don't meet our need based on what our goals are. He would hope that the exercise here was for council to create those parameters to create clarity of expectations to create a better process so that the energy and effort of our citizens and surrounding community members who pledged to participate meet expectations, but yet we're also building in flexibility but creating this structure to allow for us to know what to expect. He hopes that we could create a foundation to grow from.

Council President Greisen explained her hope is that we don't have any requirement that in order to be assigned to a committee they would need to live within the city limits. She thinks the City is affected by so many people that live outside of our boundaries and they impact us in really positive ways. She doesn't think that we should limit people being on committees based upon them living outside the City limits, but she thinks we need to establish within reason.

Mayor Burge replied he is fine with removing that.

Councilor McHugh likes the suggestion that they live in the school district. He feels they can make an exception for if they have a business in the City, but don't live here.

Council President Greisen explain she wants to reiterate that it's not written anywhere in this ordinance that people will be denied a place on the committee based upon living outside city limits. She would recommend that they don't add any specific language about where people live. She explained it's her opinion that we don't add a school district boundary and we don't add any sorts of details about where people live, just that they do not have to live within the city limits, she would like that to be known in this document.

Councilor Miller is in agreeance with Council President Greisen on this. He feels the bigger question and the important question is what the person brings to the City and the benefits the City and the community gets out of their involvement.

Marisa Jacobs explained she's very passionate about where people live and where they give their time and service. On this topic in particular she feels it is extremely important that we set boundaries as to who participates where. It is very possible you could have people who live extremely outside of our area like Portland and come here and get on a committee because they're stellar on paper and have a lot of great ideas, but they don't live here and they're not vested the way that volunteers are here on these committees. She thinks it would behoove us to ensure that we put some boundaries in place with respect to committee members that are coming into are areas and helping to make decisions or recommendations of how the city is going to be shaped. No one has a better vested interest in people that live here, and they should be the ones that are helping to form and shape what our town looks like.

Assistant to City Manager Butman went over the quorum section.

Mayor Burge replied he just flat out disagrees with this one. He wants the committee to continue to be able to do work and it would be recognized that's not a quorum, but hopefully we are able to get enough people interested to fill those positions quickly. He thinks it should be left at the original lined out language.

Assistant to City Manager Butman Replied he is assuming that you'd also like that to apply to whether or not they continue to meet as a committee of three?

Mayor Burge replied yes.

Assistant to City Manager Butman talked about subcommittees and the proposed language attempts to clarify that if there's going to be subcommittees and potentially save time to

dedicate to those subcommittees beyond just the committee the Council will be informed so they can advise the actual committee how to proceed.

Paul Fidrych explained the idea on subcommittees was to create a lead for each park, that's all there was to it. He explained it was never supposed to be a subcommittee just a lead, it was informal. He explained the reason why they like meeting monthly is as a professional they like to look at their calendars and mark the days off, so they don't add anything else to those dates. He talked about in regards to going rogue, you could also put it the other way the Council could go rogue and they could say you don't do anything. We have liaisons and if the Council hears from the liaison that the committee is working on something that seems inappropriate then the liaison could let them know that shouldn't be on the agenda. He stated it's pretty simple really and he thinks we're putting so much into this. He explained we just don't want it to be too restrictive in the wording.

Assistant to City Manager Butman explained the last item to discuss is a report back annually from the Park & Rec Committee by the chair. He explained the vast majority of the rest of this is just conduct, ethics to quorum, statements etc., pulled directly from the Council team agreement, bylaws, etc., and statements in the code.

Christine Turner stated at least quarterly reports to Council.

Cara Heinze agrees, at least quarterly.

Council President Greisen explained it doesn't matter to her what the number is because there's always an open seat at the table. If you want to come to us every meeting and tell us what you're doing we'd be more than happy to have you.

Mayor Burge stated it looks like you're just enshrining the team agreement into the bylaws.

Assistant to City Manager Butman replied the team agreement covers more than that and it was meant to cover some of what's in there.

Mayor Burge replied it just seems like we're duplicating it. If it's in the team agreement and we have the member sign this team agreement and then they would be bound by that and that's what the violation is. It just seems to be redundant.

Assistant to City Manager Butman replied the team agreement it's not as clear. He explained given the amount of changes, he would like to push this one more meeting.

Council President Greisen moved, and Councilor Lesowske seconded the motion to move the Resolution No. 22-19 & Resolution No. 22-20 to the next City Council meeting for review. (Motion passed 6-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Adventure Festival Recap

Assistant to City Manager Butman gave a recap. The staff report explains Scappoose Adventure Festival took place on September 9 and 10, 2022. This event is a first-year event, aimed at providing the community an event in their city, focused on the wealth of outdoor adventures that Scappoose and the area around Scappoose has to offer. This report details a recap of the event, and lessons learned/changes for next year that Treadway Events noted. Additionally, attachments to this report offers an accounting of the event. ANALYSIS: Adventure Festival was a resounding success. By all accounts (at the event, and after the event) the vast majority of the community and attendees enjoyed the event, both in nature and execution. The Adventure Zone was busy all day with kids of all ages, and adults, enjoying the free activities. The beer garden and music were well received, Run With Neil saw an unprecedented number of participants, and there were very few hitches during the event. Feedback from Treadway Events can be seen in Exhibit A. For as well as the event went there are very real fiscal impacts that will be realized moving forward if this event is put on again. Council approved pulling funds from contingency to pay for this year's event in the amount of no more than \$90,000. While the sponsorship group was fairly active, and additional sponsorship support was given by the Mayor, we were only able to raise \$20,000 in sponsorships. This left the City accounting for the rest of the event out of contingency. Currently, another event has not been budgeted for in this fiscal year. This means that to plan for and start an event for next summer would require more funds 54 5. Report Only/Formal Action from contingency. Event planning typically starts one year prior to an event. This is to allow significant time to raise sponsorships, plan, and market. For next year, this would mean planning for an event now. This also means, that if the City is going to continue holding an annual event, it will need to both pay for the next event, and the one after, in the same fiscal year to get the budget back on track. While it is hard to predict the amount of sponsorships that can be raised year over year, it can be even harder to predict attendance, beer garden receipts, and other proceeds. While the event that happened this year was well loved, it was also quite costly. As events establish themselves they do tend to be better attended and bring in more sponsorship and more money, but there is never a guarantee that an event will break even, make money, or even become self-sustaining. If Council would like to have another event next year, staff will need to know shortly in order to have the best chance at getting grants and sponsorships, and to give Council time to consider any changes to the event. Many other small communities hold events smaller in scope than Adventure Festival that are well attended, that their communities love, and that cost less. To put on an event of the scope similar to Adventure Fest costs right around the budget of

Adventure Festival; there are not many places in the budget, if any, to make changes while still getting the same quality of event with all the activities, beer garden, live music, and vendors. FISCAL IMPACT: If Council approves another event like Adventure Festival, without reducing the scope of the event, this would require \$90,000 that has not been budgeted for this fiscal year. While staff would expect some cost recovery, similar this year, the actual amount is difficult to predict, and Council should be prepared to cover the full cost of the event. Additionally, to get this event in the budget regularly will require an additional \$90,000 this year, either from contingency or as cuts to other budgets during budget season. As we have seen this year, raising additional money is quite difficult as a local government, and to put on an event like this regularly, Council should be prepared to cover the excess cost year over year. The fiscal impact of hosting an event like Adventure Festival this coming year, and plan for the year after, without reducing the scope of the event, will be around \$180,000 which would need to come from contingency, and \$90,000 a year ongoing. Year over year, this money could be accounted for in the budget, but would require making cuts in other areas. Staff would like direction tonight, if possible, about whether Council would like to host another event this coming summer, so that initial planning can begin. This initial planning can include scoping different options for events.

Council President Greisen asked Paul Fidrych about the Run for Neil and if they want to do it the same weekend as the Scappoose Adventure Festival.

Paul Fidrych explained he will give the City some dates that wouldn't work for them. He explained they are more than willing to work with the City to do a joint event. He explained he thinks there is a lot of opportunities to market together.

Assistant to City Manager Butman stated it sounds like Council is tentatively wanting to do this again.

Mayor Burge explained if we can get the date set sooner, we can get marketing materials out there sooner.

Assistant to City Manager Butman asked Council to please look at the budget and the sponsorship numbers and think very hard about scope.

Announcements – information only

Calendar

Mayor Burge went over the calendar.

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

Councilor Lesowske thanked the Scappoose Police Officers that were at the homecoming match. We are excited to have them on the team.

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

Mayor Burge read the Executive Session statement and went into Executive Session at 9:31pm.

Present: Mayor Burge; Council President Greisen; Councilor Lesowske; Councilor McHugh; and City Manager Rains.

Remote: Councilor Josh Poling; Councilor Tyler Miller; and Legal Counsel Ashley Driscoll.

Open Session

Mayor Burge came back into open session at 9:45pm.

City Recorder Reeves came back into the room.

Approve the City Manager Review and Consider a Merit Increase

Legal Counsel Ashley Driscoll explained the first motion we are looking for would be to approve a satisfactory performance evaluation for the city manager and then once we have done that we can move into consideration of a potential merit increase.

Councilor Lesowske moved, and Councilor McHugh seconded that Council move to approve the performance end development appraisal completed in October of 2022 for Alex Rains for her fully satisfactory completion of the performance evaluation. (Motion passed 6-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Mayor Burge stated now on to the consideration of a merit increase.

Council President Greisen asked City Manager Rains if she has any requests?

City Manager Rains explained she would like to request a 5% merit increase and a onetime allocation of 40 hours to her vacation leave bank. She explained the 5% is not a random number. Generally speaking, when they give merit increases to staff, this is also something Michael did before her, if the person as at the end of their range generally speaking the increases were right around 5% for the most part. She explains so it is kind of based on or

precedent on previous history and also usually the steps between our bargaining agreements are also around 5%.

Councilor Miller asked City Manager Rains ask where she is right now with her leave time?

City Manager Rains replied she accrues 11.34 hours per month and the max is around 15 hours per month. She explained she's not asking for a change in the accrual rate, just a onetime addition of 40 hours.

Councilor Lesowske asked City Manager Rains to remind Council of her current wage.

City Manager Rains replied with the cost of living increase it is right around \$135,000.

Councilor McHugh asked City Manager Rains to explain the 5% merit pay that the other employees get because that is the first he has heard of that.

City Manager Rains replied each position has a salary range that they are working within, so generally speaking until they reach the maximum or the cap of that salary range, if they are getting a merit increase, they will get a 5% merit increase for the most part, plus the cost-of-living adjustment.

Councilor McHugh asked so everybody gets it then right, except the person at the top?

City Manager Rains replied more or less, unless they are at the top of their range in which case then they only receive the cost-of-living adjustment every year.

Councilor Miller stated it is very typical in represented classifications that it is usually 5%, but it just depends. He thinks the 5% increase is very reasonable.

Councilor Lesowske asked City Manager Rains what she gives their department heads on their annual review as a standardize increase?

City Manager Rains replied if they aren't topped out, which some of them are, then you are talking 5% and then everyone gets the cost-of-living adjustment.

Mayor Burge explained he thinks that has been the policy of the City for some odd years.

City Manager Rains explained we typically mirror like the cost-of-living adjustments to what's in the CBA's so everyone's kind of getting essentially the same. She stated we do try to make it as fair as possible, again there have been times where people have gotten larger increases than 5% but that's not as typical as the 5% merit increases.

Legal Counsel Ashley Driscoll explained it is typical for almost all public employees to receive step increases especially at the beginning of their tenure with their employer. It is typically five

to seven years, and it is typical for represented employees and unrepresented employees. She explained city managers are in a class of their own because they negotiate their own contract but often times with a new city manager the same concept applies.

Councilor Poling stated he would agree with Councilor Miller as well, that it is fair and warranted.

Councilor Miller asked if the merit increase is budgeted?

Mayor Burge replied yes.

Mayor Burge asked about the onetime 40 hours of paid time off.

Councilor Miller stated he would push back and go with 30 hours, instead of 40 hours.

Legal Counsel Ashley Driscoll explained to Council that the requests being made would not change City Manager Rain's contract; it would just need to be clear in the motion to create a record of what was provided.

Councilor Miller explained the time off due to being short staffed is more concerning to him than the 5% merit increase.

Councilor McHugh asked City Manager Rains when the staff gets their 5%, they don't also request for days off do they?

