

**CITY OF SCAPPOOSE
CITY COUNCIL MEETING
MARCH 19, 2007
WORKSHOP/COUNCIL GOALS AT 6:00 P.M.**

Mayor Burge called the City Council workshop to order at 6:04 p.m.

In attendance: Mayor Burge, Councilor Gedlich, Councilor Meres, Councilor Judd, Councilor Smith, Councilor Bernhard, City Manager Hanken, Police Chief Greisen and City Recorder Pentecost.

Councilor Smith explained she was working from her notes from the last workshop and came up with the handout that she presented this evening. She explained as she was working on the codification of the Comprehensive Plan she kept thinking that Scappoose had a system where they had already adopted general goals in addition to the land use goals. She ran across them and put them all together on a list. Then all the things that Council talked about at the workshop she put them on the list under the goal that Council adopted. She explained these goals were written at least pre 1991 and her suspicion is much further back than that.

City Manager Hanken explained what he is looking for from Council. He stated these are the City's important issues that need to be focused on this year. He explained as part of the budget process he is trying to put those resources to the goals that Council wants to accomplish. He explained as the City moves through the budget process whatever item Council chooses for their top priority they will see budgeted as the top priority. He explained the goal for him it to work with Council to move their goals, wishes, priorities forward in the budgetary/monetary resources that the City has and still do all the other functions the City is required to do as a municipality.

Overall consensus of Council regarding the top three on the priority list:

(1) Fund and construct the Havlik/Hwy 30 Crossing

(2) Construct City Park on J.P. West Road

There was a discussion regarding the park on JP West needing a name. Mayor Burge asked City Manager Hanken to place the naming of the park on JP West on a future agenda.

(3) Market Scappoose's Industrial and Commercial Lands

The other projects discussed (but not the top three):

Review Ordinance related to Code Enforcement

Sidewalks on Hwy 30

Partner and Construct an outdoor pool

Fund and construct the Dutch Canyon Water Line

Review City's Urban Growth Boundary

Support the development of Aviation-related Industrial Cluster at the Airport

There was a discussion about the City and the Park District working together. Councilor Smith explained the Park and Recreation District tried to disband due to lack of money.

There was also discussion on a bond to help fund the park.

Mayor Burge adjourned the workshop at 6:50 p.m.

**REGULAR CITY COUNCIL MEETING
AT 7:00 P.M.**

Flag Salute

Call to Order

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

Roll Call

The meeting of the City of Scappoose was held at 7:00 p.m. in the Council Chambers; 33568 East Columbia Avenue; Scappoose, Oregon with the following present:

City Council Members:

Scott Burge	Mayor
Donna Gedlich	Councilor
Lisa Smith	Councilor
Jeff Bernhard	Councilor
Chuck Judd	Councilor
Larry Meres	Councilor

Staff:

Jon Hanken	City Manager
Doug Greisen	Police Chief
Norm Miller	Police Lieutenant
Susan Pentecost	City Recorder

Press:

None present

Ronald G. Guerra Legal Counsel

Excused: Council President Ingham

Approval of Agenda

Councilor Judd moved, and Councilor Bernhard seconded the motion to approve the agenda as amended. Motion passed (6-0). Mayor Burge, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Bernhard, aye; Councilor Judd, aye; and Councilor Meres, aye.

Public Comments

Teresa Keller, Scappoose, explained she lives about 5 blocks from Varsity Grill and Bar. She explained Friday night after the band started the music at Varsity Grill and Bar made the walls at her house vibrate. She explained they called the police and the police went to Varsity. She explained nothing could be done because of the law that doesn't go along with the permit issued to Mr. Anderson. She explained she called the Police again and around 11:40 p.m. and the Police went out with the decibel reader to monitor the sound. She explained it was not long after that when the sound went down. She explained her concern is a permit was issued to Mr. Anderson, the permit was not followed and there wasn't anything that could be done about it legally. She asked why are we going to issue more permits to this guy? Chief Greisen asked Ms. Keller if she had heard much noise with past events? She replied no. She explained she even called the establishment twice and asked them to turn it down. She stated the second time Varsity staff got upset with her and stated "an Officer is here and we are working with the officer." Ms. Keller stated she called twice and he (Mr. Anderson) did not comply with the permit. She stated the next night they didn't hear the band unless they went outside until 11:45 p.m. it was loud until midnight. Chief Greisen explained it wasn't

