

**CITY OF SCAPPOOSE
CITY COUNCIL MEETING
NOVEMBER 1, 2010 AT 7:00 P.M.
SCAPPOOSE, OREGON**

Mayor Burge called the City Council Meeting to order at 7:00 p.m.

Flag Salute

Attendance:

City Council Members:

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|----------------|-------------------|
| Scott Burge | Mayor |
| Jeff Bernhard | Council President |
| Larry P. Meres | Councilor |
| Art Heerwagen | Councilor |
| Jeff Erickson | Councilor |

Staff:

| | |
|--------------------|---------------------------------------|
| Jon Hanken | City Manager |
| Doug Greisen | Police Chief |
| Brian Varricchione | City Planner |
| Steve Wabschall | Wastewater Treatment Plant Supervisor |
| Susan Reeves | City Recorder |

Press:

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|----------------|---------------|----------------|---------------|
| Cindy Phillips | Legal Counsel | Josey Bartlett | The Chronicle |
| | | Stover Harger | The Spotlight |

Excused: Councilor Donna Gedlich and Councilor Judie Ingham

Also present Mark Reed, Councilor Candidate

Approval of the Agenda

Council President Bernhard moved and Councilor Erickson seconded the motion to approve the agenda. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Heerwagen, aye.

Public Comments

None

Consent Agenda ~ September 20, 2010 City Council Workshop minutes and October 18, 2010 City Council Meeting

Council President Bernhard moved and Councilor Erickson seconded the motion to approve the September 20, 2010 City Council Workshop minutes and October 18, 2010 City Council Meeting. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Meres, aye; Councilor Ingham, aye, Councilor Erickson, aye and Councilor Heerwagen, aye.

New Business

Veteran's Memorial

Ron Urban, Jerry Peal, Chuck Welter and Frank Weber were present from the VFW Post 4362. Also with them was Larry Hoppel.

City Manager Hanken stated as you will recall we have been working with the Scappoose Veterans organization related to Veterans Park and one of the pieces that the Veterans are working on is monument to the Veterans and in addition to the monument is the dedication stone that we talked about in terms of memorializing the park and the date and the Council Members and everybody who participated in the development of Veterans Park. He explained there is a State Grant application process that will probably be beginning at the beginning of 2011. He explained the City will be partnering with the VFW to help sponsor this grant.

Ron Urban, Scappoose, explained he will be representing VFW Post 4362. He explained Larry Hoppel is the architect for what they have at this point.

Larry Hoppel, Scappoose, explained he represents the VFW Scappoose Chapter and he has prepared for them and will continue to prepare for them drawings as well as a scale model of the emblem circle that they are proposing for the Veterans Park. He explained on the map that he handed out it shows the proposed position of this. The circle is 30 feet wide with a 5 foot sidewalk up to it and around. There are five columns that will have a piece of polished granite cut to fit each particular stone and that granite face will have color emblem of the five uniform services. He explained this is a proposal they are not locked into it. He explained there is discussion amongst the VFW what the center will be and there is discussion as to the ground cover.

Council President Bernhard explained the only concern he has is the three smaller stones from a standpoint of kids jumping on and off of them. It is a heavily used park with a lot of activities for our youth in the area and that is the only area that he sees being concerning to him.

Larry Hoppel replied those representations there are about 24 – 30 inches in height and if they are going to climb on it they are going to climb on it. The proximately to the sidewalk and a hard surface there is a concern. He doesn't think it is the intention of anyone to provide a place that a child can't hurt themselves.

Council President Bernhard replied even though your intent is not for it to be a playground if the rock is the right size they are going to jump on it or from rock to rock. He asked about parking in the area where this is proposed.

City Manager Hanken explained one of the things he thinks he is going to be recommending in the upcoming budget is that the overflow parking gets asphalt because it is going to get utilized.

Larry Hoppel explained this is not meant to be a memorial; they have a memorial right here by City Hall.

Council President Bernhard stated he feels this will be a nice addition to the park.