City Manager Rains replied they do. She explained the upper-level management absolutely ask for stuff like that. She explained it depends on the situation, sometimes she has granted those and sometimes not. She explained again, not changing their accrual rates but offering them sometimes a one-time bump.

Council President Greisen explained this has been an ask in the past that Council has received from other leadership besides City Manager Rains. She thinks just solidifying a number that we can all move on from will get us to the next step of making a motion.

Councilor Poling is fine with either 30 or 40 hours, but he does see Councilor Millers point.

Council President Greisen moved, and Councilor McHugh made a motion pursuant to the City employment agreement with Ms. Rains based on her performance as our City Manager it is proposed a 5% increase to her base salary as well as an additional one-time 40 hour bank time off. (Motion passed 6-0) Mayor Burge, aye; Council President Greisen, aye; Councilor Josh Poling, aye; Councilor Brandon Lesowske, aye; Councilor Pete McHugh, aye; and Councilor Tyler Miller, aye.

Adjournment

Mayor Burge adjourned the Council meeting at 9:59pm.

Mayor Scott Burge

Attest:

City Recorder Susan M. Reeves, MMC

DRAFT

CITY OF SCAPPOOSE

Council Action & Status Report

Date Submitted: October 11, 2022

Agenda Date Requested: October 17, 2022

To: Scappoose City Council

From: Isaac Butman Assistant to City Manager,
Alexandra Rains, City Manager

Subject: Ordinance No. 905 An Ordinance Amending
Municipal Code Title 2.04 Council Meetings,
Modifying Section 2.04.080 Appointments and
Section 2.04.110 Committees

TYPE OF ACTION REQUESTED:

☐ Resolution

☒ Ordinance

☐ Formal Action

☐ Report Only

ISSUE: At the August 8, 2022 City Council Meeting during the discussion about a complaint that had been filed regarding committee member conduct multiple members of City Council noted that both the Municipal Code and the Committee Bylaws lacked formal mechanisms to address complaints such as the ones filed. At the September 6, 2022 Council Meeting Council Members reaffirmed their request to look at a variety of changes to committee's bylaws, and to add new language to the Municipal Code to guide complaint processes in the future. At the October 3, 2022 City Council Meeting, Council reviewed Ordinance No. 905, and asked for a number of changes to be made.

ANALYSIS: Based on the requests from Council during the October 3, 2022 City Council Meeting the following changes have been made to Ordinance 905, and can be seen in **Exhibit A:**

- Staff move language relating to the number and types of absences that can cause a recommendation for removal to come before Council from the Ordinance to the Bylaws.
- Staff did not add language clarifying how applications for committee membership are distributed.
- Staff added more flexibility to the delegation of mediator for mediated resolutions under Section 1) a.

Request for Council Action

In working through these changes Staff used every avenue to not create new language. While the complaints process in this Ordinance is new, much of the additional language in the bylaws is taken directly from the Council Team Agreement, the Committees' Team Agreements, the Scappoose Municipal Code generally, and from the Municipal Code sections on Council Ethics.

RECOMMENDATION: Staff recommends that Council adopt Ordinance No. 905, An Ordinance Amending Municipal Code Title 2.04 Council Meetings, Modifying Section 2.04.080 Appointments and Section 2.04.110 Committees, as written.

SUGGESTED MOTION: I move that Council adopts Ordinance No. 905, An Ordinance Amending Municipal Code Title 2.04 Council Meetings, Modifying Section 2.04.080 Appointments and Section 2.04.110 Committees as written.

Request for Council Action

ORDINANCE NO. 905

AN ORDINANCE AMENDING SCAPPOOSE MUNICIPAL CODE TITLE 2.04, MODIFYING SECTION 2.04.080, APPOINTMENTS, AND 2.04.110 COMMITTEES

WHEREAS, Council rules and procedures should undergo periodic review and updates;
and

WHEREAS, City Council wishes to update the Scappoose Municipal Code Ch. 2.04, to incorporate a process for handling complaints regarding Committee Members and make other changes to Chapter 2.04;

NOW, THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Section 1. Chapter 2.04 of the Scappoose Municipal Code shall be amended as shown on the attached Exhibit A (additional language underlined and in red and deleted language ~~stricken~~).

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First reading:
Second reading:

Attest: _____
Susan M. Reeves, MMC
City Recorder

EXHIBIT A

2.04.080 Appointments. A. Appointments to city commissions and committees shall be made by the mayor with consent of the council. The mayor may enlist the assistance of other councilors, commissioners or staff members in the appointment process.

B. All vacancies in elective or appointive positions to be filled by the mayor or council shall be announced publicly and nominees for such appointments shall be solicited by providing reasonable notice to the public of the vacancy and the process by which it will be filled. The city manager or designee shall maintain and disseminate forms by which interested persons may apply for appointment.

C. An appointee to a committee or commission may be removed by the city council, following the process outlined in section 2.04.110 of this Title. ~~after a hearing, for misconduct or nonperformance of duty. The appointee who is the subject of the hearing shall be notified in writing by registered mail to last known address at least ten days prior to the initial hearing date. A member who is absent from three consecutive meetings without notifying the committee chair or the city manager is presumed to be in nonperformance of duty and the city council shall declare the position vacant unless it finds otherwise following the hearing.~~

2.04.110 Committees. A. The mayor or council may establish by resolution ad hoc or standing committees to perform specified research, or investigatory and advisory functions on behalf of the council.

B. Appointments to such committees shall be as provided in Section 2.04.080 of this chapter. Any authority granted to such committees shall be clearly delineated within the text of the resolution creating the committee as approved by council.

C. Complaint Procedure and Removal of Members.

1) When written complaints from standing or ad hoc committees are received by Council or city staff, the following procedure shall be observed:

a. Upon receipt of a complaint, meetings of the committee from which the complaint was received shall be suspended until resolution of the complaint; this does not apply to Planning Commission or to matters of removal of members for attendance issues. A notice to the complainant and the respondent that a complaint has been filed shall be issued via email and certified mail.

b. All complaints shall be reviewed and responded to by the Mayor, or their City Council designee, within 30 calendar days of receipt. Response shall be in writing via email and certified mail to the complainant and the respondent. Responses shall detail the facts as they are known, and the next steps, discipline, or recommendation for Mediation or Hearing by the reviewer. This complaint process may not apply to all complaints; recommendations for removal due to attendance issues may be heard immediately by City Council at either a Regular Council Meeting or a Special Council Meeting.

EXHIBIT A

c. One course of action shall be a mediation between the parties named in the complaint. The mediator shall be the Mayor, or their City Council designee. Mediation shall be attended by the Committee Recording Secretary, and mediation may be held virtually or in-person. Mediation shall be scheduled no later than 30 calendar days after receipt of a complaint and must occur no later than 45 calendar days after the receipt of a complaint. Notice of Mediation shall be sent via the process in clause b. above. Mediation does not preclude a Hearing.

d. A second course of action shall be a Hearing in front of City Council. Hearings shall be held in a public forum. Hearings shall be noticed as in clause b. above. Hearings shall be held like a Hearing in Rem:

I. A Special Meeting of City Council shall be called for the sole purpose of the Hearing.

II. During the hearing a statement of the facts as Council knows them based on the complaint, and any responses, shall be made.

III. Each party shall have 15 minutes total to make a statement to Council, and each party shall have the opportunity to reserve up to 5 minutes of their time for response to the other parties' statements.

IV. After each party has made their statements and rebuttals, if applicable, Council shall deliberate and decide on any disciplinary action and make a motion to such effect. Disciplinary action can include removal of a member.

e. Upon recurrence of a complaint of the same or similar nature, and after the initial complaint process has been completed, Council shall consider a recommendation for removal via a Hearing for Removal as described in section 2) below.

2) The process for a Hearing for Removal shall be the same as the Hearing in Rem described in Section 1)d.I. through 1)d.IV. above; parties shall be noticed as in clause 1)b. above.

a. No member of a committee shall be removed without the opportunity to be heard during a Hearing or Council Meeting. Motions to remove a member require a motion and vote via Council's standard operating procedures, and, if successful, shall take effect immediately.

b. Committee Members with attendance issues as described in Committee Bylaws shall be considered for removal via the process in Section 1) above. This consideration may occur at a special meeting as described in this section or at a Regular Council Meeting, but must take place within 45 calendar days of a recommendation for removal being presented to Council.

CITY OF SCAPPOOSE

Council Action & Status Report

Date Submitted: October 11, 2022

Agenda Date Requested: October 17, 2022

To: Scappoose City Council

From: Isaac Butman Assistant to City Manager,
Alexandra Rains, City Manager

Subject: Resolution No. 22-19, A Resolution Rescinding Resolution No. 20-17, and Establishing the Bylaws for the Scappoose Parks and Recreation Committee

TYPE OF ACTION REQUESTED:

☒ Resolution

☐ Ordinance

☐ Formal Action

☐ Report Only

ISSUE: At the August 8, 2022 City Council Meeting during the discussion about a complaint that had been filed regarding committee member conduct multiple members of City Council noted that both the Municipal Code and the Committee Bylaws lacked formal mechanisms to address complaints such as the ones filed. At the September 6, 2022 Council Meeting Council Members reaffirmed their request to look at a variety of changes to committee's bylaws, and to add new language to the Municipal Code to guide complaint processes in the future. During the October 3, 2022 City Council Meeting, Council reviewed Resolution 22-19, and asked that a number of changes be made,

ANALYSIS: Based on the requests from Council during the October 3, 2022 City Council Meeting the following changes have been made to Resolution No. 22-19, and can be seen in **Exhibit A:**

- Staff changed the language relating to quarterly meetings to reflect that this is a baseline number of meetings and clarified language around the committee meeting more frequently. Council asked that the Committee meet only if there are agenda items or assigned projects and clarified that Committees may share information between regularly scheduled meetings.
- Staff added additional language to Committee Responsibilities and Objectives clarifying that the Committee can act to support, promote, and further Council

Request for Council Action

Goals, and removed section G and language similar to “as directed”.

- Staff ensured that the Responsibilities and Objectives were more flexible as requested by Council.
- Staff added definition about the types of absences that can cause a recommendation for removal to be sent to Council.
- Staff removed the requirement that the Chair and Vice-Chair reside in City Limits.
- Staff clarified that quorum is a majority of voting members, and that if a quorum cannot be achieved committees can still meet but cannot make decisions or take actions.
- Staff clarified that the Committee shall vote to create subcommittees.
- Staff clarified that Committees shall report to Council at least annually, and as frequently as quarterly, and that the Chair or their designee should prepare the report.
- Scriveners’ errors were corrected.

In working through these changes Staff used every avenue to not create new language. While the complaints process is new, much of the additional language in the bylaws is taken directly from the Council Team Agreement, the Committees’ Team Agreements, the Scappoose Municipal Code generally, and from the Municipal Code sections on Council Ethics.

RECOMMENDATION: Staff recommends that Council adopt Resolution No. 22-19 as written.

SUGGESTED MOTION: I move that Council adopts Resolution No. 22-19, A Resolution Rescinding Resolution No. 20-17, and Establishing the Bylaws for the Scappoose Parks and Recreation Committee as written.

Request for Council Action

RESOLUTION NO. 22-19**A RESOLUTION RESCINDING RESOLUTION NO. 20-17 AND ESTABLISHING THE BYLAWS FOR THE SCAPPOOSE PARKS AND RECREATION COMMITTEE, ,**

WHEREAS, the Scappoose City Council intends the Parks and Recreation Committee to: make recommendations to the City Council regarding development of parks and recreation opportunities for the City of Scappoose; act as an advisory body to City Council on parks and recreation matters; support the development and updating of the parks master plan; occasionally coordinate community activities and programs for public benefit; and

WHEREAS, Scappoose City Council suggested certain changes to these bylaws and City Staff have noted the need for minor administrative changes to address inconsistencies and/or inaccuracies in the Committee's Bylaws, and City Council expressed their wish to clarify rules that define how the Scappoose Parks and Recreation Committee operates;

NOW THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Resolution No. 20-17 is hereby rescinded and replaced by the following:

CITY OF SCAPPOOSE PARK AND RECREATION COMMITTEE BYLAWS**ARTICLE I – NAME**

Scappoose Parks and Recreation Committee or SPRC.