brought to his attention how bad Friday night was until Saturday. He explained at the past 5 events that Mr. Anderson has had the Police Department has always had a supervisor working. He explained this past Friday there was not a supervisor working. He explained he and Lieutenant Miller were talking and they both feel that does make a difference. He explained the band that was playing on Friday played last year and didn't have any issues. He stated the band on Saturday night brought smaller speakers. He knows that Mr. Anderson is going to be working with future bands and require a certain size of speaker. He explained there are things that will be done differently to prevent this from happening again. He explained first thing Saturday morning he did receive a call from Mr. Anderson. He explained there are a lot of things that the Police Department will be doing different on the their side. He explained with each event they are learning. He explained there have not been any DUII arrests or fights at Varsity during any of the special events. He stated to Mrs. Keller he appreciates her coming forward. He explained at any special event they are going to make sure a supervisor present. Lieutenant Miller explained there was a break down between the Police Department and staff at Varsity Grill & Bar on this whole thing. He explained he, Police Chief Greisen and Mr. Anderson sat down today and had a discussion on how to solve this. He explained they want the community to have events like this. He explained the Police Department has come up with a lot of solutions on their part and Mr. Anderson has come up with some solutions on his part also. He explained we are all working forward to solve this issue and we are going to make it much better.

Councilor Gedlich asked how many complaints were received at the 911 center regarding Friday nights event? Police Chief Greisen explained there were 11 complaints for Friday night's event and 1 complaint for Saturday's event. Councilor Gedlich stated her feeling is the business owner is responsible after receiving the first complaint. After the first complaint something should have been done and defiantly after the second complaint some one should have taken the bandleader aside to explain there are numerous complaints and the music needs to be turned down, that is it! She doesn't feel there is any blame to the police and she is very thankful Ms. Keller came this evening to explain.

Councilor Smith stated there is no need for the Council to issue special permits if what is in the special permit isn't being treated as having the force of law for that particular event. She stated if the Police Department can't enforce the things listed in the special permit because there is no law then Council might want to consider not issuing anymore until there is.

Chief Greisen replied the thing is the Police Department could have enforced it but we dropped the ball. He stated it is the police department's fault for not doing the enforcement.

Councilor Bernhard stated he was under the impression that the Police Department would be taking decibel readings through out the night, did that happen? Chief Greisen replied it did happen through out the night. Councilor Bernhard explained the piece on this one for him is obviously Friday night was a learning experience not only for Mr. Anderson but also for the Police Department. He is not to the point were he is going to say that the City should stop issuing permits for special events like this. He feels these events do serve the community well. He explained he is not downplaying Ms. Keller's complaint what so ever.

Mayor Burge explained he spoke with Ms. Keller and Chief Greisen both on Saturday and Mr. Anderson on Sunday. He explained between the conversation with everyone he knows that one of the reasons the music was lower on Saturday night was that Mr. Anderson talked to the band ahead of time and that band was very cooperative from his understanding. He stated to Ms. Keller he is glad she came to the meeting tonight.

Councilor Meres thanked Ms. Keller for the phone call and he thanked Mr. Anderson for appearing tonight. He feels this issue can be resolved.

Councilor Smith wanted to clarify something, as long as the permit conditions that the Council places on those special event permits are being followed she doesn't have any issues with issuing a special event permit. She explained these events are activities that the community enjoys. She stated the minute that the conditions are not being followed there are going to be a whole lot of issues.

Glen Anderson stated he wanted to sincerely apologize to the Keller family. He explained it is not his intent to be a public nuisance. He explained what motivates him to do these events is how much community response he gets. He explained the events are really a lot of work. He also sincerely apologized to Ms. Keller for the phone calls she made to Varsity Grill and Bar. He explained that he and his general manager are going to make requirements for bands when they come in. He explained he thinks he is going to put the band in the front parking lot versus the rear parking lot.