Larry Hoppel explained it is not intended by the members to be a memorial because we already have a memorial. This is intended to represent the five uniform services and give them a little presence in the Veterans Park.

Council President Bernhard asked Larry Hoppel if they foresee any lighting for this.

Larry Hoppel explained they talked about that but at this point they haven't really looked at it extensively.

Councilor Erickson asked if there is going to be any places on the stone that people can lay flowers on versus on the ground.

Ron Urban explained they have discussed that and explained they are trying to represent all Veterans without it becoming a memorial.

Larry Hoppel discussed the possible ground cover for this area. Ron Urban showed an example of what they are looking at.

Ron Urban explained their focus right now is to apply to the Park and Recreation Grant for Veterans Memorials and that process will begin in January 2011. He explained they already have five stones.

Mayor Burge stated he looks forward to having it in Veterans Park, he feels it will be a great addition.

City Council thanked Ron Urban, Jerry Peal, Chuck Welter, Frank Weber and Larry Hoppel.

Scappoose Park & Rec

City Manager Hanken went over his staff report. He explained a couple of weeks ago there was a notice in the local paper related to a public hearing that the County Commissioner's were going to have related to the Scappoose Park and Rec District and the goal to disband the District. Council ask that he go to the County Commission and ask for a delay on that to give Council the opportunity to talk to members of the Scappoose Park and Rec District who are here this evening and he will have them come up for this conversation. He explained one of the reasons why we wanted to have this discussion was as we start moving through our development of additional parks, as we start working to address the swimming pool issue, his personal opinion is, he thinks there is a tremendous need for the Park and Rec District and he hopes Council shares that vision. He explained one of the things we kind of talked about is it would be a shame for the Parks and Rec District disband as we start moving forward with additional recreational activities to try to start getting that effort up and running again.

Mayor Burge welcomed the members of the Scappoose Park and Rec District and asked for them to state their name and their position on the Park and Rec District.

Tim Ohling, Scappoose, explained he is the secretary for the Park and Rec District.

Geraldine Meyers, Scappoose, explained she is Chairman for the Park and Rec District.

Kay Fail, Scappoose, explained she is the treasure for the Park and Rec District.

Ed DeCoste, Scappoose, explained he is the Vice Chair for the Park and Rec District.

Mayor Burge explained when he read the announcement in the paper his reaction is what City Manager Hanken equated that here we are we just finished this beautiful park in Scappoose and we were just talking about adding another part to it and later on we will be talking adding new rules to it and our discussion about the pool is at some point there's got to be the consideration of when you are providing the service of a park why should only the people inside the City limits pay for the park maintenance and construction when the greater community benefits. That is why when he says the Park and Rec District ceasing and he understands there are some debts on the elections and operating funds, made him think maybe we should try on last possible way to bring this together where we could find a way to get the Parks and Rec District up and going. He feels it would be a shame to lose the District and it would be very difficult to convince the voters to reestablish district that is already there at some point in the future. His thought was that we have got to find an away to maybe come together and work with the Park and Rec District to help you help us create that overall vision and opportunity.

Geraldine Meyers explained she is fairly new to the board. There is a long history of trying to get funding and they have tried to do several things but there is nothing they have been able to do. She explained they spend \$5.00 a month to rent to have their meeting.

Tim Ohling explained they are also required to publish a budget and they have to do State filings and with the money they have they could go another two years then that money would be gone.

Kay Fail explained they have less than \$200.00 and they can't even afford to belong to the small Districts because they don't have the annual assessments so they can't even join in other groups of their kind because they are simply without funds, without a source of funds.

Mayor Burge replied he recognized that. He explained he and City Manager Hanken had a conversation on ideas where the City could work with the Park District to help in some of those areas. First is the Park and Rec District could use this Council Chamber for their meetings.

City Manager Hanken explained what we are kind of talking about is looking at doing the scheduling of the fields, in terms of those activities that we have going. He explained we do have to look at maybe the City helps sponsor some of the financial obligations for the Park and Rec District.

