

MONDAY, NOVEMBER 18, 2019
CITY COUNCIL MEETING AGENDA
Regular meeting 6:00 p.m.
Scappoose Council Chambers
33568 East Columbia Avenue

Call to Order

Mayor Burge called the City Council meeting to order at 6:00 p.m.

Pledge of Allegiance

Roll Call

Scott Burge	Mayor	Michael Sykes	City Manager
Patrick Kessi	Council President	Norm Miller	Police Chief
Megan Greisen	Councilor	Susan Reeves	City Recorder
Joel Haugen	Councilor	Alexandra Rains	Assistant to City Manager
Josh Poling	Councilor	Laurie Oliver	City Planner
Brandon Lesowske	Councilor	Huell White	Program Analyst (in audience)
Pete McHugh	Councilor		

Legal Counsel Peter Watts

Press: Anna Del Savio ~ Columbia County Spotlight

Approval of the Agenda

Councilor Haugen moved, and Council President Kessi seconded the motion to approve the agenda. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Public Comments

There were no public comments.

Consent Agenda ~ November 4, 2019 City Council meeting minutes

Council President Kessi moved, and Councilor Haugen seconded the motion to approve the Consent Agenda Consent Agenda ~ November 4, 2019 City Council meeting minutes. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Old Business

Ordinance No. 886: An Ordinance Making Certain Determinations and Findings Relating to and Approving the Scappoose Urban Renewal Plan and Directing that Notice of Approval be Published

1. City Planner Laurie Oliver explained as you know a public hearing was held by Council on October 21. The public hearing was closed, as was the record and a motion was made to approve Ordinance No. 886 with one small edit. Amendments to the project list can be found below:

C. OTHER TRANSPORTATION

1. Transportation Studies:

West Columbia Avenue. Conduct a transportation study to determine the feasibility of converting West Columbia Avenue to two way traffic, including signal modification at US 30/Columbia Avenue. To address concerns about potential loss of parking to adjacent businesses, this study will be completed at the same time as the Parking Study listed below.

City Planner Laurie Oliver explained since the record is closed no new testimony or evidence can be accepted without reopening the public hearing and re-noticing of all effected taxing districts, as well as the citizens of the City, but on November 5 the City did receive a request from the Fire District for a new ladder truck. She explained the Fire District was informed that the record was closed but that we would anticipate that Council, acting as the Urban Renewal Agency, would consider hearing a request from them at a future Agency meeting to work on some type of inclusion of a project for them. She explained it is our legal counsels' position that a fire truck would not be in line with ORS 457, which governs Urban Renewal and so while funds couldn't necessarily be used for a truck there might be some other options for them. She explained staff did not provide any assurances to the Fire District that a plan amendment would be made to accommodate specific requests, but it is our opinion that the Agency would consider a request. She explained since funds will not be available to spend on anything for five to ten years on anything really notable, staff does recommend that Council approve the Plan on second reading tonight and then perhaps reach out and request that the Fire District work with them.

Councilor Greisen asked was there a connection made by the Fire District with the ladder truck and the lack of funds they would be receiving because of the Urban Renewal or because of the development that is expected.

City Planner Laurie Oliver replied, they made the connection that Urban Renewal would hopefully spur additional economic development and that they would want the fire truck to meet that additional need.

Assistant to City Manager Alexandra Rains stated the problem with the fire truck itself is that Urban Renewal dollars are supposed to only be used within the district, and obviously that truck would go out of the district. She explained we have communicated that to them and hope that they would come to an Agency meeting and that the Agency can consider a minor amendment at a future date.

City Planner Laurie Oliver explained a minor amendment is pretty much any requested amendment, with the exception of increasing maximum indebtedness and adding acreage to the plan. She explained this would not require a bunch of noticing to make that minor amendment, it would just be a majority vote of the Agency.

Mayor Burge read the title for the second time ~ Ordinance No. 886: An Ordinance Making Certain Determinations and Findings Relating to and Approving the Scappoose Urban Renewal Plan and Directing that Notice of Approval be Published.

Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

New Business

Ordinance No. 887: An Ordinance Amending the Scappoose Municipal Code Title 9, Chapter 9.16

Chief Miller explained City Council had a work session regarding playing ball in the streets and he and Legal Counsel took Council's comments and looked over the code and came up with what is before Council this evening.

Legal Counsel Peter Watts stated he thinks we have a much stronger product because Chief Miller did a good job of articulating his concerns and we talked through some real-world examples of how this might work. He explained what we tried to do is to make it broad. He explained we tried to make it as flexible as possible while still making sure any violation is binding, as far as the enforcement side, so the Officers can use their judgement.

Chief Miller explained staff recommends Council adopt the amendment to Scappoose Municipal Code 9.16.040 as presented.

Mayor Burge opened the public hearing at 6:09 pm and closed it due to no one wanting to speak on this matter.