Lieutenant Miller explained in the discussion with the Police Department and Glen Anderson there was a discussion regarding working with Glen Anderson directly instead of staff. He explained dispatch waited until they had 7 calls (complaints) to dispatch to the officer on duty. He explained the Officer handled the call as only receiving 1 complaint. He explained that was handled wrong at dispatch and he has addressed that issue.

Mr. Anderson explained what usually happens is the Police Department stops by three or four times a night. He stated if there is an issue then Mr. Anderson goes up to the band to let them know they need to turn it down. He explained if these events are going to wreck his standing with the community then he won't do them. He wants to have the support of the community. He enjoys being involved in the community.

Chris Kjornes, Scappoose, stated it doesn't make sense when people say these events are good for the community when there are about 7,000 people in the community and Varsity Grill and Bar only holds approx 300 (after a certain time and only people over 21). Councilor Bernhard replied he feels it is good for a particular segment of the community and we have other events that are also good for other segments of the community. He explained events that are good for all ages are the football games, concerts in the park, sauerkraut festival. There are all types of community events that are good for certain segments of the community. He stated this particular event was a good event for those over 21. Mr. Kjornes replied he is surprised that there hasn't been any DUII arrests from these events.

Consent Agenda

Councilor Smith moved and Councilor Bernhard seconded the motion to approve the minutes from the March 5, 2007 Council meeting. Motion passed (6-0). Mayor Burge, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Bernhard, aye; Councilor Judd, aye; and Councilor Meres, aye.

New Business

Resolution related to Surplus Vehicle

City Manager Hanken went over the staff agenda. He explained the City owns three vehicles that have significant mechanical problems and need to be rotated out of the City's vehicle fleet.

Councilor Gedlich moved and Councilor Judd seconded the motion that Council adopt Resolution No. 07-01: A Resolution declaring vehicles as surplus property. Motion passed (6-0). Mayor Burge, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Bernhard, aye; Councilor Judd, aye; and Councilor Meres, aye.

League of Oregon Cities “If I was Mayor” contest

Mayor Burge explained this is one of the items that was presented to him at Mayor’s Day at the Capital. He explained State wide there are three categories: Middle School poster, High School essay and High School or College video or power point presentation on “If I were Mayor.” He explained State wide the entries that we would submit have an opportunity to win free laptop computers.

Councilor Smith moved and Councilor Gedlich seconded the motion that Council sponsor a local “If I were Mayor” contest with a cost not to exceed a \$1,000.00.

Mayor Burge discussed possibly holding the contest at the Council meeting on May 21, 2007 from 6:00 p.m. until 7:00 p.m.

Motion passed (6-0). Mayor Burge, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Bernhard, aye; Councilor Judd, aye; and Councilor Meres, aye.

Agreement ODOT Funds

City Manager Hanken went over the staff report. He explained the City of Scappoose received an earmark of \$198,300 in Federal funds to finish the design. Since Federal money would have many more conditions and reporting requirements and which would be disbursed in 1/5th increments over a 5-year period, Council agreed to swap the \$198,400 in Federal funds for \$169,725 State of Oregon/ODOT funds, which have much fewer requirements.

Councilor Judd moved and Councilor Smith seconded the motion that the Mayor and City Recorder are authorized and directed to sign the agreement.

Councilor Smith expressed her concerns with the 13% fee that the City needs to pay to swap the funds and she apologizes to the citizens of Scappoose for that happening. Mayor Burge replied he agrees.

Motion passed (6-0). Mayor Burge, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Bernhard, aye; Councilor Judd, aye; and Councilor Meres, aye.

Performance Evaluation Form for City Manager

City Manager Hanken went over the staff report. He explained the form is in the staff report. As has been past practice, Councilors will have two weeks to complete the evaluation form. The formal evaluation will occur at the next Council meeting scheduled for April 2, 2007.

