

**SCAPPOOSE CITY CHARTER REVIEW COMMITTEE**  
**Council Chambers at City Hall**  
**33568 E. Columbia Avenue**

**Wednesday, April 14, 2010 at 7:00 p.m.**

**Call to Order**

Chair Ingham called the meeting to order.

**Present:** Judie Ingham City Council Member, Larry Meres City Council Member, Craig Frasier Citizen at large, Prudie White Budget Committee Member, Loren Holm Budget Committee Member, Devra Hermosilla Citizen at large, Scott Burge Mayor and Jon Hanken City Manager.

**Approval of Minutes from April 15, 2009**

Prudie White moved and Craig Frasier seconded the motion to approve the minutes for the Scappoose City Charter Review Committee meeting minutes of April 15, 2009 as corrected. Motion passed (6-0). Chair Ingham, aye; Larry Meres, aye; Craig Frasier, aye; Prudie White, aye; Loren Holm, aye and Devra Hermosilla, aye.

**Recap previous meetings ~ March 5, 2009, March 25, 2009 and April 15, 2009**

Chair Ingham stated it looks like it was pretty much encapsulated at the end of the meeting about the different points. She stated she thinks the one thing that was left unresolved was the discussion about compensation and spouses being encouraged to go to City events. She explained City Manager Hanken has mentioned that a spouse attending events has never been policy.

City Manager Hanken replied one of the things, he will just throw this out there and again this is your meeting, is most Charters will not have information regarding , those are internal policies related to how Council wants to move forward.

Chair Ingham stated she thinks that would be done on a case by case basis's. If we were having an event that was coming up and the Council felt they wanted their spouses to go then that would be a Council decision regarding that. She stated it is not like that ever comes up.

Prudie White thinks it is so valuable because you have a sounding board built in with your spouses on most things.

There was a discussion on spouses attending functions and the City paying for it. City Manager Hanken explained just because it is not the Charter doesn't mean as a policy you can't adopt that. Chair Ingham stated it is a Council decision verses being mandated in the Charter.

Chair Ingham stated the other thing that she saw in here that was an interest to her, which is something this committee needs to think about and she supposes it is probably something the Council needs to think about, is whether the City Charter would be approved section by section

or the entire document all at once. She explained some one might disagree with a certain part of the Charter instead of looking at the whole Charter and vote down the amendments just because they disagree with one issues.

City Manager Hanken replied Charters are an all or nothing proposition.

Chair Ingham asked about the previous quorum discussion. She stated Andy Jordon's statements regarding the quorum issues, which is her understanding, that is it is a quorum of the amount of people that are currently on Council. She stated so it is always a majority of those seated and she feels that is appropriate.

City Manager Hanken replied it is his understanding that this committee wanted that clarified a little bit.

Devra Hermosilla read from the March 25, 2009, where City Attorney Jordan suggested it could read "The quorum is the majority of the **"current"** members of the Council.

Craig Frasier explained what had been discussed in the past ~ A quorum is required to conduct business; however, a smaller number may meet and **"require"** (instead of request) the attendance of the absent members in manner provided by ordinance.

Chair Ingham explained another issue to discuss is term limits.

Prudie White questions the current term for the Mayor because she feels it probably takes a full year for somebody to find out what the job is and they are just becoming connected that second year and they may not be there that third year.

Chair Ingham explained if you look at the history of the Mayor position, this community tends to realize, unless somebody really screws up, that the Mayor is there for a while.

Prudie White asked why wouldn't the term for the Mayor be four years. She feels it is wasted election time with it only be a two year term.

Craig Frasier, Larry Meres and Loren Holm support the current two year Mayor term.

Devra Hermosilla stated she doesn't have strong feelings one way or another. She stated she thinks she should would be concerned if there was a history of a bunch of two year turn over, but it doesn't sound like that has been a problem.

Prudie White replied that is why she doesn't think we should have it every two years because it isn't a problem.

Larry Meres stated but the problem is if you get a lousy mayor and the citizens are upset.

Chair Ingham stated with the Mayor running every two years it forces the Mayor to get out in to the public, talk to people and make sure everybody knows the Mayor.

Chair Ingham stated she thinks the committee's consensus is the current term for the mayor is fine but when the Charter gets presented to Council she thinks Council should have a discussion about it to see how they feel.

City Manager Hanken explained one of the things this committee might want to consider when you start getting to the proposed changes that you want you could have some sort of a public open house.

Chair Ingham feels at the open house we should give the citizens the current Charter to look at and then show them what the committee proposes to do and ask them their thoughts on the proposals.

Craig Frasier discussed the issue from the March 25, 2009 meeting on eminent domain consistent with State Law.

City Manager Hanken asked what happens if the State changes their rules on eminent domain. He explained citizens voted on specific language related to not having Council take property. He stated one of the things you are going to weigh is will people interrupt this change consistent with State Law as something you are kind of backing away from as a community from basically very clear stance that says the City will not take for economic purposes.

Prudie White asked our Charter is more restrictive then the State Law is, correct? City Manager Hanken replied yes.

Prudie White replied she thinks that needs to be stated what State Law is if we are going to change and put in that language.

Chair Ingham replied she agrees with City Manager Hanken the statement consistent with State Law, we probably don't want to go there.

Devra Hermosilla explained she doesn't think she was aware that the City of Scappoose voters have already said "no you can't do that". She asked why are we putting it back in the Charter that we can, if we can't.

Chair Ingham stated she agrees with City Attorney Jordan that this statement is restrictive in the fact that it is too broad.

City Manager Hanken stated where the condemnation comes in is there are two types of scenarios that may occur. One is the property owner has no interest what so ever in relinquishing that land for any price so they are going to need a required condemnation. He stated the second one gets to be what's called a friendly condemnation, where yes they want to have the property but because of some tax issues, some other things in terms of getting a price, getting some write off they go through the friendly condemnation.