ARTICLE II – AUTHORIZATION

Established by Resolution No. 15-15, passed August 3, 2015, then amended by Resolution No. 17-27, passed September 5, 2017, and then Resolution No. 18-11, passed on June 6, 2018, rescinded and replaced Resolution No. 15-15 and Resolution No. 17-27, and then amended by Resolution No. 18-23, passed on October 1, 2018, rescinded and replaced Resolution No. 18-11 and then amended by Resolution No. 19-13, passed July 15, 2019, rescinded and replaced Resolution No. 18-23, and then rescinded and replaced by Resolution No. 20-02, passed on January 21, 2020, and then rescinded and replaced by Resolution No. 20-17, passed on July 20, 2020, and now rescinded and replaced with Resolution No. 22-19, passed on _____, _____ 2022.

ARTICLE III – PURPOSE

A. Advise and make recommendations to the City Council on park and recreation policies and issues.

B. Support community and City Council efforts to maintain, develop and promote parks and recreation opportunities.

ARTICLE IV – RESPONSIBILITIES/OBJECTIVES

The Committee shall act to support and promote City Council Goals, in accordance with Council guidance, related to the following:

- A. To advise City Council on park and recreation matters.
- B. To support the development and updating of the Parks Master Plan.
- C. To support City Council and City Staff in developing and promoting park and recreation activities ~~as directed~~.
- D. To act as a facilitator for community forums that serve as a catalyst for the promotion and development of park and recreation activities ~~as directed~~.
- E. To encourage building partnerships and coordination with other local, regional, and state organizations that enhance park and recreation opportunities that benefit the City of Scappoose and south Columbia County ~~as directed~~.
- F. To respond to additional matters relating to parks and recreation as requested by City Council.
- ~~G. To act as directed by City Council, within the bounds of the purpose and responsibilities outlined in these Bylaws.~~

ARTICLE V – ORGANIZATION AND STRUCTURE

Section 1 Membership

- A. Membership of the Scappoose Park and Recreation Committee shall consist of a maximum of nine (9) voting members appointed by the Mayor and with the consent of the City Council in accordance with Scappoose Municipal Code 2.040.080. A majority of SPRC members shall be from the private sector.
- B. Members shall live, work, or have significant interest in parks and recreation opportunities in the City of Scappoose.
- C. Ex-officio representatives of related organizations and the business community may also be invited to participate in SPRC meetings and work sessions as determined by the Mayor with the consent of the City Council.
- D. Members of the SPRC will be appointed by the Mayor and with the consent of the City Council for terms up to three years, or a portion of three years if appointed to fill an unexpired term. Expiration dates for terms shall be staggered so that no more than one-third or up to three of

the members' terms will expire in any year. Members of the SPRC may serve indefinitely at the discretion of the Mayor and City Council.

E. Two alternate committee members may be selected by the Mayor with the consent of the City Council. The alternate member may participate in discussions, but shall have no vote, unless a regular member of the Committee is absent or not participating due to a conflict of interest; in such case the alternate shall be called upon to vote. In no case shall both the member and alternate both have a vote on the same motion.

F. Members, their alternates, or ex-officio representatives missing three (3) unexcused or consecutive meetings will be considered for removal from the Committee by vote of City Council, and as outlined in Scappoose Municipal Code Section 2.04.080110. ~~The Committee may present a written recommendation to Council to remove members for other causes.~~ The Committee or City Staff may present a written recommendation to Council to remove members for missing three unexcused meetings. The Committee may present a written recommendation to Council to remove members for other causes.

Section 2. Officers

A. The SPRC shall elect a Chair and Vice Chair every twelve (12) months during the first meeting of the City of Scappoose Fiscal Year. ~~The Chair and Vice Chair of the Committee shall reside within the City of Scappoose city limits. If a situation occurs where none of the members of the Committee live in City Limits, or the Committee fails to elect a Chair that lives in City Limits, then, the Mayor, with the consent of City Council, may appoint a Chair and Vice Chair Pro Tempore from the Committee's membership until one or more members are appointed that live in City Limits and the Committee can hold an election.~~

B. The duties and powers of the officers of the SPRC, who shall be elected annually in July, shall be as follows:

(1) Chair

- Preside at all meetings of the Committee.
- Maintain order and decorum at all meetings of the Committee.
- Develop a written agenda with the support of City Staff.
- Call special meetings of the Committee in accordance with the bylaws;
- See that all actions of the Committee are properly taken;
 - ~~_____~~ Presents the Committee's views, recommendations or actions to the City Council, or any other appropriate body as designated by the Mayor, and/or City Council.
 - _____
 - _____ Co-Sign official documents of the SPRC, with Recording Secretary.

(2) Vice Chair

- During absence, disability, or disqualification of the Chair, the Vice Chair shall exercise or perform the duties and be subject to all of the duties of the Chair.

C. The following position is filled by City of Scappoose staff assigned to the SPRC and is not a member of the Board.

Recording Secretary

- Keep summary minutes of all meeting of the SPRC;
- Give or serve all notices required by law or required in the SPRC bylaws;
- Prepare the agenda for all meetings of the SPRC to be approved by the Chair;
- Be the custodian of SPRC records;
- Inform the SPRC of correspondence relating to business of the SPRC and attend to such correspondence;
- Co-Sign official documents of the SPRC with the Chair.

ARTICLE VI - MEETING PROCEDURES AND QUORUM

A. ~~A.~~ The SPRC shall hold meetings at least quarterly. The Committee and may hold meetings more frequently ~~than quarterly~~ to conduct their responsibilities and objectives, and/or if a project has been assigned by City Council that requires meeting on a more frequent basis. If an Agenda only contains general updates or information sharing that is not related to ongoing projects, these may be shared via email in between regularly scheduled meetings.

Members will be reminded of meetings by written notice, including electronic means such as email, at least seven (7) days prior to the scheduled meetings. The notice will include the date, time, location and agenda for the meeting. Summary minutes shall be taken for all meetings and shall be available for viewing by anyone upon request. Minutes are to be distributed to all members and others expressing an interest in receiving them.

B. Special meetings may be called at any time by the Chair or by a petition signed by not less than three of the SPRC membership, setting forth and the reason for calling such a meeting. Special Meetings shall be scheduled subject to City Staff availability.

C. SPRC Meetings shall be publicized in accordance with the Oregon public meetings law.

D. A Quorum for doing business shall be equal to ~~five or more members. If membership in the SPRC drops below five, this Committee shall be suspended until more members are approved by Council.~~

~~If membership drops below five members, and the Committee is working on time sensitive business directly related to a Council Goal adopted during the Scappoose Fiscal Year in question (e.g. Master Plan or other specific project), then the Committee may continue to meet and conduct business, but may not take any formal action until 5 or more members are appointed to the committee as per the paragraph directly preceding this one. Status updates, general reports to or from City Staff, Committee requested business, and other basic information sharing does not constitute a specific project for the purpose of this clause, even if otherwise stated in these bylaws. a majority of the current committee membership that is entitled to vote. If a committee cannot achieve a quorum, they can meet to share information and discuss topics, but cannot vote or take other actions on any items before the Committee.~~

E. Robert's Rules of Order shall guide the SPRC in all cases not otherwise provided for in these rules. All final determination of procedure under Roberts Rules shall be the responsibility of the Chair and shall be consistent with all applicable rules, Municipal Codes, and laws.

F. Matters referred to the SPRC by City Council shall be placed on the calendar for consideration and action at the first regular meeting of the SPRC after such reference, providing that an appropriate amount of time is allowed for public notice ~~if as~~ required by law.

G. The SPRC may request that the City Council establish a subcommittee. Prior to voting to request Council approve a subcommittee, the SPRC shall first request and consider a report from City Staff regarding the costs and time involved in staffing the subcommittee, if applicable. Requests to form subcommittees shall be voted on and passed by the Committee and submitted to the City Council in writing and shall contain:

- An explanation of the function of and need for the subcommittee;
- An explanation of their work and responsibilities;
- The number and any qualifications of its members;
- The staff analysis of costs and time involved in staffing the subcommittee;
- If the subcommittee is an ad hoc subcommittee, a deadline for completion of their work and responsibilities.

H. The Chair has the right to vote whenever a vote is cast. In the case of a tie vote with the Chair voting, the motion fails.

I. A report of the SPRC activities shall be made to City Council at least annually annually and as frequently as quarterly. City Council shall receive ~~an annual~~ report, in writing or in person, if Council Agenda space allows, that has been prepared by the Chair or their designee and approved by a majority of the committee, that:

- Notes the accomplishments of the SPRC;
- Addresses concerns of the Committee;
- Discusses issues related to the duties and activities of the Committee; and

- Evaluates the progress made on any associated Council Goal, assigned project, or other work the Committee has done.

J. Decorum and Conduct. The City of Scappoose and its employees and committees are committed to fostering a diversity of views, mutual respect, honest and open dialogue and debate, and promoting the highest standards of ethical conduct and performance.

The SPRC shall conduct itself: in a manner that is courteous and respectful to all people, including each other, City Staff, City Council, members of the public, and others, and in a manner that does not harm, damage, or undermine, the City of Scappoose, City Council, or the goals, mission, purpose, function, or actions of the City of Scappoose.

Members of the Committee shall not discriminate, harass, or bully other members, City Staff, City Council, guests, the public, or anyone else while performing their duties, and are strongly urged to behave this way at all times. Members shall also not conduct themselves in manners that are unprofessional, illegal, or violate these bylaws or the Committee Team Agreement. Members violating the bylaws or Team Agreement are subject to complaint and/or disciplinary action under Scappoose Municipal Code Section 2.04.~~080110~~.

Ethics:

Committee members shall review and observe the requirements of state ethics law, and shall refrain from:

- 1) Disclosing confidential information.
- 2) Taking action which benefits special interest groups or persons at the expense of the city as a whole.
- 3) If taking a position that has not been agreed to by the Committee, they shall disclose that this is their personal opinion and not the position of the Committee.

Decorum:

- 1) The presiding officer shall preserve decorum during meetings.
- 2) Members of City Staff and all other persons attending meetings shall observe the Committee's rules of proceedings and adhere to the same standards of decorum as committee members.

Statements to the public, media, and other organizations:

- 1) If a member of the Committee appears as a representative of the Committee, the member may only state the official position of the Committee as approved by the majority of the Committee, and must also state that this is the position of the Committee only, not a position of the City or of City Council.
- 2) Members of the Committee do not represent the City, city staff, and/or City Council, or their positions, and shall not give anyone cause to believe otherwise. Members must disclaim themselves when necessary to ensure this is understood.
- 3) If a member of the Committee appears in their personal capacity to give a statement on an issue, they must state that they are expressing their own opinion and not that of the Committee before giving a statement.

K. At the City of Scappoose we believe in treating all people with respect and adhering to the highest standards of ethical and fair practices. We expect the same of our committee members.

- Selflessness. Committee members should make decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families, or their friends.
- Integrity. ~~Board-Committee~~ members should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their duties.
- Objectivity. In carrying out business, members should make choices based only on merit.
- Accountability. Committee members are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness. Committee members should be as open as possible about all the decisions and actions they make. They should give reasons for their decisions.
- Honesty. Committee members have a duty to declare any private interest relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership. ~~Board-Committee~~ members should promote and support these principles by leadership and example.

~~L. If the Committee has no City Council assigned projects, the committee shall revert to quarterly meetings until such a time that a project or work is assigned by City Council that requires meeting more frequently than quarterly.~~

LM. Committee Members shall sign and agree to be bound to the Committee Team Agreement. Violation of the Team Agreement shall be subject to discipline under Scappoose Municipal Code Section 2.04.~~080-110~~ at the written request of a majority of members of the Committee or City Staff, or, at times, the aggrieved party.

ARTICLE VII - AMENDING BY-LAWS

Amendments to these bylaws may be made by the City Council and may be recommended by the Parks and Recreation Committee or City Staff.

ARTICLE VIII - APPROVALS

The above bylaws for the Scappoose Park and Recreation Committee have been duly considered and reviewed, and are hereby recommended for adoption by the Scappoose City Council this ____ day of _____, 2022.