Geraldine Meyers replied their position was they could no longer continue to create debt with no possibility of pay it back. She explained right now it is up to close to \$24,000.00 that is owed to the County. She explained the current board for the Park and Rec District positions were all right-ins.

Kay Fail explained they have gone to the taxpayers to ask for money and have been denied.

Mayor Burge replied he was on Council at that time and he remembers telling the being doing the polling that if they were going to go for a pool they should go for the 3 million and they didn't and it got denied. He explained he sees the value in the Park and Rec District as a whole as the future goes forward and to him if there is a value from the City's perspective like City Manager Hanken if the Council would agree when looking at the budget to do something where we are helping the Park and Rec District get up on their feet he is willing to do that.

Tim Ohling replied it is not just a financial commitment it is also knowing the rules and remembering the things that are required.

Council President Bernhard stated obviously there are funds needed to run the Park and Rec District so he asked what is the benefit to the City if we find funding to help support the Park and Rec District. The other part that goes with that like the City Council the Park and Rec District is based off of volunteer work as a service to our community, which he applaud them for, but that's got to come along with the part of how much work is truly going to be involved, what are the responsibilities of the Park and Rec District.

City Manager Hanken replied right now he simply can't answer that question. In terms of what the relationship may be he feels that is something we sit down and discuss.

Council President Bernhard maybe our next step should be a discussion with our City Manager Hanken and see if there is a benefit that is needed. He asked is it really truly worth the cost and the time and energy in the future. He asked the Park and Rec District members if there is any worth in continuing the conversations.

Ms. Meyers explained they have talked about this for a long time and they feel the district should be resolved. She talked about the issue of the pool and the possibility of the Park and Rec District running the pool, she wonders how many years down the line the City thinks it would be. She stated if the Park and Rec District holds on they would have to have some idea that this is actually going to happen and in a reasonable amount of time.

Mayor Burge explained Scappoose Veterans Park on JP West was placed on a map in 1966.

Councilor Heerwagen asked if the County Commissioner said what would happen with the Park and Rec District debt.

City Manager Hanken replied it just goes away.

Tim Ohling replied there are two options; one it to just forget it, which he thinks they are incline to do and the other is to levy it back to the tax payers and the District.

Mrs. Meyers stated in the end things get paid for and if they don't live up to their responsibilities somebody else has to but it seems irresponsible to keep occurring debt.

Councilor Heerwagen feels it would be better to dissolve and then when a need for a new one occurs then start again.

Mrs. Meyers explained that is their thinking and it isn't easy to think they should dissolve the District.

Council President Bernhard replied he thinks the Park and Rec Board have made themselves extremely clear that they support the County disbanding the Park and Rec District. He thinks this Council has two choices that we are looking at ~ one if feel a need for the Park and Rec District still we support or promote the reelections of the positions on the current Park and Rec Board or we support the County as they move forward with disbandment the Park & Rec District. He stated he applauds them for their volunteerism, he wishes we had more community members like themselves who are willing to set forward and serve the community. He appreciates their comments and where they stand at this time.

City Manager Hanken explained the County's motion was just to hold off on their action until Scappoose City Council and the Park & Rec District had an opportunity to meet. He doesn't expect them to hold off long in terms of their decision. As to if the City of Scappoose hasn't decided anything or aren't going to move forward one way or another he would expect them to move forward with their efforts to dissolve.

Mayor Burge stated at the end of the day if the Park and Rec Board has decided they want to disband it they are not going to change their mind, what Council decides here doesn't really matter, they are their own district.

Mrs. Meyers stated the board had made very certain that their statement of facts meets the criteria for disbandment. She stated there actually and has been for some years no purpose for this board.

Mayor Burge asked the Park and Rec District if they are saying this is their decision and there is nothing that will change their mind.

Mrs. Meyers replied she feels they have deliberated long enough before they came to the point of going to the County Commissioners.

Tim Ohling explained you could hope things would change and the District could be funded.