Devra Hermosilla explained she understands that the Charter language was changed as an over

reaction to that Supreme Court Case, She stated if the Charter was changed with that language then that is okay we can change it back but if there was a specific vote by the people of Scappoose that said “We don’t want that in our town” and in order to change that we would have to have any vote on that specific law. She thinks that if it was something that the Charter Review Committee had changed before then it is something that the Charter Review Committee can change again but she thinks if we try to change it in this document when there has been a specific vote on that it will get voted down. She would like to see what that language is.

City Manager Hanken replied he is pretty sure that particular amendment to our Charter passed by 90%.

Mayor Burge arrived.

The committee had more discussion on the subject of eminent domain.

Devra Hermosilla asked City Manager Hanken to see the language exactly what people said yes or no to.

Chair Ingham would like to see the State Law.

Prudie White also would like to see if the State Law has changed since this was past.

Craig Frasier would like City Attorney Jordan to come speak on this matter again.

Mayor Burge stated he strongly disagrees with the Supreme Courts ruling on that and that is why he wanted this in the Charter.

Prudie White stated we need to know what the Supreme Court said and we need to know what the State of Oregon said after this was done.

Chair Ingham thinks this committee completely agrees with the intent of the Charter amendment we just need a little bit more information.

Chair Ingham stated the last talking point that she thinks was still left in the air was the precinct issue.

Chair Ingham stated she agrees with the idea of having precincts, she thinks the City of Scappoose is still a little bit small for that but she likes Larry Meres idea of making districts and assigning a Councilor to that area.

Prudie White asked if we are moving forward or are we stagnating. She explained the town is going to grow, we already know that and if we are going to put a document before the people are we going to be back in two years because we will need to go back and change the precinct thing because we have grown another 1,500 people. She thinks the City is plenty large enough and plenty divided enough with the highway going down the middle of our community.

Chair Ingham stated then you are restricting who can run for offices.

Prudie White stated you would have at large positions. She stated if you have 4 precincts and 3 at large you still have a 7 member council. She likes the idea of having precincts so the Councilors know what is going on in their area. She thinks it puts in more localized even within the community and it would be better represented.

Devra Hermosilla explained she likes the idea of districts. She thinks there are two different terminologies that we are hearing based on this. The precinct which is something she doesn't think we can do, as Andy said last time, it is expensive and hard and it entails much more. She stated what we are talking about is representation, right, and isn't that what it comes down to. She stated and City Attorney Jordan said creating districts and zones wouldn't have anything to do with precincts, he explained districts and zones would have to be equal and most cities that have districts do so for the purpose of preventing one area of town from essentially controlling that City. She stated that is what she believes is happening in this city. She hasn't objected to it because she might had been fairly well represented. She stated at this table two of us live at the same street. She stated maybe right now it is not that big of a deal because we are small but we are trying to look at this as a forward moving document and she is in favor of and would prefer to have the knowledge that a councilor is driving in her area and knows the issues and knows the people in the area and she think we need to have at large at well. She stated at least we know we have somebody from those areas. She doesn't see a problem with people running.

Mayor Burge asked how much will the County resist districts that cut straight down one of their precincts.

Chair Ingham stated so when you vote the County counts by precincts so if there are some County measures and City measures and they are counting by precincts and we are counting by districts that might not work real well. She stated we would have to find out that would work and what the process would be and how long the process might take.

Loren Holm stated in a previous conversation that this committee had he believes there was a consensus using the precincts based on how the County has it drawn and that is how we were going to do the districts, mirror the County. He stated if we were going to go that direction then we would eliminate any confrontation with the County.

Chair Ingham replied as long as the precincting is of benefit to the districting. She thinks this committee should make this decision not based on a precinct that was decided how long ago by the County.

City Manager Hanken stated he can get the numbers for the committee.

Craig Frasier addressed the issue of the problem of having your State Government set up your Congressional districts and based upon your Congressional District then you have precincts because you don't want a precinct that is in two Congressional Districts. He feels we are three years away before we have new precincts, that is just his rough guess.

Mayor Burge replied they will have the new precincts before the 2012 elections.

Craig Frasier stated he doesn't like the district plan, he likes having six councilors, not just one. He stated if you do it in districts and you do have to keep the population it does mean that you have to go in and change those districts every ten years.

Larry Meres stated he is a no vote. He could understand this if there was 40 to 60 thousand people but not with 7,000 people. He explained as a Councilor he does drive around town and if citizens have issues they email Council and let them know.

Prudie White explained when she lived in Seaside they had **"Wards"**

Chair Ingham stated staff should contact Seaside and see how they did this.

Craig Frasier asked City Manager Hanken would it be Council rule regulation or would it be in the Charter if provisions were made to have a nonvoting student representative on City Council.

City Manager Hanken replied to be elected there is an age requirement. Larry Meres replied the age requirement is 18 and that is a law.

Craig Frasier asked what body would need to decide that if we wanted to pursue that idea, would that be something in the Charter or would that be something the Council members could do.

City Manager Hanken stated that position would be non-voting.

Craig Frasier stated there would be an 8<sup>th</sup> seat up with Council and all they are up there for is to represent students concerns that relate to City Council, but they wouldn't have a vote.

City Manager Hanken replied he would not be recommending putting that in the Charter. He would recommend that would be something that Council would want to consider as a policy.

### **Identification issues for next meeting**

Chair Ingham asked the committee to read back through the City Charter. Next meeting will be May 12, 2010 at 7:00 p.m.

### **Adjourn**

Chair Ingham adjourned the meeting.

Minutes Typed by:

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Chair Judie Ingham, Councilor

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Susan M Reeves, CMC, City Recorder