PASSED AND ADOPTED by the Scappoose City Council on this ____ day of _____, 2022, and signed by me and the City Recorder, in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

Attest: _____
Susan Reeves, MMC, City Recorder

RESOLUTION NO. 22-19**A RESOLUTION RESCINDING RESOLUTION NO. 20-17 AND ESTABLISHING THE BYLAWS FOR THE SCAPPOOSE PARKS AND RECREATION COMMITTEE, ,**

WHEREAS, the Scappoose City Council intends the Parks and Recreation Committee to: make recommendations to the City Council regarding development of parks and recreation opportunities for the City of Scappoose; act as an advisory body to City Council on parks and recreation matters; support the development and updating of the parks master plan; occasionally coordinate community activities and programs for public benefit; and

WHEREAS, Scappoose City Council suggested certain changes to these bylaws and City Staff have noted the need for minor administrative changes to address inconsistencies and/or inaccuracies in the Committee's Bylaws, and City Council expressed their wish to clarify rules that define how the Scappoose Parks and Recreation Committee operates;

NOW THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Resolution No. 20-17 is hereby rescinded and replaced by the following:

CITY OF SCAPPOOSE PARK AND RECREATION COMMITTEE BYLAWS**ARTICLE I – NAME**

Scappoose Parks and Recreation Committee or SPRC.

ARTICLE II – AUTHORIZATION

Established by Resolution No. 15-15, passed August 3, 2015, then amended by Resolution No. 17-27, passed September 5, 2017, and then Resolution No. 18-11, passed on June 6, 2018, rescinded and replaced Resolution No. 15-15 and Resolution No. 17-27, and then amended by Resolution No. 18-23, passed on October 1, 2018, rescinded and replaced Resolution No. 18-11 and then amended by Resolution No. 19-13, passed July 15, 2019, rescinded and replaced Resolution No. 18-23, and then rescinded and replaced by Resolution No. 20-02, passed on January 21, 2020, and then rescinded and replaced by Resolution No. 20-17, passed on July 20, 2020, and now rescinded and replaced with Resolution No. 22-19, passed on _____, _____ 2022.

ARTICLE III – PURPOSE

A. Advise and make recommendations to the City Council on park and recreation policies and issues.

B. Support community and City Council efforts to maintain, develop and promote parks and recreation opportunities.

ARTICLE IV – RESPONSIBILITIES/OBJECTIVES

The Committee shall act to support and promote City Council Goals, in accordance with Council guidance, related to the following:

- A. To advise City Council on park and recreation matters.
- B. To support the development and updating of the Parks Master Plan.
- C. To support City Council and City Staff in developing and promoting park and recreation activities.
- D. To act as a facilitator for community forums that serve as a catalyst for the promotion and development of park and recreation activities.
- E. To encourage building partnerships and coordination with other local, regional, and state organizations that enhance park and recreation opportunities that benefit the City of Scappoose and south Columbia County.
- F. To respond to additional matters relating to parks and recreation as requested by City Council.

ARTICLE V – ORGANIZATION AND STRUCTURE

Section 1 Membership

- A. Membership of the Scappoose Park and Recreation Committee shall consist of a maximum of nine (9) voting members appointed by the Mayor and with the consent of the City Council in accordance with Scappoose Municipal Code 2.040.080. A majority of SPRC members shall be from the private sector.
- B. Members shall live, work, or have significant interest in parks and recreation opportunities in the City of Scappoose.
- C. Ex-officio representatives of related organizations and the business community may also be invited to participate in SPRC meetings and work sessions as determined by the Mayor with the consent of the City Council.
- D. Members of the SPRC will be appointed by the Mayor and with the consent of the City Council for terms up to three years, or a portion of three years if appointed to fill an unexpired term. Expiration dates for terms shall be staggered so that no more than one-third or up to three of the members' terms will expire in any year. Members of the SPRC may serve indefinitely at the discretion of the Mayor and City Council.

E. Two alternate committee members may be selected by the Mayor with the consent of the City Council. The alternate member may participate in discussions, but shall have no vote, unless a regular member of the Committee is absent or not participating due to a conflict of interest; in such case the alternate shall be called upon to vote. In no case shall both the member and alternate both have a vote on the same motion.

F. Members, their alternates, or ex-officio representatives missing three (3) unexcused or consecutive meetings will be considered for removal from the Committee by vote of City Council, and as outlined in Scappoose Municipal Code Section 2.04.110. The Committee or City Staff may present a written recommendation to Council to remove members for missing three unexcused meetings. The Committee may present a written recommendation to Council to remove members for other causes.

Section 2. Officers

A. The SPRC shall elect a Chair and Vice Chair every twelve (12) months during the first meeting of the City of Scappoose Fiscal Year.

B. The duties and powers of the officers of the SPRC, who shall be elected annually in July, shall be as follows:

(1) Chair

- Preside at all meetings of the Committee.
- Maintain order and decorum at all meetings of the Committee.
- Develop a written agenda with the support of City Staff.
- Call special meetings of the Committee in accordance with the bylaws;
- See that all actions of the Committee are properly taken;
- Presents the Committee's views, recommendations or actions to the City Council, or any other appropriate body as designated by the Mayor, and/or City Council.
- Co-Sign official documents of the SPRC, with Recording Secretary.

(2) Vice Chair

- During absence, disability, or disqualification of the Chair, the Vice Chair shall exercise or perform the duties and be subject to all of the duties of the Chair.

C. The following position is filled by City of Scappoose staff assigned to the SPRC and is not a member of the Board.

Recording Secretary

- Keep summary minutes of all meeting of the SPRC;
- Give or serve all notices required by law or required in the SPRC bylaws;
- Prepare the agenda for all meetings of the SPRC to be approved by the Chair;
- Be the custodian of SPRC records;
- Inform the SPRC of correspondence relating to business of the SPRC and attend to such correspondence;
- Co-Sign official documents of the SPRC with the Chair.

ARTICLE VI - MEETING PROCEDURES AND QUORUM

- A. The SPRC shall hold meetings at least quarterly. The Committee may hold meetings more frequently to conduct their responsibilities and objectives, and/or if a project has been assigned by City Council. If an Agenda only contains general updates or information sharing that is not related to ongoing projects, these may be shared via email in between regularly scheduled meetings.

Members will be reminded of meetings by written notice, including electronic means such as email, at least seven (7) days prior to the scheduled meetings. The notice will include the date, time, location and agenda for the meeting. Summary minutes shall be taken for all meetings and shall be available for viewing by anyone upon request. Minutes are to be distributed to all members and others expressing an interest in receiving them.

- B. Special meetings may be called at any time by the Chair or by a petition signed by not less than three of the SPRC membership, setting forth and the reason for calling such a meeting. Special Meetings shall be scheduled subject to City Staff availability.

- C. SPRC Meetings shall be publicized in accordance with the Oregon public meetings law.

- D. A Quorum for doing business shall be equal to a majority of the current committee membership that is entitled to vote. If a committee cannot achieve a quorum, they can meet to share information and discuss topics, but cannot vote or take other actions on any items before the Committee.

- E. Robert's Rules of Order shall guide the SPRC in all cases not otherwise provided for in these rules. All final determination of procedure under Roberts Rules shall be the responsibility of the Chair and shall be consistent with all applicable rules, Municipal Codes, and laws.

- F. Matters referred to the SPRC by City Council shall be placed on the calendar for consideration and action at the first regular meeting of the SPRC after such reference, providing that an appropriate amount of time is allowed for public notice as required by law.

G. The SPRC may request that the City Council establish a subcommittee. Prior to voting to request Council approve a subcommittee, the SPRC shall first request and consider a report from City Staff regarding the costs and time involved in staffing the subcommittee, if applicable. Requests to form subcommittees shall be voted on and passed by the Committee and submitted to the City Council in writing and shall contain:

- An explanation of the function of and need for the subcommittee;
- An explanation of their work and responsibilities;
- The number and any qualifications of its members;
- The staff analysis of costs and time involved in staffing the subcommittee;
- If the subcommittee is an ad hoc subcommittee, a deadline for completion of their work and responsibilities.

H. The Chair has the right to vote whenever a vote is cast. In the case of a tie vote with the Chair voting, the motion fails.

I. A report of the SPRC activities shall be made to City Council at least annually and as frequently as quarterly. City Council shall receive a report, in writing or in person, if Council Agenda space allows, that has been prepared by the Chair or their designee and approved by a majority of the committee, that:

- Notes the accomplishments of the SPRC;
- Addresses concerns of the Committee;
- Discusses issues related to the duties and activities of the Committee; and
- Evaluates the progress made on any associated Council Goal, assigned project, or other work the Committee has done.

J. Decorum and Conduct. The City of Scappoose and its employees and committees are committed to fostering a diversity of views, mutual respect, honest and open dialogue and debate, and promoting the highest standards of ethical conduct and performance.

The SPRC shall conduct itself: in a manner that is courteous and respectful to all people, including each other, City Staff, City Council, members of the public, and others, and in a manner that does not harm, damage, or undermine, the City of Scappoose, City Council, or the goals, mission, purpose, function, or actions of the City of Scappoose.

Members of the Committee shall not discriminate, harass, or bully other members, City Staff, City Council, guests, the public, or anyone else while performing their duties, and are strongly urged to behave this way at all times. Members shall also not conduct themselves in manners that are unprofessional, illegal, or violate these bylaws or the Committee Team Agreement. Members violating the bylaws or Team Agreement are subject to complaint and/or disciplinary action under Scappoose Municipal Code Section 2.04.110.

Ethics:

Committee members shall review and observe the requirements of state ethics law, and shall refrain from:

- 1) Disclosing confidential information.
- 2) Taking action which benefits special interest groups or persons at the expense of the city as a whole.

- 3) If taking a position that has not been agreed to by the Committee, they shall disclose that this is their personal opinion and not the position of the Committee.

Decorum:

- 1) The presiding officer shall preserve decorum during meetings.
- 2) Members of City Staff and all other persons attending meetings shall observe the Committee's rules of proceedings and adhere to the same standards of decorum as committee members.

Statements to the public, media, and other organizations:

- 1) If a member of the Committee appears as a representative of the Committee, the member may only state the official position of the Committee as approved by the majority of the Committee, and must also state that this is the position of the Committee only, not a position of the City or of City Council.
- 2) Members of the Committee do not represent the City, city staff, and/or City Council, or their positions, and shall not give anyone cause to believe otherwise. Members must disclaim themselves when necessary to ensure this is understood.
- 3) If a member of the Committee appears in their personal capacity to give a statement on an issue, they must state that they are expressing their own opinion and not that of the Committee before giving a statement.

K. At the City of Scappoose we believe in treating all people with respect and adhering to the highest standards of ethical and fair practices. We expect the same of our committee members.

- Selflessness. Committee members should make decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families, or their friends.
- Integrity. Committee members should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their duties.
- Objectivity. In carrying out business, members should make choices based only on merit.
- Accountability. Committee members are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness. Committee members should be as open as possible about all the decisions and actions they make. They should give reasons for their decisions.
- Honesty. Committee members have a duty to declare any private interest relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership. Committee members should promote and support these principles by leadership and example.

L. Committee Members shall sign and agree to be bound to the Committee Team Agreement. Violation of the Team Agreement shall be subject to discipline under Scappoose Municipal Code Section 2.04.110 at the written request of a majority of members of the Committee or City Staff, or, at times, the aggrieved party.

ARTICLE VII - AMENDING BY-LAWS

Amendments to these bylaws may be made by the City Council and may be recommended by the Parks and Recreation Committee or City Staff.

ARTICLE VIII - APPROVALS

The above bylaws for the Scappoose Park and Recreation Committee have been duly considered and reviewed, and are hereby recommended for adoption by the Scappoose City Council this ____ day of _____, 2022.

PASSED AND ADOPTED by the Scappoose City Council on this ____ day of _____, 2022, and signed by me and the City Recorder, in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

Attest: _____
Susan Reeves, MMC, City Recorder

CITY OF SCAPPOOSE

Council Action & Status Report

Date Submitted: October 11, 2022

Agenda Date Requested: October 17, 2022

To: Scappoose City Council

From: Isaac Butman Assistant to City Manager,
Alexandra Rains, City Manager

Subject: Resolution No. 22-20 A Resolution Rescinding
Resolution No. 20-01 and Establishing Bylaws
for the Scappoose Economic Development
Committee

TYPE OF ACTION REQUESTED:

☒ **Resolution**

☐ **Ordinance**

☐ **Formal Action**

☐ **Report Only**

ISSUE: At the August 8, 2022 City Council Meeting during the discussion about a complaint that had been filed regarding committee member conduct multiple members of City Council noted that both the Municipal Code and the Committee Bylaws lacked formal mechanisms to address complaints such as the ones filed. At the September 6, 2022 Council Meeting Council Members reaffirmed their request to look at a variety of changes to committee's bylaws, and to add new language to the Municipal Code to guide complaint processes in the future. During the October 3, 2022 City Council Meeting, Council reviewed Resolution No. 22-20, and asked that a number of changes be made,

ANALYSIS: Based on the requests from Council during the October 3, 2022 City Council Meeting the following changes have been made to Resolution No. 22-20, and can be seen in **Exhibit A:**

- Staff changed the language relating to quarterly meetings to reflect that this is a baseline number of meetings and clarified language around the committee meeting more frequently. Council asked that the Committee meet only if there are agenda items or assigned projects and clarified that Committees may share information between regularly scheduled meetings.
- Staff added additional language to Committee Responsibilities and Objectives clarifying that the Committee can act to support, promote, and further Council

Request for Council Action

Goals, and removed section G and language similar to “as directed”.

