

**CITY OF SCAPPOOSE
REGULAR CITY COUNCIL MEETING
JANUARY 3, 2012 AT 7:00 P.M.
33568 EAST COLUMBIA AVE
SCAPPOOSE, OREGON**

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

Flag Salute

Attendance:

City Council Members:

Scott Burge	Mayor
Jeff Bernhard	Council President
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
Susan Reeves	City Recorder

Press:

Cindy Philips	Legal Counsel	Chelsea Bowen	The Chronicle
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Approval of the Agenda

Councilor Ingham moved and Councilor Erickson seconded the motion to approve the agenda discarding 6.0 Consent agenda. Motion passed (7-0). 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

None

Consent Agenda ~ November 21, 2011, December 5, 2011 & December 19, 2011 City Council meeting minutes

There are no minutes to approve at this time.

Old Business

Ordinance No. 819: N.E. 2nd Street Restriction

Mayor Burge opened the public hearing at 7:02 p.m.

City Manager Hanken went over the staff report. He explained as Council will recall there were discussions in the previous month relating to adopting an ordinance to restrict large vehicle traffic on specific streets at this particular point NE 2nd Street simply because of the width of NE 2nd Street it is a 46 foot wide right-a-way and you have traffic on that street along with people parking it is very difficult to get through. He explained one of the issues that came was the Rider program in

terms of their buses running on that street. So from a safety standpoint staff looked at that, they have conversations and staff has an ordinance before Council restricting traffic on NE 2nd Street.

Police Chief Greisen explained this ordinance would restrict any vehicle longer than 30 feet and wider than 8 feet. He explained in the ordinance there are some exemptions such as school buses, which he wants to state that First Student refuses to drive down NE 2nd Street because how narrow it is.

Councilor Ingham asked Chief Greisen if 30 feet in length and 8 feet wide is variable or is it set in stone.

Police Chief Greisen replied 30 feet long is longer than a dump truck. He explained what is more than 30 feet long is the buses, the mass transit.

Councilor Gedlich explained she found this ordinance very well thought of ordinance. She thinks 30 feet long is probably perfect. She explained if you go longer then you are going to go wider.

Mayor Burge closed the public hearing at 7:13 p.m.

Councilor Gedlich moved and Councilor Erickson seconded the motion to approve Ordinance No. 819: An Ordinance adopting street restrictions and penalties for violations thereof, amending sections 11.04.040 and 11.04.290 and adding a new section 11.04.045 of the Scappoose Municipal Code.

Mayor Burge read the title for the first time.

New Business

Enterprise Zone IGA

City Manager Hanken read over the staff report. He explained Council has before them an Intergovernmental Agreement for managing and marketing the South Columbia County Enterprise Zone. As you are aware the City of Scappoose formally joined the Enterprise Zone back in December however because there is a multi agency sponsorship of the Enterprise Zone which includes Port of St. Helens, Columbia County, Columbia City, City of St. Helens, and the City of Scappoose. We need to have some sort of an intergovernmental agreement put together in terms of how the management and potential marketing of the Enterprise Zone will be laid out. In the past the City of St. Helens was predominately the manager of the Enterprise Zone and as you are aware Chad Olson who is the City Administrator is leaving to take a different position and this presents a good opportunity for jurisdictions to make changes in terms of the Enterprise Zone and get in more on an equal footing with all the sponsor partnerships. He knows that Legal Counsel Cindy Phillips has done a lot of work on this.

Councilor Gedlich asked has any other parties signed off on this or are we the first.

City Manager Hanken replied he believes Columbia City meets tonight as well. He stated it goes before the Port of St. Helens on Wednesday and he believes it goes before the City of St. Helens a week from Wednesday.

Councilor Gedlich asked if there any portions of this agreement that some of the other entities were worried about or wanted to change.

Legal Counsel Cindy Phillips replied she doesn't think that it rose to that level of concern. She thinks that 99% of the back and forth for the last however many months was merely tweaking the language.

City Manager Hanken replied from his standpoint the first draft had the Councils delegating authority for decisions to staff members, that doesn't work. He explained you go back for a number of reasons in terms of resolutions that need to be passed for the benefits, by Charter all those have go back through Council. He explained the County when they first wrote in terms of the staff person working on that did not understand, in his opinion, the roles and responsibilities and again it took a little bit of going back and forth and he feels that was one of the big issues.

Councilor Ingham moved and Councilor Gedlich seconded the motion that Council approve the South Columbia County Enterprise Zone Association Intergovernmental Agreement as presented.

Council President Bernhard asked under Section B; Cosponsor says shall appoint a representative to association, he asked how are we doing that.

City Manager Hanken replied after everybody, in terms of the various jurisdictions, have approved this, then it will come back with a recommendation to this body to say who will be selected. He explained it can be a staff member or it can be a Councilmember.

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

Resolution No. 12-01: Enterprise Zone Management

City Manager Hanken went over the staff report. He explained what Council has before them is a Resolution that would name the South County Enterprise Zone manager as the manager as the Enterprise Zone. He explained currently that is being done by the City of St. Helens. He explained the Columbia County Economic Team is a regional office that addresses all economic development efforts in the County. He explained it just makes more sense to have that office since they are out promoting in the area to be first group contact for the Enterprise Zone. Also as he spoke earlier the current manager will be leaving to go to a different community so we would be naming another Enterprise Zone Manager so it just makes sense to do that at this time.