Dutch Canyon Water Line

City Manager Hanken explained the staff is working on the financing for the Dutch Canyon Water Line. He explained as part of the application process the City Council will be required to adopt a resolution in support of the loan package.

Announcements

City Manager

City Manager Hanken explained there is a grant proposal that he is working on for the Oregon Department of Parks and Recreation. He explained the intent is to secure funds to help build the park on JP West Road. He explained staff is in the process of labor negotiations with the AFSCME Union, which will be the discussion on tonight's executive session. He stated he is winding down on the Jury Duty component of service and if all goes well he won't have to be there the rest of the month. He stated to Council when they get a chance in the daylight to look at the cherry tree in Heritage Park by the War Memorial. He explained he had an arborist come by and look at the tree and realistically the tree needs to go. He stated it is to the point where the trunk is deteriorating and most of it is dead. He is declaring it as a danger. He is going out to get bids to have the tree cut down. He wanted to give Council a little bit of notice and give them an opportunity to look at the tree before it is taken out. He explained the fountain project that Gary Liao was looking for support was not chosen. He explained the group is looking at doing a project related to the linear trail. He explained the fountain idea is still a very good idea and he is looking at ways to continue moving that project forward.

Police Chief

Police Chief Greisen explained the snow level dropped down to a 1,000 feet. He explained March 28 is going to be the business watch meeting here at the Chambers at 7:00 p.m. Also the Citizens Academy will be starting up on April 25. Mayor Burge asked if a student under the age of 18 is able to participate with the Citizens Academy or CERT? Chief Greisen replied they may be able to attend some CERT classes, but not all of them and not any of the Citizens Academy.

Councilors

Councilor Gedlich thanked Mr. Hanken for giving an update on the leadership project. She thanked the Mr. and Mrs. Keller and Mr. Glen Anderson for being her tonight.

Councilor Meres thanked Bonnie Shaw for her hard work out along the highway. He also thanked Mr. and Mrs. Keller and Mr. Anderson for attending tonight.

Councilor Bernhard asked if staff has any dates for the budget meetings yet? City Manager Hanken replied not yet but he is hoping to do the budget message on April 23 and to be done in 3 meetings. Councilor Bernhard stated if anyone is interested in being a budget committee chair there is a position opened. He stated it is a learning experience and he highly recommends someone signing up for the committee. He also thanked Mr. and Mrs. Keller and Mr. Anderson and the police department for working together on the issue.

Councilor Judd explained as he drove through town last week there was a flag up in honor of a young man who was killed and his family is from here. Also as he drove through today there people out. He feels it is important as citizens that we get involved in any capacity that we feel that we need to be involved in, like the young man who gave his life and the other people that were out there expressing their views. He feels it is important in a free society to get to do that.

Councilor Smith stated she would really like to see the dates for the budget committee. She also talked about the project that Gary Liao's group picked. She explained they are going to primarily to focus their

efforts on this end at Scappoose Vernonia Highway, so Scappoose wins either way. She said it is kind of like placing a “welcome” on the north end of the community.

Mayor Burge thanked Mr. and Mrs. Keller for calling. He stated it was a good discussion tonight and it made people think about how we are going to move forward from here. He explained the Portland Urban Mountain Peddlers had a mountain bike ride, which they called the “Scrappy and Scappy St. Patrick’s Day Mountain Bike Ride”. He explained 50 from outside Scappoose showed up to ride and they road up Rocky Point Road. He explained 35 people went to Ixtapa after words. He stated when we are talking tourism is Scappoose with the linear trail coming in is idea.

Mayor Burge recessed for a break at 8:15 p.m. and reconvened at 8:24 p.m.

ORS 192.660 (1) (d) Labor Negotiator Consultations

In attendance: Mayor Burge, Councilor Gedlich, Councilor Meres, Councilor Judd, Councilor Smith, Councilor Bernhard, City Manager Hanken and Ronald Guerra, Legal Counsel.

Adjournment

Mayor Burge adjourned the meeting at 9:05 p.m.

City of Scappoose, Oregon

Scott Burge, Mayor

Attest: _____
Susan M Pentecost, City Recorder