- Staff ensured that the Responsibilities and Objectives were more flexible as requested by Council.
- Staff added definition about the types of absences that can cause a recommendation for removal to be sent to Council.
- Staff removed the requirement that the Chair and Vice-Chair reside in City Limits.
- Staff clarified that quorum is a majority of voting members, and that if a quorum cannot be achieved committees can still meet but cannot make decisions or take actions.
- Staff clarified that the Committee shall vote to create subcommittees.
- Staff clarified that Committees shall report to Council at least annually, and as frequently as quarterly, and that the Chair or their designee should prepare the report.
- Scriveners’ errors were corrected.

In working through these changes Staff used every avenue to not create new language. While the complaints process is new, much of the additional language in the bylaws is taken directly from the Council Team Agreement, the Committees’ Team Agreements, the Scappoose Municipal Code generally, and from the Municipal Code sections on Council Ethics.

RECOMMENDATION: Staff recommends that Council adopt Resolution No. 22-20 as written.

SUGGESTED MOTION: I move that Council adopts Resolution No. 22-20. A Resolution Rescinding Resolution No. 20-01, and Establishing the Bylaws for the Scappoose Economic Development Committee as written.

Request for Council Action

RESOLUTION NO. 22-20**A RESOLUTION RESCINDING RESOLUTION NO. 20-01 AND ESTABLISHING THE BYLAWS FOR THE ECONOMIC DEVELOPMENT COMMITTEE ECONOMIC DEVELOPMENT COMMITTEESCAPPOOSE ECONOMIC DEVELOPMENT COMMITTEE,**

WHEREAS, the Scappoose City Council intends the Economic Development Committee to: advise and make recommendations to the City Council regarding development of economic opportunities in the City of Scappoose; occasionally coordinate community activities and programs for public benefit; and promote the creation and retention of local jobs that will build a stronger community; and

WHEREAS, Scappoose City Council suggested certain changes to these bylaws and City Staff have noted the need for administrative changes to address inconsistencies and/or inaccuracies in the Committee's Bylaws, and City Council expressed their wish to clarify rules that define how the Scappoose Economic Development Committee operates;

NOW THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Resolution No. 20-~~01~~¹⁷ is hereby rescinded and replaced by the following:

CITY OF SCAPPOOSE ECONOMIC DEVELOPMENT COMMITTEE BYLAWS**ARTICLE I – NAME**

Scappoose Economic Development Committee or EDC.

ARTICLE II – AUTHORIZATION

Established by Resolution No. 15-14, passed July 20, 2015 and then amended by Resolution No. 18-22, passed October 1, 2018 which rescinded Resolution No. 15-14 and then amended by Resolution No. 19-05, passed June 3, 2019, and then rescinded and replaced by Resolution No. 20-01, passed on January 21, 2020, and now rescinded and replaced with Resolution No. 22-19, passed on _____, ____ 2022.

ARTICLE III – PURPOSE

- A. Advise and make recommendations to City Council on economic development policy and issues to support advancing the economy and prosperity.
- B. Work to create and promote the Scappoose Economic Development Strategic Plan.

ARTICLE IV – RESPONSIBILITIES/OBJECTIVES

The Committee shall act to support and promote City Council Goals, in accordance with Council guidance, related to the following:

- A. To design, develop and promote an economic development strategic plan.
- B. To provide oversight and review of economic development marketing strategies and products, ~~as directed by Council.~~
- C. To enhance communication and understanding of economic development strategies, and build relationships between the Scappoose public sector, community, and business community.
- D. To act as a forum for sharing information on best economic development practices, current issues and resources available for communities and businesses.
- E. To encourage connections and coordination with other regional, state and national organizations working for the benefit of economic growth and enhancement of the Scappoose area economy.
- F. To respond to additional matters relating to economic development as requested by the City Council.
- ~~G. To act as directed by City Council, within the bounds of the purpose and responsibilities outlined in these Bylaws.~~

ARTICLE V – ORGANIZATION AND STRUCTURE

Section 1 Membership

- A. Membership of the Economic Development Committee shall consist of a maximum of nine (9) voting members appointed by the Mayor and with the consent of the City Council in accordance with Scappoose Municipal Code 2.040.080. A majority of EDC members shall be from the private sector.
- B. Members shall live, work, or have significant interest in economic development in the City of Scappoose. Membership shall represent the private-for-profit, not-for profit and public sectors. The EDC should include:
 - (1) members with backgrounds in economics and business,
 - (2) members who are geographically distributed throughout the industrial and commercial zones of the City,
 - (3) members who represent a wide range of business sectors and types in Scappoose,
 - (4) members with demonstrated leadership, commitment and expertise.
- C. Ex-officio representatives of related organizations and the business community may also be invited to participate in EDC meetings and work sessions as determined by the Mayor with the consent of the City Council.

D. Members of the EDC will be appointed by the Mayor and with the consent of the City Council for terms up to three years, or a portion of three years if appointed to fill an unexpired term. Expiration dates for terms shall be staggered so that no more than one-third or up to three of the members' terms will expire in any year. Members of the EDC may serve indefinitely at the discretion of the Mayor and City Council.

E. Two alternate committee members may be selected by the Mayor with the consent of the City Council. The alternate member may participate in discussions, but shall have no vote, unless a regular member of the Committee is absent or not participating due to a conflict of interest; in such case the alternate shall be called upon to vote. In no case shall both the member and alternate both have a vote on the same motion.

F. Members, their alternates, or ex-officio representatives missing three (3) unexcused or consecutive meetings will be considered for removal from the Committee by vote of City Council, and as outlined in Scappoose Municipal Code Section 2.04.110. ~~The Committee may present a written recommendation to Council to remove members for other causes.~~ The Committee or City Staff may present a written recommendation to Council to remove members for missing three unexcused meetings. The Committee may present a written recommendation to Council to remove members for other causes.

Section 2. Officers

A. The EDC shall elect a Chair and Vice Chair every twelve (12) months during the first meeting of the City of Scappoose Fiscal Year. ~~The Chair and Vice-Chair of the Committee shall reside within the City of Scappoose city limits. If a situation occurs where none of the members of the Committee live in City Limits, or the Committee fails to elect a Chair that lives in City Limits, then, the Mayor, with the consent of City Council, may appoint a Chair and Vice-Chair Pro Tempore from the Committee's membership until one or more new members are appointed that live in City Limits and the Committee can hold an election.~~

B. The duties and powers of the officers of the EDC, who shall be elected annually in July, shall be as follows:

(1) Chair

- Preside at all meetings of the Committee.
- Maintain order and decorum at all meetings of the Committee.
- Develop a written agenda with the support of City Staff.
- Call special meetings of the Committee in accordance with the bylaws;
- See that all actions of the Committee are properly taken;

- Presents the Committee's views, recommendations or actions to the City Council, or any other appropriate body as designated by the Mayor, and/or City Council.
- Co-Sign official documents of the EDC, with Recording Secretary.

(2) Vice Chair

- During absence, disability, or disqualification of the Chair, the Vice Chair shall exercise or perform the duties and be subject to all of the duties of the Chair.

C. The following position is filled by City of Scappoose staff assigned to the EDC and is not a member of the Board.

Recording Secretary

- Keep summary minutes of all meeting of the EDC;
- Give or serve all notices required by law or required in the EDC bylaws;
- Prepare the agenda for all meetings of the EDC to be approved by the Chair;
- Be the custodian of EDC records;
- Inform the EDC of correspondence relating to business of the EDC and attend to such correspondence;
- Co-Sign official documents of the EDC with the Chair.

ARTICLE VI - MEETING PROCEDURES AND QUORUM

A. A. The EDC shall hold meetings at least quarterly. ~~The Committee and~~ may hold meetings more frequently ~~than quarterly if a project has been assigned by City Council that requires meeting on a more frequent basis to conduct their responsibilities and objectives, and/or if a project has been assigned by City Council. If an Agenda only contains general updates or information sharing that is not related to ongoing projects, these may be shared via email in between regularly scheduled meetings.~~

Members will be reminded of meetings by written notice, including electronic means such as email, at least seven (7) days prior to the scheduled meetings. The notice will include the date, time, location and agenda for the meeting. EDC Summary minutes shall be taken for all meetings and shall be available for viewing by anyone upon request. Minutes are to be distributed to all members and others expressing an interest in receiving them.

B. Special meetings may be called at any time by the Chair or by a petition signed by not less than three of the EDC membership, setting forth and the reason for calling such a meeting. Special Meetings shall be scheduled subject to City Staff availability.

C. EDC Meetings shall be publicized in accordance with the Oregon public meetings law.

D. A Quorum for doing business shall be ~~5 (five) members. If membership in the EDC drops below five, this Committee shall be suspended until more members are approved by Council.~~

~~If membership drops below five members, and the Committee is working on time sensitive business directly related to a Council Goal adopted during the Seappoose Fiscal Year in question (e.g. Parks Master Plan or other specific project), then the Committee may continue to meet and conduct business, but may not take any formal action until 5 or more members are appointed to the committee as per the paragraph directly preceding this one. Status updates, general reports to or from City Staff, Committee requested business, and other basic information sharing does not constitute a specific project for the purpose of this clause, even if otherwise stated in these bylaws equal to a majority of the current committee membership that is entitled to vote. If a committee cannot achieve a quorum, they can meet to share information and discuss topics, but cannot vote or take other actions on any items before the Committee.~~

E. Robert's Rules of Order shall guide the EDC in all cases not otherwise provided for in these rules. All final determination of procedure under Roberts Rules shall be the responsibility of the Chair and shall be consistent with all applicable rules, Municipal Codes, and laws.

F. Matters referred to the EDC by City Council shall be placed on the calendar for consideration and action at the first regular meeting of the EDC after such reference, providing that an appropriate amount of time is allowed for public notice if required by law.

G. The EDC may request that the City Council establish a subcommittee. Prior to voting to request Council approve a subcommittee, the EDC shall first request and consider a report from City Staff regarding the costs and time involved in staffing the subcommittee, if applicable. Requests to form subcommittees shall be voted on and passed by the Committee and submitted to the City Council in writing and shall contain:

- An explanation of the function of and need for the subcommittee;
- An explanation of their work and responsibilities;
- The number and any qualifications of its members;
- The staff analysis of costs and time involved in staffing the subcommittee;
- If the subcommittee is an ad hoc subcommittee, a deadline for completion of their work and responsibilities.

H. The Chair has the right to vote whenever a vote is cast. In the case of a tie vote with the Chair voting, the motion fails.

I. A report of the EDC activities shall be made to City Council at least annually annually and as frequently as quarterly. City Council shall receive an annual report., in writing or in person, if

Council Agenda space allows, that has been prepared by the Chair or their designee and approved by a majority of the committee, that:

- Notes the accomplishments of the EDC;
- Addresses concerns of the Committee;
- Discusses issues related to the duties and activities of the Committee; and
- Evaluates the progress made on any associated Council Goal, assigned project, or other work the Committee has done.

J. Decorum and Conduct. The City of Scappoose and its employees and committees are committed to fostering a diversity of views, mutual respect, honest and open dialogue and debate, and promoting the highest standards of ethical conduct and performance.

The EDC shall conduct itself: in a manner that is courteous and respectful to all people, including each other, City Staff, City Council, members of the public, and others, and in a manner that does not harm, damage, or undermine, the City of Scappoose, City Council, or the goals, mission, purpose, function, or actions of the City of Scappoose.

Members of the Committee shall not discriminate, harass, or bully other members, City Staff, City Council, guests, the public, or anyone else while performing their duties, and are strongly urged to behave this way at all times. Members shall also not conduct themselves in manners that are unprofessional, illegal, or violate these bylaws or the Committee Team Agreement. Members violating the bylaws or Team Agreement are subject to complaint and/or disciplinary action under Scappoose Municipal Code Section 2.04.~~080~~110.

