

AGENDA  
 SCAPPOOSE CITY COUNCIL  
 COUNCIL CHAMBERS  
 33568 E. COLUMBIA AVE  
 SCAPPOOSE, OREGON 97056  
**MONDAY, JULY 7, 2008**  
**CITY OF SCAPPOOSE**  
**REGULAR COUNCIL MEETING**  
**AT 7:00 P.M.**



ITEM AGENDA TOPIC	
<b>1.0</b>	<b>Call to Order</b>
<b>2.0</b>	<b>Pledge of Allegiance</b>
<b>3.0</b>	<b>Roll Call</b>
<b>4.0</b>	<b>Approval of the Agenda</b>
<b>5.0</b>	<b>Public Comments</b>
<b>6.0</b>	<b>Approval of the Consent Agendas</b>
	June 16, 2008 City Council Meeting & June 23, 2008 Special City Council Meeting Minutes      Action
	Request by Jeremy Bowen to show movies in Heritage Park on August 2, 9, 16, 23 & 30
<b>7.0</b>	<b>If I were Mayor Contest</b>
	Mayor Burge
<b>8.0</b>	<b>FEMA Flood Insurance Rating Program</b>
	Staff: Varricchione      Presentation
<b>9.0</b>	<b>Old Business</b>
<b>9.1</b>	<b>An Ordinance Vacating a Portion of N.E. 2nd Street, north of Williams</b>
	Staff: Varricchione      Second Reading
<b>9.2</b>	<b>An Ordinance Vacating a Portion of S.E. Elm Street, west of 2nd street</b>
	Staff: Varricchione      Second Reading
<b>9.3</b>	<b>Modification of Personal Services Agreement with PACE Engineers Inc. related to the Dutch Canyon Water Line</b>
	Staff: Hanken      Action
<b>10.0</b>	<b>New Business</b>
<b>10.1</b>	<b>Contract for sediment removal of Gourlay Creek and South Fork Reservoirs</b>
	Staff: Andrews      Action
<b>10.2</b>	<b>Discussion on renaming High School Way to Derek Anderson Drive</b>
	Staff: Hanken
<b>10.3</b>	<b>Resolution regarding Personnel Hand Book</b>
	Staff: Hanken      Action
<b>10.4</b>	<b>Resolution Community Economic Opportunity Analysis</b>
	Staff: Hanken      Action
<b>11.0</b>	<b>Announcements</b>
<b>11.1</b>	<b>Calendar</b>
<b>11.2</b>	<b>Police Chief, City Manager, Councilors, and Mayor</b>
<b>12.0</b>	<b>Executive Session</b>
	ORS 192.660 (1) (e) Real Property Transactions
	ORS 192.660 (1) (d) Labor Negotiator
<b>13.0</b>	<b>Adjournment</b> TTY 1-503-378-5938

This meeting will be conducted in a handicap accessible room. If special accommodations are needed, please contact City Recorder, Susan Pentecost, at (503) 543-7146 ext 224 in advance.

**CITY OF SCAPPOOSE  
REGULAR CITY COUNCIL MEETING  
JULY 7, 2008  
AT 7:00 P.M.  
SCAPPOOSE, OREGON**

**Call to Order**

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

**Flag Salute**

**Roll Call**

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

**City Council Members:**

<b>Scott Burge</b>	Mayor
<b>Judie Ingham</b>	Council President
<b>Donna Gedlich</b>	Councilor
<b>Jeff Bernhard</b>	Councilor
<b>Larry P. Meres</b>	Councilor
<b>Art Heerwagen</b>	Councilor

**Staff:**

<b>Jon Hanken</b>	City Manager
<b>Doug Greisen</b>	Police Chief

**Press:**

<b>Cecilia Haack</b>	Spotlight
<b>Matthew Nash</b>	The Chronicle

<b>Andy Jordan</b>	Legal Counsel
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**Excused:** Councilor Judd and City Recorder Pentecost

**Approval of Agenda**

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

**Public Comments**

None

**Consent Agenda**

There are no minutes to be approved at this time.

Council President Ingham moved and Councilor Bernhard seconded the motion to approve the request by Jeremy Bowen to show movies in Heritage Park on August 2, 9, 16, 23 & 30, 2008. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

## **If I Were Mayor Contest**

Mayor Burge explained this is the second year the City of Scappoose has done this contest. The City received two entries, one essay and one video. Jared Graham presented a video for Council. His video was regarding implementing a full recycling plan for the City. Mayor Burge presented him with an iPod Nano. Mayor Burge explained his video will be submitted at the LOC Oregon Mayors conference. Mayor Burge read the essay submitted by Kaysha Adams. Mayor Burge also presented Kaysa with an iPod Nano and explained it will also be submitted at the LOC Oregon Mayors Conference.

## **FEMA Flood Insurance Rating Program**

City Planner Brian Varricchione introduced Denise Atkinson; she is with FEMA and is here to discuss the Cities participation in the National Flood Insurance Program.