Councilor Gedlich moved and Councilor Erickson seconded the motion that Council adopt Resolution No. 12-01: A Resolution appointing a manager for South Columbia County Enterprise Zone as presented. Motion passed (7-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Gedlich, aye; Councilor Ingham, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Reed, aye.

Resolution No. 12-02: Public Contracting

City Manager Hanken went over the staff report. He explained what Council has before them is a resolution adopting public contracting rules and procedures. The Oregon Legislature enacted new

rules and procedures related to public contracting that go into effect on January 1, 2012 and we need to update our rules.

Legal Counsel Cindy Phillips went over the draft resolution. She stated one thing she would like to point out is this is the City Council Resolution. In this City Council Resolution you are adopting the rules and procedures, the major changes in the definitions of personal services.

City Manager Hanken discussed there is another copy before Council and the only difference is in Section 8 there is a local preference allowed in the evaluation of bids and proposals. He explained that is one of the things that was discussed about a year ago were local companies we wanted to try to give them some sort of a preference and this is how you go about doing this.

Legal Counsel Cindy Phillips explained like she was saying the main difference is in the personal services. The Legislature added consultants to the personal services list and they dictated how the local jurisdictions are going to contract with those people and the added people are photogrammetrists mapers and transportation planners. She explained by law contracts with architects, engineers, land surveyors, photogrammetrists, transportation planners and consultants providing related services have to be done by qualifications base selections (QBS) now. She explained when the big change came in 2005 and everybody's Local Contract Review Board Rules were legislatively wiped out and you had to adopt new ones the local agencies lucked out because they could still go with lest cost should they choose. She explained in this last Legislative Session the Legislature has now said that local governments also have to go QBS for architects, engineers, land surveyors, etc. She explained there is a little bit of wiggle room, actually probably for cities like Scappoose probably a lot of wiggle room because for contracts with those types of consultants where that contract is estimated to be \$100,000 or less you don't have to go through any public competitive procurement at all. You can simple award the contract. She explained obviously City Manager Hanken is not going to let the City of Scappoose award the contract to someone who is not qualified, he will be looking at qualifications, he is going to be looking at price, but that gives you more leeway. She explained for contracts between \$100,000 and \$250,000 you can consider the Cities scope, schedule and objectives.

Councilor Gedlich asked Legal Counsel Cindy Phillips to explain to her Section C Special Procurement and Exemptions.

Legal Counsel Cindy Phillips went over that section. Then she went over Section H on the draft copy.

Councilor Ingham stated when we go through our normal process of RFP's we normally go with the lowest price.

City Manager Hanken explained there has been a change in the law that allows preference.

Councilor Gedlich moved and Councilor Erickson seconded the motion that Council adopt Resolution No. 12-0: A Resolution adopting Public Contracting Rules and Procedures as presented. Motion passed (7-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Gedlich, aye; Councilor Ingham, aye; Councilor Meres, aye; Councilor Erickson, aye and Councilor Reed, aye.

Resolution No. 12-03: Local Contract Review Board Rules

City Manager Hanken went over the staff report. He explained the City's Local Contract Review Board needs to adopt a resolution updating their public contracting rules. He explained the only change in this is in personal services, item number 2.

Legal Counsel Cindy Phillips explained those changes are exactly the same, it is the definition of personal services and to that definition she has added for Councils approval photogrammetrists and transportation planners.

Councilor Gedlich moved and Councilor Erickson seconded the motion that Council adopt Resolution No. 12-03: A Resolution of the Local Contract Review adopting Public Contracting Rules as presented.

Councilor Gedlich asked City Manager Hanken when Council gets these wordage changes in resolutions or ordinances could you either italicize the word or underline it because she read this about four times trying to figure out what was different and it would have saved a whole lot of time.

Legal Counsel Cindy Phillips replied she can do that.

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

Announcements

Mayor Burge went over the calendar.

City Manager

City Manager Hanken stated hope everyone had a good New Year and he looks forward to another successful year.

Police Chief Greisen

Police Chief Greisen explained on Thursday January 5 will mark a year since Chief Ralph Painter was killed. There will be a candle light vigil in Rainier. He explained 2011 was a very deadly for them in law enforcement; they actually lost 173 police officers. That is a 13% increase from the previous year and three of them were in Oregon.

Council

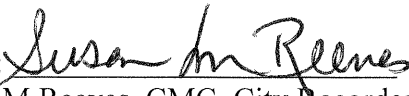
Councilor Gedlich would like to thank staff and wish all of us a Happy New Year. She would like Chief Greisen and or Mrs. Reeves to maybe get a card and send to the Washington State Park for the death of Ranger Anderson.

Councilor Reed and Mayor Burge wished everyone a Happy New Year.

Adjournment

Mayor Burge adjourned the meeting at 7:42 p.m.


Scott Burge, Mayor

Attest: 
Susan M Reeves, CMC, City Recorder