Councilor Haugen moved and Councilor Greisen seconded the motion that Council adopt Ordinance No. 887, an Ordinance amending the Scappoose Municipal Code Chapter 9.16.040 Obstructing Streets and Sidewalks as presented.

Mayor Burge read the title for the first time ~ Ordinance No. 887: An Ordinance Amending the Scappoose Municipal Code Title 9, Chapter 9.16.

IGA with Columbia County Use of Deadly Physical Force Planning Authority

Chief Miller explained in 2007 Senate Bill 111 was passed and required the creation of local, comprehensive protocols to address the use of deadly physical force by Law Enforcement during the performance of their duties. Columbia County has previously developed and continues to promote an effective and comprehensive approach to these extremely important circumstances.

The use of deadly physical force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. The purpose of this Plan is not to set the standards for the use of such force, or to be a substitute for agency policy regarding use of force, but rather to provide a framework for a consistent response to an officer's use of deadly physical force that treats the law enforcement officer fairly, and promotes public confidence in the criminal justice system. A copy of this agreement is provided as Exhibit A in the packet. The duration of this arrangement would be indefinite, it would renew automatically on the effective date until terminated by either the City or the County. Staff recommends City Council authorize the City Manager to execute the Deadly Physical Force Plan Intergovernmental Agreement between the City of Scappoose and Columbia County Law Enforcement.

Councilor Lesowske asked Chief Miller why would they differentiate from County to County?

Chief Miller replied it doesn't really differentiate, there just may be some different components because a County may not have a major crime team, like we do, and they would have to outsource another County to come in to do that. He explained you want to be transparent with that.

Councilor Haugen moved, and Councilor Poling seconded the motion that Council authorize the City Manager to execute the Deadly Physical Force Plan Intergovernmental Agreement between the City of Scappoose and Columbia County Law Enforcement Agencies as presented. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

IGA for Columbia County Major Crimes Team

Chief Miller explained in the event that a Major Crime happens within Columbia County, law enforcement needs to have all resources available to assist in the event. The Scappoose Police Department (SPD) last entered into this agreement in 2013 and it's in need of an update due to changes to existing laws and administrative turn over throughout Columbia County. The Sheriff, District Attorney and Police Chiefs of Columbia County reviewed and made minor changes to the agreement prior to its presentation to Council this evening. A copy of this agreement is provided as Exhibit A. The duration of this arrangement would be indefinite, it would renew automatically on the effective date until terminated by either the City or the County. Staff recommends City Council authorize the City Manager to execute the Columbia County Major Crimes Team Intergovernmental Agreement between the City of Scappoose and Columbia County Law Enforcement.

Councilor Greisen moved, and Councilor Lesowske seconded the motion that Council authorize the City Manager to execute the Columbia County Major Crimes Team Intergovernmental Agreement between the City of Scappoose and Columbia County Law Enforcement Agencies as presented. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

IGA with Columbia County for Law Enforcement Services

Chief Miller explained in order to increase public safety and code enforcement, the Scappoose Police Department (SPD) would like to provide law enforcement services, as customarily rendered within City limits, at two City owned properties located in unincorporated Columbia County, Chapman Landing and a portion of the CZ Trail, as well as the Warren Elementary School. To achieve this goal, staff drafted an intergovernmental agreement that, when executed by Columbia County, would provide the legal authority necessary for the SPD to provide said services. This agreement, a copy of which is provided as Exhibit A, would not eliminate the County's requirement to continue patrolling these areas, it would only add the services to be provided by the SPD. The duration of this arrangement would be indefinite, it would renew automatically on the effective date until terminated by either the City or the County. Staff recommends City Council authorize the City Manager to execute the Intergovernmental Agreement between the City of Scappoose and Columbia County for Law Enforcement Services as presented.

Council President Kessi asked if Columbia County has approved this yet?

Legal Counsel Peter Watts explained the County Council indicated to him that they were going to take this up on November 27 and they anticipated that it would be voted on that day. He explained why the City is requesting this intergovernmental agreement.

Council President Kessi asked if there was any reason why we would want out of this agreement?

Legal Counsel Peter Watts replied if we were to annex this property into the City then this agreement by its nature would be void.

Mayor Burge stated, remember, the Warren School is also in this agreement.

