

**CITY OF SCAPPOOSE
FEBRUARY 22, 2011
WORKSHOP AT 6:30 P.M.**

City Charter Workshop ~

Mayor Burge called the workshop to order at 6:30 p.m.

In attendance: Mayor Burge, Councilor Gedlich, Councilor Ingham, Councilor Meres, Councilor Erickson, Councilor Reed, City Manager Hanken, City Recorder Reeves, City Charter Member Craig Frasier.

Excused: Council President Bernhard.

Mayor Burge explained this workshop was called to discuss the City Charter and the City Charter Review Committee will be doing a presentation.

Councilor Ingham explained tonight is going to be a brief overview of the changes the committee is recommending to the Council for the Charter. She commended the committee members who over a long period of time were tenacious in wanting to get this done. She explained who was on the committee: Craig Frasier, Prudie White, Loren Holm, Devra Hermosilla and Larry Meres.

She explained what they would like to do tonight is just go over the recommended changes to the Charter. She explained there was a lot of lively discussion about the Charter and about maybe future changes on down the road that probably weren't appropriate at this time due to the size of our community but really important points that the committee wants to bring to Council for possibly future consideration when they review the Charter, which is another recommendation to review the Charter on a more regular basis.

She explained one of the major things that the committee discussed for future discussion was wards and having representation on Council from different areas or wards of the City of Scappoose rather than having a lot of the Councilmember's from one area of town.

Councilor Gedlich asked Councilor Ingham if she is talking about having the four precincts.

Councilor Ingham replied that was one of the conversations that the Committee had. They discussed if they wanted to divide the City differently then the precincts then that would have to go through the County and they would have to try to coordinate precincts with wards.

Councilor Gedlich asked if the Committee discussed reviewing the Charter every five years.

Councilor Ingham replied absolutely. Tonight what we want to do is just review and present the committees suggestions. At some future date the Charter will be placed on the Council agenda so the Council can make their decision about accepting the changes and moving it forward to the next step which would be putting it on the ballot. At that time we wouldn't put in the Charter that the Charter be reviewed every five years. What the Committee would like is Council to sit down and set

aside maybe in the Council rules that part of Councils responsibility is to look over the Charter every five years.

Councilor Gedlich asked about Section 17 City Manager, number F where it says Hire and terminate officers and employees as prescribed by rules of the Council. She thinks that needs to be a little bit more detailed so the citizens understand the role.

Councilor Ingham explained since the City Charter Committee is done with their job so she would recommend if she has an idea of any additional changes she would like to the Charter she would ask that she writes them up and present her recommendations to the Council when it goes before Council on the agenda.

Craig Frasier went through the proposed changes that are bolded on the City Charter that was before the Council this evening.

Craig Frasier explained the following proposed changes to the City Charter:

Chapter 1, Section 1, the date would just need to be updated to the current date.

Chapter 2, Section 4, removed the language: (Amendment adopted by electorate November 8, 2005).

Chapter 4, Section 11, remove entire membership and replace it with all seated members. Also in that section they ask the word request be replaced by require.

Chapter 5, Section 14, add with approval of Council.

Chapter 5, Section 17, remove entire and replace it with seated members of.

Chapter 5, Section 17, 1, remove not and replace with no.

Chapter 6, Section 22, remove by a public drawing of lots and replace with in a manner prescribed by the Council.

Chapter 7, Section 25, remove The City Council shall declare a, also remove (a), (b), (c), (d), (e). Add An elective office becomes vacant upon. Also replace all the letter with numbers (1), (2), (3), (4), (5).

Chapter 7, Section 25 add The City Council shall declare and elective office vacant upon:. Remove (f), (g), (h) and replace all the letter with numbers (1), (2), (3).

Councilor Gedlich asked what made the Committee change from the letter system to the number system in Section 25.

Councilor Ingham replied the Committee wanted the document to be consistent from the beginning to the end of the document.

Chapter 7, Section 26 ~ optional language.

The Committee proposed optional Section 26 language for consideration:

Section 26. Filling of Vacancies. Vacant elective City offices shall be filled by appointment by a majority vote of the remaining members of Council. The appointee shall serve immediately on appointment and shall continue until the beginning of the year following the next general biennial election occurring more than 100 days after the appointment. At that election, a successor shall be elected to till the unexpired term, if any, of the predecessor in office of the appointee. Councilor Gedlich agrees with this.

Chapter 9, Section 35, remove, (; provided, however, that all authorization pertaining to indebtedness for water and sewer works (chapter 10, 11 & 12 of the City of Scappoose Charter of 1961 shall remain in effect.))

Craig Frasier explained those are the suggested changes make by the City Charter Committee.

Councilor Meres feels under Chapter 7, Section 25, (2) adjudicated incompetence, is very vague. Councilors Gedlich and Erickson agree.

Councilor Ingham said she will work on additional language.