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Committee members shall review and observe the requirements of state ethics law, and shall refrain from:

- 1) Disclosing confidential information.
- 2) Taking action which benefits special interest groups or persons at the expense of the city as a whole.
- 3) Disclosing confidential information.
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- 5) If taking a position that has not been agreed to by the Committee, they shall disclose that this is their personal opinion and not the position of the Committee.

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Decorum:

- 1) The presiding officer shall preserve decorum during meetings.
- 2) Members of City Staff and all other persons attending meetings shall observe the Committee's rules of proceedings and adhere to the same standards of decorum as committee members.

Statements to the public, media, and other organizations:

- 1) If a member of the Committee appears as a representative of the Committee, the member may only state the official position of the Committee as approved by the majority of the Committee and must also state that this is the position of the Committee only, not the position of the City or of City Council.
- 2) Members of the Committee do not represent the City, city staff, and/or City Council, or their positions, and shall not give anyone cause to believe otherwise.
- 3) If a member of the Committee appears in their personal capacity to give a statement on an issue, they must state that they are expressing their own opinion and not that of the Committee before giving a statement.

K. At the City of Scappoose we believe in treating all people with respect and adhering to the highest standards of ethical and fair practices. We expect the same of our committee members.

- Selflessness. Committee members should make decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families, or their friends.
- Integrity. Committee members should not place themselves under any financial or other obligation to outside individuals or organizations that might influence them in the performance of their duties.
- Objectivity. In carrying out business, members should make choices based only on merit.
- Accountability. Committee members are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.
- Openness. Committee members should be as open as possible about all the decisions and actions they make. They should give reasons for their decisions.
- Honesty. Committee members have a duty to declare any private interest relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership. Committee members should promote and support these principles by leadership and example.

~~L. If the Committee has no City Council assigned projects, the committee shall revert to quarterly meetings until such a time that a project or work is assigned by City Council that requires meeting more frequently than quarterly.~~

LM. Committee Members shall sign and agree to be bound to the Committee Team Agreement. Violation of the Team Agreement shall be subject to discipline under Scappoose Municipal Code Section 2.04.~~080-110~~ at the written request of a majority of members of the Committee or City Staff, or, at times, the aggrieved party.

ARTICLE VII - AMENDING BY-LAWS

Amendments to these bylaws may be made by the City Council and may be recommended by the Economic Development Committee or City Staff.

ARTICLE VIII - APPROVALS

The above bylaws for the Scappoose Economic Development Committee have been duly considered and reviewed, and are hereby recommended for adoption by the Scappoose City Council this ____ day of _____, 2022.

PASSED AND ADOPTED by the Scappoose City Council on this ____ day of _____, 2022, and signed by me and the City Recorder, in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

Attest: _____
Susan Reeves, MMC, City Recorder

RESOLUTION NO. 22-20**A RESOLUTION RESCINDING RESOLUTION NO. 20-01 AND ESTABLISHING THE BYLAWS FOR THE ECONOMIC DEVELOPMENT COMMITTEE ECONOMIC DEVELOPMENT COMMITTEESCAPPOOSE ECONOMIC DEVELOPMENT COMMITTEE,**

WHEREAS, the Scappoose City Council intends the Economic Development Committee to: advise and make recommendations to the City Council regarding development of economic opportunities in the City of Scappoose; occasionally coordinate community activities and programs for public benefit; and promote the creation and retention of local jobs that will build a stronger community; and

WHEREAS, Scappoose City Council suggested certain changes to these bylaws and City Staff have noted the need for administrative changes to address inconsistencies and/or inaccuracies in the Committee's Bylaws, and City Council expressed their wish to clarify rules that define how the Scappoose Economic Development Committee operates;

NOW THEREFORE, THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

Resolution No. 20-01 is hereby rescinded and replaced by the following:

CITY OF SCAPPOOSE ECONOMIC DEVELOPMENT COMMITTEE BYLAWS**ARTICLE I – NAME**

Scappoose Economic Development Committee or EDC.

ARTICLE II – AUTHORIZATION

Established by Resolution No. 15-14, passed July 20, 2015 and then amended by Resolution No. 18-22, passed October 1, 2018 which rescinded Resolution No. 15-14 and then amended by Resolution No. 19-05, passed June 3, 2019, and then rescinded and replaced by Resolution No. 20-01, passed on January 21, 2020, and now rescinded and replaced with Resolution No. 22-19, passed on _____, ____ 2022.

ARTICLE III – PURPOSE

- A. Advise and make recommendations to City Council on economic development policy and issues to support advancing the economy and prosperity.
- B. Work to create and promote the Scappoose Economic Development Strategic Plan.

ARTICLE IV – RESPONSIBILITIES/OBJECTIVES

The Committee shall act to support and promote City Council Goals, in accordance with Council guidance, related to the following:

- A. To design, develop and promote an economic development strategic plan.
- B. To provide oversight and review of economic development marketing strategies and products.
- C. To enhance communication and understanding of economic development strategies, and build relationships between the Scappoose public sector, community, and business community.
- D. To act as a forum for sharing information on best economic development practices, current issues and resources available for communities and businesses.
- E. To encourage connections and coordination with other regional, state and national organizations working for the benefit of economic growth and enhancement of the Scappoose area economy.
- F. To respond to additional matters relating to economic development as requested by the City Council.

ARTICLE V – ORGANIZATION AND STRUCTURE

Section 1 Membership

- A. Membership of the Economic Development Committee shall consist of a maximum of nine (9) voting members appointed by the Mayor and with the consent of the City Council in accordance with Scappoose Municipal Code 2.040.080. A majority of EDC members shall be from the private sector.
- B. Members shall live, work, or have significant interest in economic development in the City of Scappoose. Membership shall represent the private-for-profit, not-for profit and public sectors. The EDC should include:
 - (1) members with backgrounds in economics and business,
 - (2) members who are geographically distributed throughout the industrial and commercial zones of the City,
 - (3) members who represent a wide range of business sectors and types in Scappoose,
 - (4) members with demonstrated leadership, commitment and expertise.
- C. Ex-officio representatives of related organizations and the business community may also be invited to participate in EDC meetings and work sessions as determined by the Mayor with the consent of the City Council.

D. Members of the EDC will be appointed by the Mayor and with the consent of the City Council for terms up to three years, or a portion of three years if appointed to fill an unexpired term. Expiration dates for terms shall be staggered so that no more than one-third or up to three of the members' terms will expire in any year. Members of the EDC may serve indefinitely at the discretion of the Mayor and City Council.

E. Two alternate committee members may be selected by the Mayor with the consent of the City Council. The alternate member may participate in discussions, but shall have no vote, unless a regular member of the Committee is absent or not participating due to a conflict of interest; in such case the alternate shall be called upon to vote. In no case shall both the member and alternate both have a vote on the same motion.

F. Members, their alternates, or ex-officio representatives missing three (3) unexcused or consecutive meetings will be considered for removal from the Committee by vote of City Council, and as outlined in Scappoose Municipal Code Section 2.04.110. The Committee or City Staff may present a written recommendation to Council to remove members for missing three unexcused meetings. The Committee may present a written recommendation to Council to remove members for other causes.

Section 2. Officers

A. The EDC shall elect a Chair and Vice Chair every twelve (12) months during the first meeting of the City of Scappoose Fiscal Year.

B. The duties and powers of the officers of the EDC, who shall be elected annually in July, shall be as follows:

(1) Chair

- Preside at all meetings of the Committee.
- Maintain order and decorum at all meetings of the Committee.
- Develop a written agenda with the support of City Staff.
- Call special meetings of the Committee in accordance with the bylaws;
- See that all actions of the Committee are properly taken;
- Presents the Committee's views, recommendations or actions to the City Council, or any other appropriate body as designated by the Mayor, and/or City Council.
- Co-Sign official documents of the EDC, with Recording Secretary.

(2) Vice Chair

- During absence, disability, or disqualification of the Chair, the Vice Chair shall exercise or perform the duties and be subject to all of the duties of the Chair.

C. The following position is filled by City of Scappoose staff assigned to the EDC and is not a member of the Board.

Recording Secretary

- Keep summary minutes of all meeting of the EDC;
- Give or serve all notices required by law or required in the EDC bylaws;
- Prepare the agenda for all meetings of the EDC to be approved by the Chair;
- Be the custodian of EDC records;
- Inform the EDC of correspondence relating to business of the EDC and attend to such correspondence;
- Co-Sign official documents of the EDC with the Chair.

ARTICLE VI - MEETING PROCEDURES AND QUORUM

A. The EDC shall hold meetings at least quarterly. The Committee may hold meetings more frequently to conduct their responsibilities and objectives, and/or if a project has been assigned by City Council. If an Agenda only contains general updates or information sharing that is not related to ongoing projects, these may be shared via email in between regularly scheduled meetings.

Members will be reminded of meetings by written notice, including electronic means such as email, at least seven (7) days prior to the scheduled meetings. The notice will include the date, time, location and agenda for the meeting. EDC Summary minutes shall be taken for all meetings and shall be available for viewing by anyone upon request. Minutes are to be distributed to all members and others expressing an interest in receiving them.

B. Special meetings may be called at any time by the Chair or by a petition signed by not less than three of the EDC membership, setting forth and the reason for calling such a meeting. Special Meetings shall be scheduled subject to City Staff availability.

C. EDC Meetings shall be publicized in accordance with the Oregon public meetings law.

D. A Quorum for doing business shall be equal to a majority of the current committee membership that is entitled to vote. If a committee cannot achieve a quorum, they can meet to share information and discuss topics, but cannot vote or take other actions on any items before the Committee.

E. Robert's Rules of Order shall guide the EDC in all cases not otherwise provided for in these rules. All final determination of procedure under Roberts Rules shall be the responsibility of the Chair and shall be consistent with all applicable rules, Municipal Codes, and laws.

F. Matters referred to the EDC by City Council shall be placed on the calendar for consideration and action at the first regular meeting of the EDC after such reference, providing that an appropriate amount of time is allowed for public notice if required by law.

G. The EDC may request that the City Council establish a subcommittee. Prior to voting to request Council approve a subcommittee, the EDC shall first request and consider a report from City Staff regarding the costs and time involved in staffing the subcommittee, if applicable. Requests to form subcommittees shall be voted on and passed by the Committee and submitted to the City Council in writing and shall contain:

- An explanation of the function of and need for the subcommittee;
- An explanation of their work and responsibilities;
- The number and any qualifications of its members;
- The staff analysis of costs and time involved in staffing the subcommittee;
- If the subcommittee is an ad hoc subcommittee, a deadline for completion of their work and responsibilities.

H. The Chair has the right to vote whenever a vote is cast. In the case of a tie vote with the Chair voting, the motion fails.

I. A report of the EDC activities shall be made to City Council at least annually and as frequently as quarterly. City Council shall receive a report., in writing or in person, if Council Agenda space allows, that has been prepared by the Chair or their designee and approved by a majority of the committee, that:

- Notes the accomplishments of the EDC;
- Addresses concerns of the Committee;
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CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

Attest: _____
Susan Reeves, MMC, City Recorder

CITY OF SCAPPOOSE

Council Action & Status Report

Date Submitted: October 12, 2022

Agenda Date Requested: October 17, 2022

To: City Council

From: Dave Sukau, Public Works Director

Subject: WWTP Phase 1 Engineering Additional Scope Discussion

TYPE OF ACTION REQUESTED:

☐ Resolution

☐ Ordinance

☐ Formal Action

☒ Report Only

ISSUE: The City's engineering consultant for the WWTP Phase 1 improvements – Consor Engineers (formerly Murray Smith) – has developed an updated scope of work in order to accommodate the additional engineering design work pertaining to the Facility Plan Amendment.

ANALYSIS: The additions proposed for the Phase 1 scope of work include: grit removal in the new headworks building, a new blower building and electrical room, a new redundant UV disinfection system in lieu of replacement of existing in-channel equipment, a biosolids dryer, replacement of the plant's electrical service, SCADA upgrades, and assistance with energy efficiency measures. Consor is requesting additional budget for rendering the additional design work associated with the proposed additions.

