

AGENDA
 SCAPPOOSE CITY COUNCIL
 COUNCIL CHAMBERS
 33568 E. COLUMBIA AVE
 SCAPPOOSE, OREGON 97056
MONDAY, OCTOBER 6, 2008
CITY OF SCAPPOOSE
REGULAR COUNCIL MEETING
AT 7:00 P.M.



ITEM	AGENDA TOPIC	
1.0	Call to Order	
2.0	Pledge of Allegiance	
3.0	Roll Call	
4.0	Approval of the Agenda	
5.0	Public Comments	
6.0	Approval of the Consent Agendas	
6.1	September 15, 2008 City Council Meeting Minutes	
	Appointment of Ad-Hoc Skate Park Advisory Committee Members	
	Appointment of Ad-Hoc Economic Opportunity Analysis Advisory Committee Members	
7.0	New Business	
7.1	Public Hearing on proposal to rename High School Way to Derek Anderson Drive	Public Hearing
	Staff: Varricchione	Approval
7.2	Change Order No. 11 & 12 for Veterans Park Construction	
	Staff: Varricchione	Approval
7.3	Parking Ordinance Discussion	
	Staff: Chief Greisen	Report
7.4	Nuisance Complaint Discussion	
	Staff: Chief Greisen	Report
7.5	City Sponsored Holiday Food Drive	
	Mayor Burge	Approval
8.0	Announcements	
8.1	Calendar	
8.2	Police Chief, City Manager, Councilors, and Mayor	
9.0	Executive Session	
	ORS 192.660 (1) (i) Performance Evaluations of Public Officers and Employees	
10.0	Adjournment	

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
OCTOBER 6, 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:

Scott Burge	Mayor
Judie Ingham	Council President
Charles Judd	Councilor
Donna Gedlich	Councilor
Jeff Bernhard	Councilor
Larry P. Meres	Councilor
Art Heerwagen	Councilor

Staff:

Jon Hanken	City Manager
Doug Greisen	Police Chief
Brian Varricchione	City Planner
Susan Pentecost	City Recorder

Press:

Kelly Moyer, The Spotlight

Excused: Andy Jordan Legal Counsel

Approval of Agenda

Council President Ingham moved and Councilor Bernhard seconded the motion to approve the agenda. Motion passed (7-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Judd, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

Public Comments

Gerald Noce, Scappoose, thanked the powers to be because somebody did take a bulldozer to the site where the grass was tall. The job is done so he wants to say thank you. He expressed his concern about the school bond. Council explained to Mr. Noce that he needs to go before the school Board because it is not a City issue.

ReAnna Sharp, Historical Society, presented a plaque to thank the City for their support on the Mayors award for the Summer Daze Antique Car show that they had this summer. She stated it is just a thank you for being a sponsor.

Consent Agenda

Mayor Burge would like to appoint Jacob Treanor & Trevor Eakins to the Ad-Hoc Skate Park Advisory Committee, appoint Loren Holm to the Budget Committee and Ryan Viken (citizen at large), Brian Rosenthal (business owner), Dennie Houle (OECD'S Representative), Seth Brumley (ODOT'S Representative), Paul Peterson (School District's Representative), Paula Miranda (Port of St. Helens' Staff Representative), Cliff Tetreault (Port of St. Helens' Board Representative), Rita Bernhard (County Commissioner's Representative), Emily Pudell (County Land Services' Representative) and Gary Fish (DLCD's Representative) to the Ad-Hoc Economic Opportunity Analysis Advisory Committee.

Councilor Gedlich moved and Councilor Judd seconded the motion to approve the City Council meeting minutes from September 15, 2008 and appointment of Jacob Treanor and Trevor Eakins to the Ad-Hoc Skate Park Advisory Committee, appointment of Loren Holm to the Budget Committee and the appointment of Ryan Viken (citizen at large), Brian Rosenthal (business owner), Dennie Houle (OECD'S Representative), Seth Brumley (ODOT'S Representative), Paul Peterson (School District's Representative), Paula Miranda (Port of St. Helens' Staff Representative), Cliff Tetreault (Port of St. Helens' Board Representative), Rita Bernhard (County Commissioner's Representative), Emily Pudell (County Land Services' Representative) and Gary Fish (DLCD's Representative) to the Ad-Hoc Economic Opportunity Analysis Advisory Committee.

Councilor Gedlich thanked everyone for volunteering on these committees.