Denise Atkinson explained she is with FEMA Region 10. In FEMA Region 10 they work with Oregon, Washington, Idaho and Alaska and she is the National Flood Insurance Specialist for the State of Oregon. She explained flooding causes 100's of millions of dollars worth of damages to homes. She explained in the early 60's there wasn't a national flood insurance program and people would become flooded and they couldn't get insurance because their homeowner policies wouldn't pay for insurance. She explained the Government stepped in and said we are going to make your flood insurance rate maps and we are going to have a set of regulations. She explained the City of Scappoose has belonged to the National Flood Insurance Program since August 16, 1988. She stated it is her pleasure to honor the community of Scappoose as a new class 7 Community Rating System. She explained part of the reward is for the residence in the community that have a National Flood Insurance Policy in the floodplain can get a reduction in their flood insurance policy rate. She wanted to recognize Brian Varricchione and Jon Hanken for doing a great job.

Denise Atkins went over some of the activities the community has done to make the City a class 7. She explained before the community rating system discount the average premium is \$466.00. She explained being a class 7 you are saving each policyholder approximately \$58.00. She presented a plaque to Mayor Burge and the City of Scappoose.

Councilor Gedlich asked Denise Atkinson if they were going to do a newsletter or place something in the local paper. Denise Atkinson replied she will check with the public information officer regarding placing something in the paper.

## **Old Business**

### **An Ordinance Vacating a Portion of N.E. 2<sup>nd</sup> Street, north of Williams**

City Planner Brian Varricchione replied this is the second reading for an ordinance vacating a portion of N.E. 2<sup>nd</sup> Street, north of Williams.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

Mayor Burge read the title for the second time.

**An Ordinance Vacating a Portion of S.E. Elm Street, west of 2<sup>nd</sup> Street**

City Planner Brian Varricchione replied this is the second reading of an ordinance vacating a portion of S.E. Elm Street, west of 2<sup>nd</sup> Street.

Mayor Burge read the title for the second time.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

**Modification of Personal Services Agreement with PACE Engineers, Inc. related to the Dutch Canyon Water Line**

City Manager Hanken went over the staff report. He explained staff is asking for a modification for personal services agreement with PACE Engineering so that our engineers design the system so we can go through all the details related to the stream crossing then go forward with going out to bid. The second page is missing from the staff report.

Councilor Gedlich moved and Council President Ingham seconded the motion that Council approve amendment number 1 and exhibit A for PACE Engineers, Inc. related to the Dutch Canyon Water Line and not to exceed \$272,520.00. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

**New Business**

**Contract for sediment removal of Gourlay Creek and South Fork Reservoirs**

Terry Andrews, Field Services Supervisor, went over the staff report. He showed the Council pictures of Gourlay Creek and South Fork. He explained routinely we do have to clean these reservoirs out, it depends on the frequency and severity of storm events.

City Manager Hanken explained on the photo of Gourlay Creek when that is cleaned out that basin is 8 to 9 feet deep, so what you have is 8 to 9 feet of sediment or rock and basically has taken away the water storage capacity.

Council President Ingham moved and Councilor Bernhard seconded the motion that Council award the sediment removal contract at the Gourlay Creek and South Fork dam sites to Kessi Construction in the amount not to exceed \$24,780.00.

Council President Ingham asked Terry Andrews regarding the bid price differences. Terry Andrews replied they submitted the bid and that is the amount they feel they can do the job for. City Manager Hanken replied last time we did this we had a bid that we thought was apparently very low and we gave the contractor the opportunity to opt out and he chose not to, he did the job. Terry Andrews explained Kessi Construction has done this job before and they know the procedure.

Council President Ingham asked what is done with the sediment. Terry Andrews replied the sediment from South Fork goes up to some timberland where there is a natural bowl in the ground and we received permission to fill that in. The sediment from Gouraly Creek goes to an old gravel pit that the Hamilton's own.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

### **Discussion on renaming High School Way to Derek Anderson Drive**

City Manager Hanken went over the staff report.

Councilor Gedlich moved and Councilor Heerwagen seconded the motion that Scappoose City Council direct staff to begin the procedure to rename High School Way to Derek Anderson Drive and bring back a recommendation from the Planning Commission.

Councilor Heerwagen explained both Superintendent Paul Peterson and High School Principal Sue Hayes have no objection to the name being change.

Council President Ingham explained with all due respect to Mr. Anderson she thinks renaming High School Way would open up a procedure can of worms as far as renaming streets in this town. She would like to offer possibly as an option that we name one of the ball fields at the new park after Mr. Anderson rather than renaming High School Way. Councilor Heerwagen stated that is a good idea but the ball fields at the park are not football and Mr. Anderson is football. Council President Ingham stated the High School could name their football field after Mr. Anderson.

City Manager Hanken stated there are times that developers come in and they are adding streets, would it be appropriate when a developer comes in and they are developing something maybe to throw that idea out to them.

Councilor Gedlich explained she had several phones calls about this agenda item. She explained one of the callers is very opposed to naming the street after Mr. Anderson basically it was kind of the same thing the Council President Ingham said. They suggested if the Spotlight was encouraging their employees to bring these kinds of issues to the City perhaps he should take the issue to the High School and the High School Students should name their football field after him.