As a recap, the City received \$4.1 million in grant funding from the State of Oregon's ARPA allocation, for the WWTP Phase 1 Improvements. The funding received for WWTP Phase 1 projects is as follows:

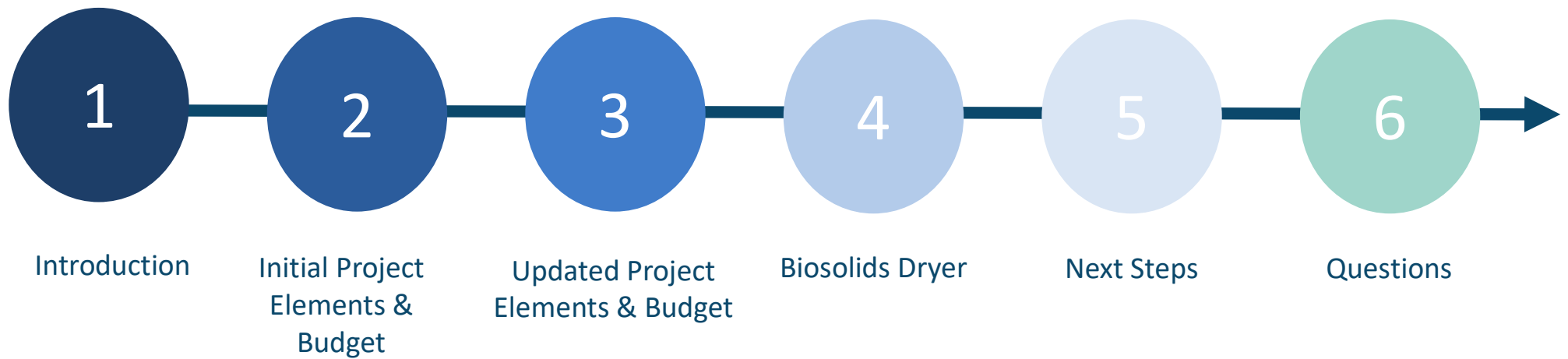
1. *Biosolids Dryer - \$1,900,000*
2. *Headworks and Grit Chamber - \$2,200,000*

Scappoose WWTP Phase 1 Improvements Update



October 2022

Agenda



Initial Project Elements & Budget



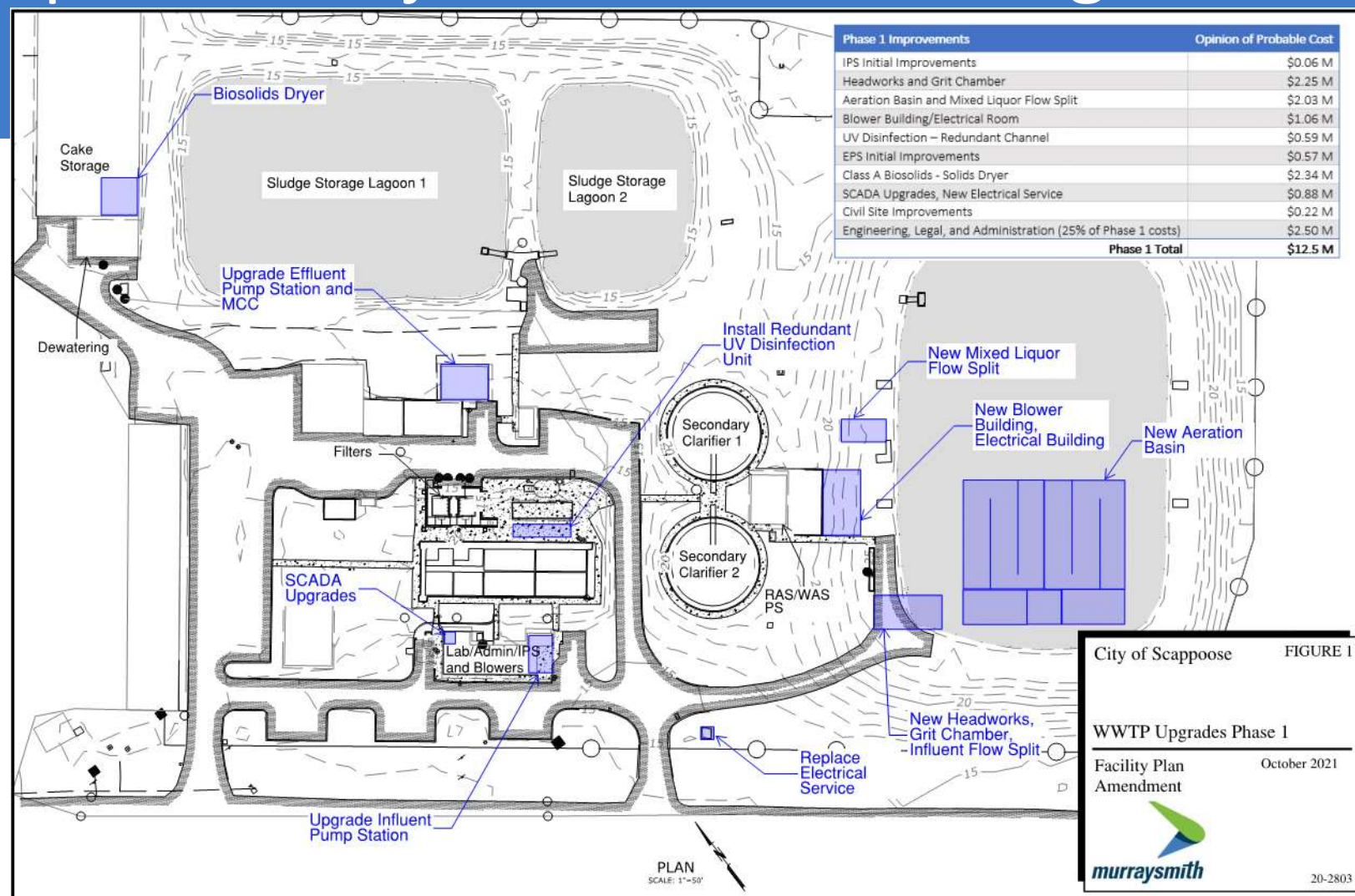
Phase 1 Preliminary Budget

Item	Cost
Replace Influent Trunk Sewer	\$220,000
IPS Upgrades	\$500,000
IPS Force Main	\$133,000
New Headworks	\$1,500,000
New Aeration Basin	\$2,582,000
UV Upgrades	\$450,000
Effluent PS Upgrades	\$540,000
New Electrical Building	\$200,000
Total	\$6,125,000

Engineering Fee:
\$1,110,964

Includes amendments
for Interim Aeration
Basin design and
bidding

Updated Project Elements & Budget



Engineering Fee:
\$1,613,495

Includes changes from the Facility Plan Amendment:

- Grit Chamber
- Blower Building w/Electrical Room
- Redundant UV Disinfection System
- Biosolids Dryer
- New Electrical Service
- Robust SCADA System

Biosolids Dryer



- City is losing Land Application fields
- 4 Alternatives Considered for Class A Biosolids
- Bioforcetech's Biodryer has lowest capital & operating costs
- Energy Efficient
- 12-month lead time for manufacturing
- Grant Funding deadline is Summer 2024
- Pre-procurement is recommended to meet deadline
- Equipment Cost: \$1.66M

Next Steps

- Continue with 60% Design
- Procure Biosolids Dryer Equipment
- Bidding: July 2023
- Construction NTP: August 2023



Questions?



Council Action & Status Report

Date Submitted: May 10, 2022

Agenda Date Requested: May 16, 2022

To: Scappoose City Council

From: Isaac Butman, Assistant to the City Manager

Subject: Ordinance 906, An Ordinance Regulating Fireworks in the City of Scappoose; Amending Scappoose Municipal Code Title 8, Creating Chapter 8.26, Fireworks; and Rescinding Resolution No. 22-11

TYPE OF ACTION REQUESTED:

☐ Resolution

 ☒ Ordinance
☐ Formal Action

 ☐ Report Only

ISSUE: On July 19, 2021, Council received public comment relating to fireworks being used in Scappoose, **Exhibit A**. Following that meeting Council expressed interest in discussing the use of Fireworks in the City. On May 16, 2022, Staff presented Resolution No. 22-11 (**Exhibit B**) to City Council, which Council approved, and at the same time indicated they would be in favor of passing something with more enforceability.

ANALYSIS: After Council adopted Resolution No. 22-11, they indicated to Staff that they would like to see something that was more enforceable relating to the use of fireworks brought before them and gave no direction to modify the content of Resolution No. 22-11.

The logical step to increase the enforceability of a Resolution is to rewrite it as an Ordinance so that violations carry a greater consequence. Staff rewrote Resolution No. 22-11 as an Ordinance, Ordinance 906 (**Exhibit C**), and drafted a new chapter of Scappoose Municipal Code under Health and Safety, Chapter 8.26 Fireworks (**Exhibit C**).

Ordinance No. 906 mimics the language of Resolution No. 22-11 exactly, adds Chapter 8.26 to the Municipal Code with the following regulations:

- Illegal fireworks are reinforced as being illegal in the City of Scappoose.
- The use of legal fireworks is limited to December 31, January 1, and July 2-6 of

Request for Council Action

each year, unless a ban on the use of fireworks has been enacted that applies to the City.

- Fireworks are banned from City Parks, streets in City Parks, and on City Property; this does not ban the use of fireworks on streets generally.
- Legal fireworks are exempt from noise regulations when they are legally being used.
- Fireworks are banned from being used on grass, dry vegetated areas, and other areas prone to catching fire.
- Reserves the right of Council to ban fireworks all together to preserve the health, safety, and general welfare of the community.
- A violation of Chapter 8.26 is a General Penalty as described in Chapter 1.08 of the Municipal Code and carries a fine of up to \$500, as many other violations of the Municipal Code do.

Council gave no direction to modify language in Resolution No. 22-11 but did indicate at other times that they thought it would be a good idea to allow the Fire District to assist with enforcing the fireworks code.

Staff would like direction from Council if they would like changes to Ordinance No. 906 or would like staff to look into how the Fire District could assist with enforcement. If Council does want staff to look at the latter, staff can bring that issue back at a later date with more information, and Council could move ahead with passing Ordinance No. 906 so it is in effect before December 31, 2022.

Fiscal Impact: There are no fiscal impacts expected from the passage of Ordinance No. 906 as it is currently written.

Recommendation: If no changes to the language of Ordinance No. 906 are asked for, staff recommends Council adopt the Ordinance as written.

Suggested Motion: I move that Council adopt Ordinance No. An Ordinance Regulating Fireworks in the City of Scappoose; Amending Scappoose Municipal Code Title 8, Creating Chapter 8.26, Fireworks; and Rescinding Resolution No. 22-11 as written.

Request for Council Action

simple amenities on that site make it simply ridiculous to consider. And, it would undoubtedly be unusable for a substantial part of the year.

It's not near wetland habitat: it IS wetland habitat. The Cathead idea is neither reasonable nor feasible. It could become a great area for a non-invasive nature trail, but not for a dog park.

City government makes very public statements of regard for the livability of our town.