Council President Ingham asked City Manager Hanken how often will the Ad-Hoc Economic Opportunity Analysis Advisory Committee meetings going to be held. City Manager Hanken replied we will probably meet as a committee once maybe every quarter and as staff we will probably meet once a month.

Council President Ingham asked City Recorder Pentecost to notify her of all meetings, dates and times. City Recorder Pentecost replied yes.

Motion passed (7-0). Mayor Burge, aye; Councilor Judd, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

New Business

Public Hearing on proposal to rename High School way to Derek Anderson Drive

Mayor Burge opened the public hearing at 7:10 p.m.

City Planner Brian Varricchione went over the staff report. He explained the Planning Commission does recommend denial of the proposal.

John Brewington, St. Helens, explained he didn't intend to create any controversy or problems when he suggested this. He stated he is fine with what ever Council chooses to do. He felt at the time Derek's accomplishments and honor and renown he brought to Scappoose made it a reasonable request. He just thought it was a nice thing to do in recognition of somebody that had brought a lot of local, State and National recognition to the community of Scappoose.

Mayor Burge closed the public hearing at 7:12 p.m.

Councilor Gedlich stated since Council initially received Mr. Brewington's request she has spoken to probably 30 to 50 people and she is just absolutely amazed at the positive and or negative comments that she has gotten. She explained most of them didn't really want the street named after anybody. She explained one suggestion was to place signs at the North and South ends of Scappoose saying "This is the home of Derek Anderson". She explained another suggestion is naming the football stadium after Mr. Anderson. Another suggestion was placing a plaque under the High School Way street sign in honor of Mr. Anderson. She stated most of the feedback she got was not positive.

Council President Ingham moved and Councilor Judd seconded the motion that Council adopt Resolution 08-16 to deny the proposed street name change of High School Way to Derek Anderson Drive.

Councilor Heerwagen asked City Planner Brian Varricchione if the Planning Commission gave any reasoning for denial other than just preference. City Planner Brian Varricchione explained part of the question was about precedence. He explained some of the other discussion was about the cost to the School Board and the City. There was some hesitation on naming the street for some one who has not yet finished his career.

Council President Ingham stated to Mr. Brewington she knows that his recommendation or suggestion was made out of total and good intension. She too has to side with the Planning Commission and the recommendation by staff. She feels a more appropriate way to honor him would be to name the field after him or possible put a plaque in the gymnasium or hang a huge jersey at the school with his name and number on it.

Councilor Judd stated for the record there is Donilee McGinnis this past year who was Ms. Oregon and Nicole Andrews this year who is Ms. Rodeo Oregon and he understands there are other people quite famous coming out of Scappoose.

Motion passed (5-2). Mayor Burge, aye; Councilor Judd, aye; Council President Ingham, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, nay and Councilor Heerwagen, nay.

Change Order No. 11 & 12 for Veterans Park Construction

City Planner Brian Varricchione went over the staff report. He explained the price of asphalt has gone up 76% since May. He explained the proposed change order (No. 11) would increase the contract amount by \$29,134.00. He explained change order 12 would compensate the contractor for construction of a sewer maintenance pathway that the City needs. This would connect the parking lot that is under construction with the land at the north end of the property where there are some existing manholes that are very difficult to maintain and the proposed pathway would allow heavy equipment to get over there and take care of the infrastructure. He explained the amount for change order No. 12 is \$41,578.00. He explained staff recommends that Council approve both of these change orders.

Council President Ingham asked City Planner Brian Varricchione why do we look to the Oregon Department of Transportation for their information regarding cost of asphalt, why are they the go

to person for this type of issue? City Planner Brian Varricchione replied ODOT on a monthly basis compiles the cost figures for the Region and then compute what the average is.

Councilor Heerwagen stated to City Planner Brian Varricchione the contract states it does not include an escalation clause and yet we are escalating, is it going to escalate again? City Planner Brian Varricchione replied he thinks they are ready to pave so he would say no.

Councilor Bernhard stated what he doesn't understand is if it is based off of petroleum and in May we saw some of the highest gas prices on record and now we are in October and we have seen at least a .50 drop how can we possibly see a double or just under a double cost increase in asphalt? The math just doesn't make sense to him. City Planner Brian Varricchione replied he can't explain commodity pricing that is not his area of expertise; all he can do is point you to the data that ODOT compiles.

