

**CITY OF SCAPPOOSE
REGULAR CITY COUNCIL MEETING
NOVEMBER 19, 2012 AT 7:00 P.M.
33568 EAST COLUMBIA AVENUE
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: none

Jeff Bennett	Legal Counsel
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Approval of the Agenda

Councilor Ingham moved and Council President Bernhard seconded the motion to approve the 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

Gerald Noce, Scappoose, talked about a rash of crimes committed in this community in the form of keying cars. His car has been keyed four times and three others have been damaged. He explained he needs to make another report tomorrow. He explained we are looking at \$4,700 and two other estimates to come in. He explained this is happening in his driveway.

Councilor Gedlich stated to Mr. Noce that she is sorry to hear about the vandalism, but isn't their community closed at night.

Gerald Noce replied yes but the back side there is a dirt lot that side is unfenced.

Consent Agenda ~ November 5, 2012 City Council meeting minutes

Councilor Ingham moved and Councilor Erickson seconded the motion to approve the Consent Agenda ~ November 5, 2012 Council meeting minutes. 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.

Old Business

Pow Wow Discussion

Michael Klobes, Beaverton, explained they do have a final date for next year's Pow Wow, which is July 11-14 with the same extended hours until midnight on Friday and Saturday.

Council President Bernhard asked Michael Klobes if he has talked with little League in regards to their events that might be happening at the park to make sure there are not conflicts.

Michael Klobes replied he talked to them and essentially they just said they will work around the Boosters schedule.

Councilor Ingham asked Police Chief Greisen if he got very many complaints last year about the hours.

Police Chief Greisen replied they only had one complaint which was on the east side of town. The Police Department went over there and did a decimal reading and the reading was really low. He explained they did not have any issues or fights. He explained the Police Department supports the Pow Wow.

Councilor Ingham moved and Councilor Meres seconded the motion to approve the hours for the 2013 Scappoose Pow Wow event. 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.

Comcast Agreement Amendment

City Manager Hanken went over the staff report. He explained back in September the City Council adopted Ordinance 822: An Ordinance establishing the franchise agreement. He explained the City of Scappoose signed off on it and then we sent the agreement to Comcast. A couple weeks later he received the proposed letter that is attached to the staff report basically saying Comcast wanted to modify some of the provisions within the agreement. He explained the proposed changes are within three areas; The PEG fees, the franchise review and Section 3:16 the Public, Education and Government Access. He explained the one area that Council needs to make some sort of a decision on is related to the PEG fees. He explained currently the City of Scappoose receives \$1.00 per month, per subscriber. He explained what Comcast is requesting is that amount to be lowered to .52 per subscriber, per month.

Councilor Ingham asked how long is the contract.

City Manager Hanken replied this proposal would be 15 years.

Tim Goodman explained another thing they have proposed in this scenario is that on year five or any subsequent years if the PEG fee at the .52 per subscriber wasn't working, meaning enough money wasn't coming in to meet the City's needs, they could reopen it and talk about increases it to a higher level, with \$1.00 being the maximum that can be charged, the City would have the availability to do that.

Councilor Gedlich stated she thinks the 15 years is too long and she thinks 10 years is adequate. She thinks as far as the PEG fee, we don't know the cost of any kind of update that the City will do to this room and how much it will cost, and if we lower that amount where does the other .48 go?

Tim Goodman replied Comcast had proposed a 10 year agreement and it came back from the City that we increase it to 15 years, which either one is fine with them. He explained in regards to the PEG fee if it gets reduced to .52 the subscriber would only be charged that amount.

Councilor Gedlich asked City Manager Hanken why he wanted to go 15 years.

City Manager Hanken replied because the ordinance states 15 years.

Councilor Gedlich replied maybe we need to change the ordinance to 10 years instead of 15 years.

City Manager Hanken explained he is looking more towards streaming the meetings on the internet versus cable tv.

Tim Goodman, Comcast, explained they have had this discussion before and the audience you are going to reach more people through streaming live on the internet than just broadcasting on cable because not everyone is a cable customer but most people have internet.

City Manager Hanken stated from that particular standpoint having the dollar amount reduced he doesn't think poses a problem for in terms of what it is we want to do to accomplish to get our meetings out to the public.

Councilor Ingham stated she is all about giving money back to the subscribers.

Mayor Burge stated when we rewrite the ordinance he would rather not set a time. He explained he would have the ordinance say as negotiated with the City and the cable provider.

Councilor Gedlich explained she is kind of opposed to the .52 right now. She would like to keep the PEG fee the way it is at the current time and then revisit it.