Councilor Bernhard explained at first when he looks at this it is just at the beginning of the procedure process we haven't decided that we would name the street to Derek Anderson Drive. He agrees with Council President Ingham as in saying if we start doing something like this we can run down the road that the City of Portland did and he really doesn't want to go there. He likes the idea of possibly having discussion with the school system to see if there is any room in naming the football field or another area.

Councilor Heerwagen stated there are currently street names for people in the community. Councilor Bernhard thinks in the new construction he wouldn't see a problem with that, but High School Way has been named that for a long time.

Mayor Burge explained he had a chance to speak with Derek Anderson briefly at the football camp that he is running. He stated if it was a street name that was changing with a lot of addresses he thinks there would be a different consideration verses one where the High School and the School District don't have any objections and their addresses are the only ones that would be changed along that street. He stated a lot of towns honor local people and this is another way to honor someone who is doing a lot of good for the community, having the camp and giving back. He kind of likes the way of honoring him and he would love to go through the process and hear what the community has to say.

Councilor Gedlich explained after the Council named the street in the park after Captain Kucera she got a lot of negative feed back, not because he was a Veteran, but because he didn't live in the City, he was not active in the City, he wasn't not a member of any community club in the City and here we just throw out his name because of a hand full of citizens that wanted his name on that street so we were basically kowtowing to a small group of people. Maybe the same thing is going to happen to a whole room of students for Mr. Anderson and we still have to make that decision. She just made the motion to start the process.

Councilor Bernhard stated hopefully those people that don't agree show up.

Councilor Meres asked who in the audience is supporting this. Mayor Burge replied tonight is the first night of the football camp. He does agree with letting the community decide. He stated he is not interested in changing existing street name.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

### **Resolution regarding Personnel Hand Book**

City Manager Hanken went over the staff report. He explained the current personnel handbook was adopted in 1995.

Councilor moved and Councilor Gedlich seconded the motion that Council adopt Resolution 08-11: A Resolution adopting a new personnel handbook for the City of Scappoose and repealing Resolution 604.

Councilor Gedlich thanked staff and the City Attorney for all of their work on this.

Council President Ingham addressed her concern with page 8 regarding the word "legitimate". City Attorney Jordan explained the word legitimate implies a legal reason. Council President Ingham would like to change the word legitimate to something different.

Councilor Heerwagen asked the use of city vehicles, it doesn't say anything about not using it for personal use and that also fell through for computer, email and internet usage, it doesn't say anything about not using it for your personal use. City Manager Hanken replied that is where the State of Oregon Ethics Laws covers that. He explained he can add that, that is not a problem. He stated he will double check on that.

Councilor Heerwagen stated on page 12 "regular" is misspelled.

Council President Ingham asked she wonders where the Council members apply in all of the personnel handbook.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

### **Resolution Community Economic Opportunity Analysis**

City Manager Hanken went over the staff report.

Councilor Gedlich moved and Council President Ingham seconded the motion that Council adopt Resolution 08-10: A Resolution establishing an Ad Hoc Economic Opportunity Analysis Advisory Committee for the City of Scappoose.

Councilor Gedlich would like to be a member on this committee.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

### **Announcements**

Mayor Burge went over the calendar.

### **City Manager**

City Manager Hanken wanted to remind everyone that the quarterly reports for the State Ethics Commission are due July 15, 2008. He explained he will send the filled out ones in with a letter stating that you are using the sample one since no one has received theirs.

### **Councilors**

Councilor Gedlich thanked the two young high school students for entering the contest, it was great. She appreciates all the participation.

Council President Ingham asked City Manager Hanken if he can look through the personnel manual and see where we can apply it to us as Councilors. She doesn't want health benefits and she doesn't want PERS. She is talking about areas of the manuals that apply to them as far as protecting them as Councilors when they are on City business.

Council President Ingham asked Councilor Bernhard when they can set up a meeting for the Skate Park.

Mayor Burge explained the Port had invited the Council to sit down with them on July 23 to discuss brainstorming where the City and the Port can work together. The meeting is normally at 5:00 p.m. and he suggested to them to push it back to 6:00 p.m. so those who work can make it. He explained if you have an idea what you would like to discuss let him know.

Mayor Burge went in to executive session at 8:18 p.m.

## **Executive Session**

### **ORS 192.660 (1) (e) Real Property Transaction**

**In attendance:** Mayor Burge, Council President Ingham, Councilor Gedlich, Councilor Bernhard, Councilor Meres, Councilor Heerwagen, City Manager Hanken, City Counsel Andy Jordan, Police Chief Greisen, Cecilia Haack and Matthew Nash.

### **ORS 192.660 (1) (d) Labor Negotiator**

#### **Adjournment**

Mayor Burge came out of executive session at 8:56 p.m.

Council President Ingham moved and Councilor Gedlich seconded the motion that Council accept the collective bargaining agreement between the City of Scappoose and the Scappoose Police Officers Guild for July 1, 2008 through June 30, 2012. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

Mayor Burge adjourned the meeting at 8:57 p.m.

**City of Scappoose, Oregon**

\_\_\_\_\_  
Scott Burge, Mayor

Attest: \_\_\_\_\_  
Susan M Pentecost, City Recorder