Mayor Burge stated just let it happen then.

City Manager Hanken explained we can submit a letter to the County that Council had the discussion and we are in full support of the Scappoose Park and Rec District motion to disband.

Council thanked the members of the Park and Rec District for their service.

Amendment to Intergovernmental Agreement ~ UASI

Police Chief Greisen went over the staff report. He explained once a year the Portland area UASI (Urban Area Security Initiative) has to update their intergovernmental agreement between Columbia County and UASI Countrywide Sub-recipients Agencies.

Council President Bernhard moved and Councilor seconded the motion that Council approve the Columbia County and UASI Countywide Sub-recipient Agencies Amendment to Intergovernmental Agreement. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Heerwagen, aye.

Change order for Disk Filter Roof at Wastewater

Steve Wabschall went over the staff report. The original design for the wastewater treatment plant improvement project included a roof to protect the disk filters from the elements and assist with maintenance of the equipment. The roof was deleted from the bid packet due to budget constraints. The roof would have been beneficial to the project but not mandatory. Since the City received a very good bid, that was well under the budgeted amount, it has allowed the City to add back elements to the project that will be beneficial in the long run such as the filter roof. The budget for this project for 2010-2011 was \$1,900,000.00 and the balance as of November 1 is \$961,550.00. The estimated cost to complete this project is \$430,000.00 this would leave \$531,550.00 remaining in the project fund. The cost to install a roof over the effluent filter is \$44,763.00 leaving this fund with an estimated cash carryover of \$486,787.00.

City Manager Hanken explained when we originally went out to bid didn't we have the roof as an option to be considered by the contractor depending upon what the pricing situation with the over project.

Steve Wabschall replied it was discussed but it wasn't actually in the bid packet because we were worried about bids coming in above what we had budgeted. As it turned out the bids came in much lower than the engineers estimate and that is why we have funds left over.

Councilor Heerwagen asked Steve Wabschall if this could be completed before any storms come in.

Steve Wabschall replied the project is 88% done right now and should be done by Christmas.

Mayor Burge explained he has gone and look at the site and with the budget coming in considerably under so his thought is it seems like a good responsible way to protect some of these projects from the weather.

Council President Bernhard this almost feels like an extra and he is not sure about spending the money on it. He asked Steve Wabschall if knows of any other facilities through out the State that have stated it is better to have this covered. He stated it is hard to spend that kind of money.

Steve Wabschall replied there are a lot of facilities that are not going through this treatment yet, as some point they will, that is what these filters are. He explained a lot of the ones he has seen are almost always inside buildings. He explained if we choose to do it later it is going to cost more.

Council President Bernhard asked over the next 10 to 15 years do you see the citizens recouping the cost of this.

Steve Wabschall replied it is hard to put a number on that but what he will say is we have a half of million dollars worth of equipment that would be covered by the roof.

Councilor Meres asked what is the life expectancy of that equipment.

Steve Wabschall replied usually wastewater treatment plants are a 20 year life cycle, having said that our treatment plant is 20 years now and it is paid for.

Council President Bernhard moved and Councilor Erickson seconded the motion that Council approve change order #013 for the installation of a roof over the effluent filters in the amount of \$44,763.51 from fund 55-550-314. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Heerwagen, aye.

Res. No. 10-20: A Resolution Establishing an Advanced Financed Improvements Relating to the Dutch Canyon Water Line Project

City Planner Brian Varricchione went over the staff report. He explained staff has compiled materials for implementing Advanced Financing Reimbursement to help fund water infrastructure improvements associated with the new Dutch Canyon Water Line. The proposal would provide a method of financial reimbursement to the City for a share of costs incurred in construction of public improvements that benefit abutting property owners. The water line was installed to City standards in 2009 and had a cost of \$1,274,743.62. If the City Council adopts an advance financing resolution for this project, then abutting property owners would be liable for a proportionate share of the costs as such time as owners apply for connection to the water line. In this instance, the City would absorb the costs for those parcels with legal rights to City water, while any other new customers would be obligated to pay a portion of the project costs at the time of their connection.