Councilor Gedlich wanted to review about Chapter 5, Section 15 President of the Council. She thinks what we need is to have a brand new Council President every two years because that way it gives other people a chance to serve in that position. She thinks in all fairness there are four or five other individuals and she thinks it just gives more experience.

Councilor Ingham replied because it is voted upon by Council majority rules, you can't put a rule in that goes against a majority rule vote.

Councilor Meres replied he understands that but Councilor Gedlich has a very good point but he would put in the Charter that you could not serve two consecutive years as Council President.

Mayor Burge replied since he has been on the Council there has been Councilors that have served more than one term of Council President.

Councilor Ingham explained what the process is now the proposed changes will be presented to Council at a future meeting. She would suggest any other proposed changes be in writing prior to the meeting.

Mayor Burge adjourned the workshop at 6: 58 p.m.

**REGULAR CITY COUNCIL MEETING
AT 7:00 P.M.
33568 EAST COLUMBIA AVE
SCAPPOOSE, OREGON**

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

Flag Salute

Attendance:

City Council Members:

Scott Burge	Mayor
Donna Gedlich	Councilor
Judie Ingham	Councilor
Larry P. Meres	Councilor
Jeff Erickson	Councilor
Mark Reed	Councilor

Staff:

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

Ron Guerra	Legal Counsel
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Press:

Josey Bartlett	The Chronicle
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Excused: Council President Bernhard

Approval of the Agenda

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

Public Comments

Dave Huber explained he is with Waste Management Columbia County Operations. He gave Council a handout of their 2010 Accomplishments and briefly went over that. Council thanked Dave Huber for the updates.

Rick Whitehead explained he is the new Administrator for Columbia 911. He just wanted to stop by and say hi and introduce himself. Council welcomed him.

Patrick Trapp explained his is the new Executive Director Port of St. Helens. He also wanted to stop by and introduce himself. He is happy to get to know each one of the Councilmember's. He is looking forward doing what he can to making the Port District serve all of our residents here in the County. Council welcomed him.

New Business

Proposed Amendments to Development Code Regarding Floodplain Development Regulations ~ ORS No. 815

Mayor Burge read over the opening statement and then opened the public hearing at 7:08 p.m.

City Planner Brian Varricchione read over his staff report which explained staff proposes that the City amend the Development Code to comply with the National Flood Insurance Program (NFIP) requirements. The Planning Commission recommends approval of the request. As a participant in the National Flood Program, the City needs to comply with the requirement of the National Flood Insurance Program as administered by the Federal Emergency Management Agency (FEMA). FEMA staff has objected to some of the language in the City's recent (2010) code amendments, even though the Code changes were based on the Oregon Model Companion Flood Damage Prevention Ordinance provided to City staff by the Department of Land Conservation and Development.

Staff has prepared an ordinance to revise the definition of "Development" and to update the elevation requirements for Manufactured Houses to be consistent with the Oregon Building Codes Division interpretation of the 2010 Manufactured Dwelling Installation Specifically Code. The proposed ordinance had been reviewed by the City Attorney.

The Planning Commission held a public hearing regarding this request on January 27, 2011. The Commission voted to forward a recommendation of approval to the City Council. An ordinance to amend the Development Code is attached to the staff for the Council's review. The consequences of not adopting the proposed amendments is suspension from the NFIP, which would mean that federally backed flood insurance would no longer be available to property owners in the City.

Staff recommends that the Council adopt the Ordinances as presented to approve the amendments to the Municipal Code.

Councilor Gedlich moved and Councilor Ingham seconded the motion that Council adopt Ordinance 815: An Ordinance relating to Land Use and Amending Municipal Code Chapter 17.84 (Sensitive Lands—Flooding) as presented.

Mayor Burge read the title for the first time.

Resolution No. 11-03: A Resolution Establishing an Outside Hookup Fee For Connection to City Water System by Individual Lands outside the City Limits

City Manager Hanken read over his staff report which explained staff is proposing a \$1,000.00 additional connection fee for water customers outside City limits instead of implementing Advanced Financing Reimbursement for the Dutch Canyon Water line.

On November 1, 2011, the City Council held a public hearing to establish Advanced Financing Reimbursement to help fund water infrastructure improvements associated with the new Dutch Canyon Water Line. The proposed financing mechanism would have required new customers to pay

\$19,917.87 per equivalent dwelling unit (EDU) to connect to the water line if they did not have pre-existing legal rights to City water.

At the public hearing Council concluded that the proposed reimbursement amount was unlikely to encourage new water customers. Council discussed this topic again on November 15 and determined not to see full reimbursement, instead choosing to charge \$1,000.00 on top of the normal connection fee and system development charge. Staff has developed an implementation resolution for Council.

Advanced Financing Reimbursement systems can be difficult to administer. To minimize recordkeeping and recording costs, the City Attorney's office proposes that the City instead impose a new \$1,000.00 hookup fee per customer for outside water users. This would primarily affect any future Dutch Canyon Water Line customers, as City policy is to discourage outside customers (except those abutting the Dutch Canyon Water Line or others who receive a two-thirds affirmation vote by Council per Municipal Code Section 13.04.020). The attached resolution recognizes that the Dutch Canyon customers would not need to a two-thirds vote to connect.