Council President Kessi moved, and Councilor Poling seconded the motion that Council authorize the City Manager to execute the Intergovernmental Agreement between the City of Scappoose and Columbia County for Law Enforcement Services as presented. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Housing Strategy Implementation Contract

City Planner Laurie Oliver went over the staff report. She explained on July 15, 2019, the City Council adopted Resolution 19-13, which adopted the Housing Strategy Implementation Plan. The plan included a list of potential affordability tools that could be implemented. Since then, staff has completed an informal procurement process to solicit three quotes from consultants qualified to implement the tools identified in the plan. Staff released a request for quote (RFQ) on October 15, 2019 for the Housing Strategy Implementation project to ECONorthwest, PNW

Economics, and Angelo Planning. On November 4, 2019 (the due date for the submittal of quotes), the City received the following quote: 1) ECONorthwest - \$25,159

City Planner Laurie Oliver explained after review, staff recommends that the City enter into a contractual agreement with ECONorthwest to complete the implementation of the plan. Based on the criteria stated in the RFQ, staff feels this consultant will meet the needs of the City because of ECONorthwest's familiarity with Scappoose's housing market, the City's fiscal situation, the local economy, and local housing providers. Furthermore, the consultant team includes individuals with advanced degrees in economics, planning, and public policy. ECONorthwest has recently completed several similar housing implementation plans, including analysis of incentives, tax abatement strategies, and establishment of program criteria. The Planning Department budgeted \$25,000 to complete this project in FY 19-20. The quote came in slightly higher at \$25,159. Staff spoke with ECONorthwest via phone on November 5, 2019 and a verbal agreement for \$25,000 was reached, pending specific negotiations on scope and timeline which would take place once Council has approved entering into a contract with this firm. Staff recommends Council approve the expenditure of funds up to \$25,000 to complete the Housing Strategy Implementation project and authorize the City Manager or designee to negotiate on behalf of the City and execute a contract with ECONorthwest.

Council President Kessi asked if there was any grant money available for this?

City Planner Laurie Oliver replied there may be some money available. She explained because we were so strapped last time she kind of wanted to approach this with our funding so that we have more control over schedule so she can look into seeing if there are any grant window openings, however we would be under the same time constraints.

Councilor Poling moved, and Councilor Haugen seconded the motion to move Council authorize the City Manager to initiate the Housing Strategy Implementation project and execute a contract with ECONorthwest for a total amount not to exceed \$25,000. Motion passed (7-0). Mayor Burge, aye; Council President Kessi, aye; Councilor Greisen, aye; Councilor Haugen, aye; Councilor Poling, aye; Councilor Lesowske, aye and Councilor McHugh, aye.

Discussion on cancelling the December 2, 2019 City Council meeting

City Manager Sykes explained there is nothing for the December 2 Council agenda.

Mayor Burge stated the December 2 City Council meeting is canceled.

Calendar

Mayor Burge went over the calendar.

City Manager, Police Chief, Councilors, and Mayor

City Manager Sykes explained this is the first meeting we have had since the election and the fuel tax passed. He explained the revenues will be very significant in our ability to address issues that are on the top of the list, which is addressing the sidewalks and streets. He wanted to thank Huell for helping us do the research and lay out a lot of the work that was done on the fuel tax. He explained it really was a team effort, with some of the Councilors knocking on doors. He thanked Council for all their leadership on that. He explained on December 16 we will be reviewing our Goals and accomplishments from the past year. He stated we also invited PCC to come to the next meeting and give an update. He explained staff has met with Columbia County and talked about rezoning Chapman Landing. He explained Council has a copy of his report.

Chief Miller explained December 14 is Doughnut Day, at Scappoose Middle School, starting at about 6:00 a.m. until they run out of doughnuts. He wanted to thank Peter and Alex for all their help on the different things he has been working on throughout the month.

Council President Kessi explained he met with a group of community members and talked about the City and they all thought the City was doing a really good job. He thanked Council for really getting behind the fuel tax and getting that to pass. He stated that is going to be good for the community and working towards getting the safe sidewalks to schools.

Councilor Greisen thanked Huell for all his work on the fuel tax. She stated she is proud of our citizens for believing in Council in handling their concerns and taking some action. She is looking forward to getting some safe routes to schools and fixing roads.

Councilor Haugen stated in regard to the fuel tax the Park & Rec Committee, in their entirety, was very active. He thanked the Park & Rec Committee. He explained he went to the CZ Trail meeting and they are moving ahead and getting the kiosk and mile markers installed fairly soon.

Councilor Lesowske wished everyone a Happy Thanksgiving.

Councilor McHugh thanked Councilor Haugen and JJ for Duehren for all their work on the fuel tax.

Councilor Haugen would like to acknowledge JJ.

Mayor Burge would like the Traffic Safety Committee to look at 3rd and Columbia in regard to how jammed up it gets with the amount of parking on both sides.

Patty Conroy wanted to talk about the Peace Candle and the important role that it could play, not just for Scappoose, but for our State and Country right now. She thinks peace is an option and peace is what we need to be talking about and we need to explore all the different options.

Council thanked Patty.

City Manager Sykes explained we have been working with the owner regarding getting an agreement for the candle.

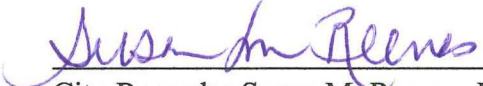
Adjournment

Mayor Burge adjourned the Council meeting at 6:48 p.m.



Mayor Scott Burge

Attest:



City Recorder Susan M. Reeves, MMC