Council President Bernhard asked if he was reading this correctly that if someone wants to hook up for water is it going to cost almost \$20,000.00.

City Planner Brian Varricchione replied correct.

Council President Bernhard asked if the ordinance doesn't pass do they still have a right to sign up and if so what is the cost associated with that.

City Manager Hanken replied technically there is no legal right that they have in terms of hookup. That is all at the discretion of the City. The City could decide that the water rate payers for the City of Scappoose will cover the cost of this entire water line and the people who are hooking up basically have no additional cost for the water line. He explained there is nobody that is being forced to hook up, this is an option for consideration.

Councilor Heerwagen explained when he read that it took his breath away. He asked why it is so expensive.

City Manager Hanken replied in terms of water line that had to be put in we had to run 3 miles of water line to serve the 9 properties and the cost of that was approximately \$1.2 million dollars. He

explained when you take out the cost of the 9 properties and then divide the rest out by the amount of the benefiting properties that is the cost that gets incurred.

Councilor Heerwagen asked if the property owner has to front that money.

City Manager Hanken replied usually the property owner has to pay up front.

Ronald McQueen, 30019 Dutch Canyon Road, explained he has 9 acres and he was quoted \$50,000.00 six months ago. He stated if the City asked for \$5,000.00 to \$7,000.00 for people to sign up you might get something but at this point charging \$90,000.00 it isn't going to happen so you aren't going to retrieve anything. He talked about the City driving him out of this County.

Kathleen Bishop, 31391 Dutch Canyon Road asked if it would be an option to calculate it so the 9 properties were also included so that would reduce the amount that were included.

City Planner Brian Varricchione replied the calculations were already structure that way.

Council President Bernhard explained his suggestion to the Council is we look at this as a lost mitigation.

Mayor Burge is actually going to have to agree that no one is actually going to hook up for \$20,000.00 they will just continue with their current water situation. He explained we are already paying \$518,000.00 for those 9 properties. He would like that Council President Bernhard is absolutely correct about lost mitigation.

Councilor Meres asked how does that reflect when we do this on another piece of property.

City Manager Hanken replied that is a political decision that Council will make. He explained anytime there is an advanced funding reimbursement staff will bring to Council what is the hard the cost and the most equable way to figure that out. What Council does with that is up to Council. How you want to set that policy is up to Council.

Mayor Burge replied he feels what we are saying is we would set an "edu" rate of what ever that "edu" rate is for this entire area.

City Manager Hanken asked

Council President Bernhard moved and Councilor Meres seconded the motion to table this and bring it back to discuss lost mitigation options on Dutch Canyon Water Line. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Heerwagen, aye.

Ord 814: An Ordinance Related to Dog Parks Rules

City Manager Hanken went over the staff report. He explained what Council has before them is a proposed ordinance related to the off leash area in Veterans Park. Staff has coordinated with the

Scappoose Dog Owners Group to develop this ordinance is almost identical to the City of Hillsboro's dog park ordinance.

Mayor Burge opened the public hearing at 8:22 p.m.

Jill Schull gave the Council a brief update on the group itself.

Council President Bernhard stated to Jill Schull that he wishes everybody was as organized as she is when it comes to this kind of thing and he really appreciates her efforts and applaud them, it is really a pleasure to work with them.

Jill Schull replied she couldn't do it without the support of City Manager Hanken and the Council members.

Councilor Meres stated he would also like to thank her for all her hard work.

Mayor Burge closed the public hearing at 8:25 p.m.

Council President Bernhard moved and Councilor Heerwagen seconded the motion to approve Ord 814: An Ordinance Modifying Scappoose Municipal Code Chapter 12.16 Municipal Parks.

Mayor Burge read the title for the first time.

Police Chief Greisen asked if the rule regarding food is that human food or dog food.

City Manager Hanken replied both.