The City Attorney's office has prepared the attached resolution to implement a \$1,000.00 connection fee for outside water customers, on top of the typical connection charges and system development charges. If Council passes this resolution, staff would also include this amount in the annual fee resolution adopted every June.

Staff recommends that the City Council approve Resolution 11-03.

Councilor Ingham moved and Councilor Erickson seconded the motion to approve Resolution No. 11-03: A Resolution Establishing an Outside Hookup Fee For Connection to City Water System by Individual Lands Outside the City Limits.

This doesn't apply to the customers that were able to hook up due to the Dutch Canyon Law Suit. They are already hooked. The \$1,000.00 connection fee is specifically related to the Dutch Canyon Water Line.

Motion passed (5-1). Mayor Burge, aye; Councilor Gedlich, aye; Councilor Ingham, aye; Councilor Erickson, aye and Councilor Reed, aye. Councilor Meres, nay.

Truck & Bus Traffic Restriction on NE 2nd Street

Chief Greisen went over his staff report which explained the City of Scappoose would like to consider placing a vehicle length restriction on some side roads in the NE Section of Scappoose, except for local deliveries only. The City of Scappoose has received complaints regarding the increase of large vehicle truck traffic, mainly caused by Columbia County Rider.

The Scappoose Police Department conducted a traffic study by using our traffic counters that measure speed along with vehicle types such as cars versus trucks. Traffic counters were deployed in November 2010 ending January 2011. The traffic counters remained on the streets for an approximately two (2) week period while avoiding the major holiday weeks.

The focus was on four (4) major road ways which include **Crown Zellerbach Road** (between Highway 30 and West Lane Road); **West Lane Road** (between Crown Zellerbach and Columbia Avenue); **Columbia Avenue** (between West Lane/SW 4th Street and Highway 30) and **NE 2nd Street** (between Columbia Avenue and NE Williams Street).

The City of Scappoose is questioning, when does larger vehicles such as commercial trucks, commercial buses, dump trucks and at times with trailers become a potential safety issue for our community within the neighborhoods on a regular bases versus having these same vehicles use an alternate route.

There have been complaints and concerns received by the City of Scappoose fro children playing in the neighborhoods due to large size vehicle traffic movement. These types of residential neighborhoods are not designed for daily through truck/bus traffic. The City of Scappoose has the right to restrict such traffic movement on a daily bases except for local delivers. Attached to the staff report is an example from the City of Tigard's through truck traffic restriction municipal code.

This is for Council's discussion.

Chief Greisen explained he is only using Columbia County Rider as an example. He stated the City of Scappoose supports Columbia County Rider.

Councilor Gedlich would like to see Council restrict more areas on a lot more streets than just NE 2nd Street for the size of bus that is pictured in the staff report.

Councilor Ingham stated as per the statement by Chief Greisen we are not trying to single out the bus but large vehicle traffic.

Councilor Meres feels Columbia County Rider should be a part of any future discussions regarding this.

Janet Wright, Columbia County Rider gave an update. She discussed the issue of working on a grant for a park and ride.

Councilor Reed asked if the grant process is something that Columbia County Rider has to peruse by itself or is there something the City can do to help with that.

Janet Wright replied she could ask the City of Scappoose to write a letter of support. She can work with City Manager Hanken regarding that.

Announcements

Mayor Burge went over the calendar.

City Manager Hanken

City Manager Hanken explained the City/County Meeting will be on March 1, 2011 at the Scappoose Creek Inn.

Police Chief Greisen

Chief Greisen explained the Police Departments newest hire Kristen Silbernagel is in her three week and is top of her class so far.

Council

Councilor Gedlich thanked staff for all their hard work. She thanked those in the audience.

Councilor Meres explained at the Chamber dinner Bill Blank received "Citizen of the Year". He explained Beth Pulito also received an award. Congratulations Bill Blank and Beth Pulito.

Councilor Ingham explained she has some friends that were at the Scappoose High School in the auditorium and they were very impressed with the facility. She thinks the auditorium is a wonderful addition to the City.

Mayor Burge explained one other award from the Chamber went to the Business of the Year went to Oregon Aero. Congratulations Oregon Aero.

Mayor Burge went into Executive Session at 7:50 p.m.

Executive Session

ORS 192.660 (2) (d) Labor Negotiator Consultants

In attendance: Mayor Burge, Councilor Gedlich, Councilor Ingham, Councilor Meres, Councilor Erickson, Councilor Reed, City Manager Hanken, Legal Counsel Ron Guerra and Josey Bartlett, The Chronicle.

Adjournment

Mayor Burge came out of Executive Session and adjourned the meeting at 8:45 p.m.

Scott Burge, Mayor

Attest: _____
Susan M Reeves, CMC, City Recorder