City Manager Hanken explained one of the things that you need to remember they are extracting more gasoline and other petroleum products out of the recruit, the commodity which goes in to the asphalt is not as readily available as it would otherwise normally be under different processing measures. Councilor Bernhard replied he understands that but he doesn't think that our technology has advanced to the point to where we are extracting that much more to where it would justify that much more of a cost in the last 6 months. He explained he is not an expert in this field either but it just seems a little crazy all the sudden it went from \$424.00 to \$747.00 within a 6 month period of time but within that 6 month period of time we saw gas prices drop. City Manager Hanken replied what we use is ODOT's figures and ODOT buys more asphalt than anybody in the State.

Councilor Heerwagen asked if there is any possibility that the price could have changed this month. He asked if they actually end up buying it for less and we have approved this higher rate is there any way of recouping some of that? He stated we don't want to slow the project down.

Councilor Bernhard stated let's continue to move forward and approve the change order but he would like to have City Manager Hanken do a little investigation on this and make some phone calls but he just doesn't buy that within 6 months it has almost doubled in cost. City Manager Hanken explained he will call ODOT tomorrow and once he gets the price staff will negotiate with Coffman set that contract price and move forward if Council so approves.

Councilor Gedlich moved and Councilor Bernhard seconded the motion that the Scappoose City Council approve Change Order No. 11 regarding asphalt prices in the amount not to exceed \$29,134.00 & approve Change Order No. 12 in the amount of \$41,578.00 and also to direct staff to investigate and or negotiate the asphalt prices.

City Manager Hanken explained he won't sign the change order until he checks on the asphalt price with ODOT and then he will negotiate with Coffman. Council President Ingham would like to have an email from City Manager Hanken regarding this.

Councilor Meres asked about the increases. City Manager Hanken explained yes there has been some increases but there also has been some decreases and so we are not going to fall short.

Motion passed (7-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Judd, aye; Councilor Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye and Councilor Heerwagen, aye.

Parking Ordinance Discussion

Chief Greisen went over the staff report. He stated he believes \$25.00 is reasonable.

Councilor Gedlich spoke in regards to having only one notification because everybody knows when you get a parking violation. She explained if you are at the point where you have three violations and you get the boot with the 4th violation, maybe one notification is sufficient because they certainly had plenty of time to get their act together and pay the first three.

Mayor Burge asked why the boot and then towing verses just towing. Chief Greisen explained you want to give the owner and opportunity.

Chief Greisen explained the process: if some one received 3 parking citation and the Police Department finds out they are still parking illegally, they will issue a 4th parking citation and place the locking wheel device on for a 24 hour time period. During that 24 hour time period they can come in to the police department, they can pay all their parking citations, which would be \$100.00 and then there is a charge of \$150.00 for the boot release.

Councilor Gedlich stated she is still seeing all kinds of utility trailers, recreation vehicles, boats, campers and wood stacked in the public right-of-ways and she doesn't see any citations. They have all been given warnings. She went around and took approximately 70 photos of violations around the community and most of them are still there. She stated she talked to the people that owned these things and they said there understanding was that it was complaint generated.

City Manager Hanken explained there are two differences here, one is traffic, which is the parking and that is primarily what we are talking about here simply because right now in order to cite those we have to cite them under the Oregon Revised Statues which again is \$128.00 plus the court cost.

Councilor Meres asked do we have that many parking violations in Scappoose. Chief Greisen replied yes we do. He explained a year ago when Council passed Ordinance 793, the police department dealt with utility trailers, recreation vehicles, boats being left of the road way which is all parking issues. He explained the police department is also dealing with vehicles less than 15 feet of an intersection. Councilor Meres asked Chief Greisen to clarify the 15 feet. He stated if that is the case at an intersection on the corner then he can't park in front of his house. He asked why haven't you painted that area or made it a no parking zone. Chief Greisen replied that is what it states in Ordinance No. 793.

Council President Ingham stated we could talk about this all evening. What she would like to ask is if Chief Greisen could go through the ordinance that he had made mention of and make the corrections he deems necessary. She thinks Chief Greisen should also look at the 15 foot issue at intersections and maybe modify that and bring all that back to Council.

Councilor Bernhard asked Chief Greisen when he goes through this he encourages Chief Greisen to keep a level of common sense about this and how the City is set up. He thinks the intent of the

ordinance that Council passed 12 months ago needs to stay intact. He doesn't see the need for us to go back to 15 feet away from intersections because our City is not set up to handle those types of things.