Police Chief Greisen asked if someone can have dog treats.

City Manager Hanken replied no and part of the reason is animals have a possibility of getting aggressive with food and it doesn't matter if it is dog or human food we want to keep that situation out of it.

Vehicle Restriction on N.E. 2nd Street

City Manager Hanken went over the staff report. He explained vehicle weight and length is becoming an issue on N.E. 2nd Street between Williams Street and Crown Zellerbach Road. This road section has a 46 foot right-of-way and, while adequate as a residential street, doesn't accommodate larger vehicle movements. In particular, there are concerns about the Columbia County Rider buses using this intersection. The City's transportation plan envisioned connecting N.E. 3rd Street to Crown Zellerbach Road. N.E. 3rd Street has a 60 foot right-of-way which is consistent with a minor collector road standard. Council purchased the property that would allow N.E. 3rd Street to connect to Crown Zellerbach Road a couple of years ago. Staff anticipates budgeting funds for the road in next year's budget (FY' 11-12). Once the N.E. 3rd Street connection was made, staff was then going to make the recommendation to restrict N.E. 2nd Street. Since the City is still a year or so out on this project, Council could designate Crown Zellerbach to West Lane to East Columbia Avenue as a

route for truck and bus traffic and then N.E. 2nd Street can be restricted. Notice of a Public Hearing would need to be sent out, as well as, notices to the homeowners in the area and Columbia County Rider.

Mayor Burge explained the concern of the neighbors, that he talked to over the last couple of weeks, was the width of the road, cars parked there, kids living on that road and trucks using it as a cut through and they really shouldn't be.

Council President Bernhard stated you said something about diverting some of that traffic on to 3rd Street in the future, as much as he is in support of not having additional truck traffic going down 2nd Street he would rather not seeing it go down 3rd Street and he would rather see it go down Crown Zellerbach to West Lane and to Columbia as a permanent basis and not as 3rd as a viable option. He stated Crown Zellerbach and West Lane were built for this type of traffic.

City Manager Hanken replied as Council as the road authority those are decisions that Council will ultimately make and we can have an ordinance, if that is the direction that Council wants to go, to make designated a truck and bus route for the area.

Councilor Erickson stated when he read this will defiantly be a good item, especially with all the kids that live on that street and you have small houses and small yards so they all come out to the front and on the street.

Announcements

Mayor Burge went over the calendar. There will be a workshop on November 15, 2010 at 6:30 p.m. regarding discussion on the Municipal Court Balance.

City Manager Hanken

City Manager Hanken reminded everyone that City Hall is a ballot drop off site for the upcoming election.

The lighting of the Watts House is probably going to be Monday November 29.

He will be having meetings with the Enterprise Zone sponsors in relation to allowing Scappoose to become a part of the Enterprise Zone.

Scappoose Planning Commission has made a recommendation of the UGB Proposal and is staff anticipates that it could come before Council in December. He is wondering if Council wishes to move forward with this application in December knowing that this Council is not going to be able to complete it by the time the change over occurs in January. He feels that relocating to a large facility will be a good idea since there was a large turn out at the Planning Commission.

Mayor Burge replied if we can use the High School Auditorium to use for these meetings that would probably work better.

Council decided that they will meet on January 18 to start the public hearing process for the proposal of the UGB.

Police Chief Greisen

Police Chief Greisen explained the City of Scappoose, the Scappoose School District and the Scappoose Rural Fire District have been working continuously on the Emergency Management Plan with keeping information going on the contacts and they are hoping after the first of the year they will see the actual finished product.

Council

Councilor Meres stated 2nd Street you can take a boat out there.

City Manager Hanken replied he is aware of that and he is still waiting to hear from the contract in terms of his bonding.

Mayor Burge stated Council Gedlich asked him to wish good luck to the candidates that are running in tomorrow's election.

Adjournment

Mayor Burge adjourned the meeting at 8:40 p.m.

Scott Burge, Mayor

Attest: _____
Susan M Reeves, CMC, City Recorder