Tim Goodman replied what they would like to see is that it be reduced now to .52 and one reason for that is because the City has built up a pretty big amount for its PEG capital and you are still going to have money coming in. He stated if down the road you feel that isn't going to be enough you can say lets relook at this and bump it up to a higher amount, up to \$1.00.

Jeff Bennett explained about a year ago the City of West Linn decided to withdrawal from Willamette Cable Coalition. He explained the reason West Linn withdrew from that and joined the Metropolitan Area Communication Commission was that there was a pretty dramatic difference in use of the studio facilities between West Linn residents, Oregon City residents and Clackamas County residents and because the City of West Linn was paying roughly 40% of the cost of keeping that going they took a pretty careful look at how many of their citizens and how many of the educational institutions in their community were using those facilities and they were amazed to find out that there were literally only 18 citizens from West Linn that actually had a demand for use of those facilities and that the West Linn School District didn't use it at all. He

stated which gets back to what PEG funds are for; Public, Educational and Government. He explained typically what happens is if the School District really wants some kind of access to those facilities for its students are prodcasting its meetings then they will to the various cities or in that case to Clackamas County Advisory Board and say we would you to commit some of your funds to this facility so our folks can use them. He stated the bottom line is you need to look at see what kind of demand there is in your community for Public Use, Educational Use and Government Use of those kinds of facilities.

Councilor Gedlich explained she feels there probably isn't a whole lot of knowledge out in the community about the PEG system. She asked if the City is working with the School District and the public to let them know about this opportunity.

City Manager Hanken replied no because again it's not something we can deliver on, we do not have a studio.

Councilor Ingham stated she thinks lowering the amount to .52 is very acceptable.

Councilor Meres agrees with lowering it to .52 and it is something that this Council should actually think about getting it done.

Council President Bernhard replied he doesn't see how we could possibly spend the money we have now and he thinks if we have an opportunity to give pennies back to the citizens give them back.

Mayor Burge stated the direction is to lower the amount to .52, ten year contract, fixing the ordinance and have it for emergency approval for the next meeting.

Tim Goodman apologized for coming back but he thinks in the end we are going to have a better franchise agreement that what we started with in the beginning. He explained they have a news makers program they film every three weeks, which Mayor Burge has been on, where they bring in elected officials to talk about newsworthy things that are going on. He explained they have one coming up on December 6. He stated it is kind of neat one because they are filming at the local studios and set of the tv series Grimm. He stated if any Councilmember would like attend please let him or City Manager Hanken know. He explained that would be broadcast over a two week period on CNN.

Council President Bernhard would like to see Mayor Burge go and talk about the Pow Wow, Urban Growth, Sauerkraut Festival and the car show, things that bring things in to our Community.

Mayor Burge replied he thinks it would be neat to have more than just the Mayor sitting there.

Councilor Gedlich said she would be willing to go.

Tim Goodman thanked Council for their time.

Announcements

Mayor Burge went over the calendar.

City Manager

City Manager Hanken explained we received four proposals for repairing of the skate park. He explained we will hopefully have the recommendation for Council at the December 17 meeting. He explained we did a total retro of all the lights inside Scappoose City Hall and the Police Department. He explained a large portion of the lighting upgrade was funded by a grant from Bonneville Power Administration. He explained we are hoping to have a kickoff meeting of the Transportation System Plan committee. He gave an updated Utility Don Donovan.

(Side 2 of the tape malfunctioned ~ wasn't able to hear anyone)

Police Chief Greisen

Police Chief Greisen apologized to Mr. Noce for what is happening to him.

He explained the Scappoose Police Department Doughnut Day is Saturday, December 15, 2012 from 7:00 a.m. to 1:00 p.m.

Council

Councilor Gedlich thanked staff for all their hard work. She wished everyone a Happy Thanksgiving

Councilor Meres said Happy Thanksgiving.

Council President Bernhard talked about term limits and how he would like to see that issues addressed. He stated with the Holiday season remember to give back.

Councilor Ingham talked about terms limits and that they were addressed in the Charter Review Committee and that Council is the one who has the right to put that to the ballot. She wished everyone a Happy Thanksgivings.


Councilor Erickson reminded everyone to clear their drains of debris.

Mayor Burge wished everyone a Happy Thanksgiving.

Adjournment

Mayor Burge adjourned the meeting at 7:54 p.m.


Scott Burge, Mayor

Attest: 
Susan M. Reeves, MMC, City Recorder