Regarding Grabhorn again, the plan for a road through the park-to-be seems both short-sighted, unnecessary, and very detrimental to the notion of livability. The new businesses and organizations moving into Scappoose need a park that is a park for the people that will come here with them to work and live, not another thoroughfare. It certainly won't help the Dog Park and is not favored by a large portion of people who have responded to plans for it. It is also the most inconvenient and unwanted route for additional city utilities. When the new bridge on JP West was built, it included the addition of city utilities. If the Smith Road bridge were replaced to current standards, it would not only provide the same ability to route and upgrade city utilities and would also solve the issue of emergency access to that portion of town. The fire department, for example, could just make a right turn coming out of their facility. And I imagine it could cost less than the unfavored road that would take up a large portion of park property, divide it into sections, destroy a needed stand of heritage cedars, and create even more of a traffic hazard than already exists. I've seen no real consideration for that or other option and fail to see why that is the case. If the unclear real need for that unwanted road is future development, allow me to suggest that the city remind developers that taxpayers don't pay for necessities for their projects or their profit, they do! Beyond that, there are simply other choices that City Council needs to consider much more seriously. Thank you for your time.

end of letter

John Riutta, Scappoose, explained he is going to bring you something just a tad different. He has been told in the past that there have occasionally been fireworks at these meetings. He is not going to bring them, but he is going to talk about them. He stated he and his wife were married on July 2nd and for many years they took vacations around this particular time taking advantage of the 4th of July but for the past decade or so they have not left their home over the 4th of July because they live in reasonable proximity to a number of amateur explosive enthusiasts and these folks go to great lengths possibly and go to other States in order to obtain the source of their amusement. He explained for most of the 4th of July they are treated to explosions that go on well into the night, sometimes into the following morning next morning, and they awake to find bits of exploded fireworks in their front lawns, on their vehicles, their back porch, roofs, gardens. He stated when he's talking about fireworks, he's not talking about just the annoying little ones, maybe they're a bit loud and maybe they're a bit bigger than somebody would want, but they're not maybe excessively beyond the Oregon limitation of a firework that doesn't rise more than 12 inches in the air or expanding a circle circumference more than six feet. No, he is talking about large professional aerial shells that rise higher than rooftops, that rise higher than treetops, that explode with vast spreads of 25 yards and more. He and his neighbors have found debris as far as 75 yards away from where they know they were launched. He stated for years they've put up with this, it's the 4th of July after all. They

don't want to be killjoys and they don't want to get in anyone's fun. They've put up with their daughter being terrified as she grew up and they put up with their dog being traumatized and having to be sedated and having to sit with her in the central bathroom of our home because it's the only room that doesn't have an external wall and doesn't therefore get the full force of the concussion of each explosion. But, this past 4th of July as he sat out on his back porch watching the explosions from the street adjacent to them and listening as the bits of flaming debris rained down on the trees behind their house and wondering which one of them was actually going to catch fire, he finally decided he'd had enough. He comes to Council tonight to bring to you the fact that we have a problem in Scappoose. If you go up on the hill on the 4th of July night, and sometimes if the weather is fair on New Year's Eve, you will see something that looks akin to a small professional pyrotechnics display. Now these fireworks are not available in Oregon, they are being brought in either from native land, or possibly from adjacent states. He's spoken with the local officers, they've been very professional and very friendly, and they've said that the problem they have is that it's difficult to catch the culprits in the act because they have to catch them actually igniting these fireworks and even if they did catch them, the penalty is not particularly onerous. However, in conversation, we realized that there are other things that can be levied. For instance, creating a nuisance and disturbing the peace. He explained that he formally worked in the firearms industry, so he is very familiar with the ATF and bringing these across State lines into a federal offense. It's an offense in the US Code punishable by up to a year in prison. He doesn't think that people fully understand the full ramifications of this and he's not bringing this to Council because it's simply annoying or because he's personally troubled. He would venture to say that probably more than one person in this room lives with a dog. He can't speak for cats because he's never lived with one, but he does know that fireworks absolutely terrify dogs, and the reason is because they're hearing is so much better than ours. They're not just terrified of the sound, it's the actual physical concussion through the air. They can hear fireworks going off long before we notice them. He stated the other group that's in the community, and he thinks we all wish to honor them as often as we possibly can, are Veterans. He stated we have many veterans in the community, and many are combat veterans. He stated, some are unfortunate enough to have been burdened with PTSD. He knows from many of his friends too that our veterans say that this is a very real problem and that Veterans all across the country are annually traumatized by being subjected to these amateur high explosive displays. He explained they can avoid public displays of fireworks such as the ones set off in Saint Helens, but they can't avoid having their neighbors suddenly set off Roman candles above their own homes. This is something that we need to respect. He stated he doesn't have an actual solution, but he would advise that perhaps at least an information campaign to let people know what the possible penalties of this could be, and what the possible dangers are, because we are in a drought situation again this year and any small spark could very easily trip large conflagration that could destroy a sizable portion of this town, including putting hard working people and their families out of their homes for an extended period of time. He asked Council to please consider this matter seriously and consider

trying to find a solution to it. It's gone on long enough and it does need to stop. He thanked Council very much for their time this evening.

RESOLUTION NO. 22-11**A RESOLUTION REGULATING FIREWORKS
IN THE CITY OF SCAPPOOSE**

WHEREAS, the City Council of the City of Scappoose recognizes that fireworks are an American pastime, used to celebrate and note some of our most important historical events and days. They are well loved and highly favored by a large portion of the population; and

WHEREAS, conversely, fireworks are extremely dangerous in dry conditions, noise and light from fireworks can unnerve animals and children, cause harm to those with light and/or noise sensitivities, and can be damaging to those with PTSD and other mental/emotional health issues; and

WHEREAS, issues relating to fireworks has been brought to the attention of City Council, and Council wants to make clear to the community that proactive steps to protect this community and residents within this community are being taken;

NOW THEREFORE BE IT RESOLVED THAT:

- 1) The City of Scappoose will work collaboratively with the Scappoose Rural Fire Protection District to keep the city of Scappoose, and its residents, safe from the fire and life-safety threat that legal and illegal fireworks present.
- 2) The City of Scappoose recognizes issues within the community relating to illegal fireworks, and the psychological, emotional, and physical toll and threat they present. The City of Scappoose will work with the Fire District to develop a communication and enforcement strategy, and solutions, relating to the use of illegal fireworks within the City of Scappoose.
- 3) Illegal fireworks are categorically banned within the City of Scappoose.
- 4) Legal fireworks are permissible to use within the City of Scappoose on the following days only: December 31 and January 1; and July 2 through July 6; aligning with the holidays most highly associated with the celebratory and beloved nature of fireworks.
- 5) Fireworks of all types are not permitted to be used in City Parks, streets within City Parks, or on City Property. This clause does not include the right of way commonly referred to as "streets".
- 6) Legal fireworks are exempt from City of Scappoose noise ordinances and municipal code sections regulating noise on the days specified in clause 4) of this Resolution. Depending on

the specific context of any given situation a nuisance may still be declared, and enforcement action taken at the discretion of enforcement authorities.

- 7) Legal fireworks shall not be used in grassy areas, dry areas, or other areas prone to catching fire. Council urges the cautious and safe use of legal fireworks, including adults monitoring the use of legal fireworks, safe handling, lighting, and disposal of legal fireworks, and strongly urge that a ready source of water be at hand when engaging in legal firework displays.
- 8) Lastly, Scappoose City Council and the City of Scappoose urge the utmost due diligence and caution when using legal fireworks to prevent injuries, fires, and damage to property. Council asks the Scappoose Community to be considerate of your neighbors and fellow community members who may be disproportionately impacted by fireworks for any number of reasons.

PASSED AND ADOPTED by the Scappoose City Council this 6th day of June, 2022, and signed by me and the City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON



Scott Burge, Mayor

Attest:



Susan M. Reeves, MMC, City Recorder

ORDINANCE NO. 906**AN ORDINANCE REGULATING FIREWORKS IN THE CITY OF SCAPPOOSE;
AMENDING SCAPPOOSE MUNICIPAL CODE TITLE 8, CREATING CHAPTER 8.26,
FIREWORKS; AND RESCINDING RESOLUTION NO. 22-11.**

WHEREAS, the City Council of the City of Scappoose recognizes that fireworks are an American pastime, used to celebrate and note some of our most important historical events and days. They are well loved and highly favored by a large portion of the population; and

WHEREAS, conversely, fireworks are extremely dangerous in dry conditions, noise and light from fireworks can unnerve animals and children, cause harm to those with light and/or noise sensitivities, and can be damaging to those with PTSD and other mental/emotional health issues; and

WHEREAS, issues relating to fireworks has been brought to the attention of City Council, and Council wants to make clear to the community that proactive steps to protect this community and residents within this community are being taken; and

WHEREAS, City Council passed Resolution No. 22-11, and expressed wishes to have more enforceable provisions relating to Fireworks;

**NOW THEREFORE, THE COUNCIL OF THE CITY OF SCAPPOOSE ORDAINS AS
FOLLOWS:**

Resolution No. 22-11 is hereby rescinded.

- 1) The City of Scappoose will work collaboratively with the Scappoose Rural Fire Protection District to keep the city of Scappoose, and its residents, safe from the fire and life-safety threat that legal and illegal fireworks present.
 - 2) The City of Scappoose recognizes issues within the community relating to illegal fireworks, and the psychological, emotional, and physical toll and threat they present. The City of Scappoose will work with the Fire District to develop a communication and enforcement strategy, and solutions, relating to the use of illegal fireworks within the City of Scappoose.
 - 3) Illegal fireworks are categorically banned within the City of Scappoose.
 - 4) Legal fireworks are permissible to use within the City of Scappoose on the following days only: December 31 and January 1; and July 2 through July 6; aligning with the holidays most highly associated with the celebratory and beloved nature of fireworks.
 - 5) Fireworks of all types are not permitted to be used in City Parks, streets within City Parks, or on City Property. This clause does not include the right of way commonly referred to as "streets".
 - 6) Legal fireworks are exempt from City of Scappoose noise ordinances and municipal code
- ORDINANCE NO. 906

sections regulating noise on the days specified in clause 4) of this Resolution. Depending on the specific context of any given situation a nuisance may still be declared, and enforcement action taken at the discretion of enforcement authorities.

- 7) Legal fireworks shall not be used in grassy areas, dry areas, or other areas prone to catching fire. Council urges the cautious and safe use of legal fireworks, including adults monitoring the use of legal fireworks, safe handling, lighting, and disposal of legal fireworks, and strongly urge that a ready source of water be at hand when engaging in legal firework displays.
- 8) Lastly, Scappoose City Council and the City of Scappoose urge the utmost due diligence and caution when using legal fireworks to prevent injuries, fires, and damage to property. Council asks the Scappoose Community to be considerate of your neighbors and fellow community members who may be disproportionately impacted by fireworks for any number of reasons.

The preceding rules on firework use in the City of Scappoose are hereby incorporated into the Scappoose Municipal Code as Chapter 8.26 as written in **Exhibit A** to this Ordinance.

PASSED AND ADOPTED by the City Council this ____ day of _____, 20____, and signed by the Mayor and City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON

Scott Burge, Mayor

First Reading:
Second Reading:

Attest: _____
Susan M. Reeves, MMC, City Recorder

Chapter 8.26FIREWORKSSections:

- 8.26.010 Definitions
- 8.26.020 Fireworks
- 8.26.030 Violation

8.26.010 Definitions. As used in this chapter, except as the content otherwise requires:

"Firework(s)" means Consumer fireworks; Display fireworks; Pyrotechnic articles; Special effects; and Other pyrotechnic devices that:

(i) Are capable of producing audible, visual, mechanical or thermal effects through combustion, deflagration or detonation; and

(ii) Contain chemical elements and compounds that are capable of burning independently of atmospheric oxygen or contain flammable liquid mixtures or flammable gas mixtures.

Fireworks does not mean a candle, flaming club, flaming baton or other device that is designed to keep the flame and thermal radiation in close proximity to the device.

8.26.020 Fireworks. (A) Illegal Fireworks, as defined by Oregon Revised Statutes or Oregon Administrative Rules, are illegal in the City of Scappoose.

(B) Legal fireworks, as defined by Oregon Revised Statutes or Oregon Administrative Rules, may be used within the City of Scappoose on the following days only: December 31 and January 1; and July 2 through July 6, unless a ban on the use of fireworks has been enacted by the appropriate authorities.

(C) Fireworks of all types are not permitted to be used in City Parks, streets within City Parks, or on City Property. This clause does not include the right of way commonly referred to as "streets".

(D) Legal fireworks are exempt from City of Scappoose noise ordinances and municipal code sections regulating noise on the days specified in clause(C) of this Ordinance. Depending on the specific context of any given situation a nuisance may still be declared, and enforcement action taken at the discretion of enforcement authorities.

(E) Legal fireworks shall not be used in grassy areas, dry vegetated areas, and other areas prone to catching fire.

(F) City Council maintains the right to temporarily or permanently ban the use of all fireworks in the City of Scappoose to preserve the health, safety, and general welfare of the city, citizens, and/or community.

8.26.030 Violation. A violation of this Chapter shall carry the consequences of a General Penalty for violating the Municipal Code of the City of Scappoose as described in Chapter 1.08, General Penalty, of this code.

CITY OF SCAPPOOSE

8.

October 2022						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 URA 6pm City Council 7pm	4	5	6	7	8
9	10	11	12	13	14	15
16	17 Work Session 6:00 pm City Council 7pm	18	19	20 EDC noon Park & Rec 6pm	21	22
23/30	24/31	25	26	27 Planning Commission 7pm	28	29

CITY OF SCAPPOOSE

November 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7 City Council Work session 6pm City Council 7pm	8	9	10 Planning Commission 7pm	11 Veterans Day~ offices closed 	12
13	14	15	16	17 EDC noon Park & Rec 6pm	18	19
20	21 City Council Work session 6pm City Council 7pm	22	23	24 Happy Thanksgiving ~ City Offices closed	25 City Offices closed	26
27	28	29	30			