Nuisance Complaint Discussion

Chief Greisen went over the staff report. He discussed the issue of dealing with a field and not being able to determine where the property line is. He explained the police department gets just as frustrated as anybody else when it is the same people allowing the grass to get too tall. He explained the process that they are going to be doing next year is once they start seeing the grass growing they are going to take photos and send the land owner a letter and if it is not resolved in 7-10 days they will get a citation. He explained then at day 21 the police department will issue another citation if the violation is not resolved.

Councilor Gedlich asked if the police department has a tickler system for the habitual property owners. Chief Greisen replied that is a good question and actually they are looking at purchasing code enforcement software.

City Sponsored Holiday Food Drive

City Manager Hanken went over the staff report. He explained the need for food baskets from food banks has been up and we haven't even hit the home heating season. He explained there is anticipate a tremendous need for assistance with food baskets. He and the Mayor felt the City should be very proactive right from the very beginning.

Councilor Gedlich feels this is absolutely wonderful.

Councilor Gedlich moved and Councilor Bernhard seconded the motion that the Scappoose City Council sponsors a holiday food drive starting October 20th and concluding December 12th.

Councilor Heerwagen asked if this will compete or work with Share and Care. City Manager Hanken explained this will work with all the food shelters.

Motion passed (7-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Judd, 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 explained Columbia River PUD and the City of Scappoose have sent out a form relating to a free home energy saver kit.

He explained City Council and the Planning Commission will have a workshop in January.

He explained Council will need to have a storm water requirements workshop in November or December.

He explained he emailed Council today regarding the LUBA Appeal that will be on October 30, 2008 at 9:00 a.m. in Salem.

He explained in terms of budget those funds that come in related to water, building, planning, all those types of fees are down, and it shouldn't come as any surprise. He explained one of the things that he has talked to the department heads about is we need to start looking at our budget situation right now in terms of what we are going to hold off on. As we continue to go forward staff will provide quarterly updates. He doesn't think the property tax revenue is going to be affected. Councilor Bernhard stated he believes the tax revenues are going to be lower because he feels people won't be paying the property taxes as diligently as they have in the past. He stated he applauds City Manager Hanken for trying to cut back now. He recommended City Manager Hanken looking at the budget from approximately 6 to 7 years ago. He explained when he first came on the budget committee the City had some tough times. He recommend that City Manager Hanken look at those budgetary numbers and see where some of the cuts came from so we can learn from the past and how it can possibly affect the future.

Police Chief

Chief Greisen stated the Sauerkraut Festival went well. He explained the Police Department won the cabbage bowling trophy back from the Fire District.

He explained back in 2001 when the police department went to Salt Lake County to pick up a couple of patrol cars they purchased them for \$19,500.00 each and they had between 9 to 10 thousand miles on them. The police department drove them and retired them this year with 130,000 miles on each and sold them at auction, both for \$2,500.00. He feels the City got their monies worth out of the cars.

He explained next month in November he will be asking Council for donations for doughnut day in December.

Councilors

Councilor Gedlich explained she worked the Community booth at the Sauerkraut Festival and they move sandwiches continually from 10:30 a.m. to 4:00 p.m. and she thinks they did very well.

Councilor Judd explained he got a chance to go to the LOC Conference. He spoke with Tom Potter, Ton Wyden and Gordon Smith. He had a really good time.

Councilor Heerwagen explained it was his first LOC Conference and it was excellent. He explained one thing that caught his attentions is next year is Oregon's 150th Birthday. He explained they are asking that City's and Communities get on board for that. City Manager Hanken explained there are a number of things that we have planned that would fit in the celebration that will work real well. (He gave the example of car shows, sauerkraut festival, etc.)

Mayor Burge explained there is a hearing coming up at the end of October on the ethics reform and he will forward the email the information to Council. He explained City Manager Hanken, Gordon Munro and he met with sales reps. He showed a photo of the playground that they decided to purchase for the Scappoose Veterans Park and he explained it is going to be \$30,000.00 plus installation.

Mayor Burge recessed for a break at 8:35 p.m.

Mayor Burge went in to Executive Session at 8:37 p.m.

Executive Session

ORS 192.660 (1) (i) Performance Evaluation of Public Officers and

Present: Mayor Burge, Council President Ingham, Councilor Gedlich, Councilor Meres, Councilor Bernhard, Councilor Judd, Councilor Heerwagen and City Manager Hanken.

Adjournment

Mayor Burge adjourned the meeting at 9:25 p.m.

City of Scappoose, Oregon

Scott Burge, Mayor

Attest: _____
Susan M Pentecost, CMC
City Recorder