

**CITY OF SCAPPOOSE
CITY COUNCIL MEETING
FEBRUARY 5, 2007
AT 6:00 P.M.
SCAPPOOSE, OREGON**

Flag Salute

Call to Order

Mayor Scott Burge called the meeting to order at 7:00 p.m.

Roll Call

The meeting of the City of Scappoose 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
Donna Gedlich	Councilor
Lisa Smith	Councilor
Charles Judd	Councilor
Larry Meres	Councilor

Staff:

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

Cindy Phillips Legal Counsel

Press:

Darryl Swan Spotlight

Excused: Councilor Jeff Bernhard

Approval of Agenda

Mayor Burge added agenda item 6.2 January 26, 2007 Special Council meeting minutes.

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

Public Comments

Virgil Mays, Bird Road, spoke regarding the stop signs installed on 4th and Columbia Avenue. He stated he asked the City Manager and the City Manager told him it was approved by somebody. He stated the City Manager explained some citizens called in and complained about speeders two blocks from the Police Station and other people called in. He asked is there anyway to find out if these are citizens or the developer wanting the stop sign?

Council President Ingham explained she remembers at a Council meeting there was a lengthy discussion regarding that intersection. She explained the concern was not only the increased traffic that is going to

happen with the development and the range of your eyesight is very difficult when you pull up on 4th Street facing Columbia Avenue. She explained you have to basically pull out in to the road to see both directions, it was a sight impediment as well as the increase of traffic that she believes that it was decided that a stop sign was necessary to put in place. Mr. Mays replied he was told citizens called in and complained about it. City Manager Hanken replied they did and then it went before Council as part of the process and then Council provided direction to staff to move forward. Chief Greisen explained this is something that has been going on since about 2002 or 2003. He explained the Police Department was getting a lot more complaints, a lot more close situations for accidents and since it is a county road Columbia County did not want to do a four way stop. He stated since then the City of Scappoose has even more complaints on how dangerous the intersection is. He explained after several citizens complaints it was taken to City Council and then it was taken to the Columbia County Traffic Safety Commission. The Columbia County Traffic Safety Commission also reviewed the site at which time they also made recommendation that it should be a four way stop. He explained the Columbia County Road Department also agreed it should be a four way stop.

Consent Agenda

Council President Ingham moved and Councilor Judd seconded the motion to approve the minutes from January 2, 2007 and January 26, 2007 Council meetings.

Councilor Smith explained she submitted editorial changes/clarifications for the January 26, 2007 minutes to City Recorder Pentecost prior to the meeting.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Old Business

Street Improvement Report

City Engineer Smith explained what Council has before them is the recommendations from staff for the overlay projects that are coming up this year. He explained this is for Old Portland Road, SE 6th, Davona to Frederick, and Sawyer, Williams to Columbia. He explained the opportunity Council has here is to change those priorities if they wish.

City Manager explained the revenues that the City get to do street projects now since we have reached the population of 5,000. The City gets Federal dollars associated with the gallon tax and that is an annual appropriation. He stated if the City doesn't spend it all it carries over and it always has to be used for street projects.

Councilor Smith stated she understand that the recommendations that staff makes with regards to the particular report are based on a pavement management program which is why relatively new streets are shown and overlays are recommended for them. She explained because of Elm Street (anywhere East of 6th Street) she is not inclined to support doing overlays on Old Portland Road or Davona or any relatively new street. She stated she believes that Sawyer probably has been around for a while and is possibly beat up by construction. She is not sure as she hasn't been there for a while. She explained that is probably a project that she agrees with but she would like to take the other \$136,589.00 and put it towards making Elm Street in to something other than just a wide driveway.

City Manager Hanken addressed Sawyer Street is because of the storm drainage issues. He explained there are some dry wells there just don't function. He stated when they don't function there is water backing up on the streets.

Councilor Smith would like for the Council to consider \$136, 589.00 to go towards Elm Street east of 6th Street.

Councilor Gedlich agrees that the Elm Street project is such an important project not only for that area but also for the citizens that live there now and the future citizens.

Councilor Gedlich moved and Councilor Smith seconded the motion to direct staff to prepare the overlay projects as presented and to use approx \$110,000.00 (everything left from Sawyer and Williams drainage and Sawyer Overlay) for SE Elm Street.

Mayor Burge asked if staff has an estimate of what SE Elm Street would cost? City Manager Hanken replied no, not at this time.

Councilor Meres replied he concurs with what the Council is saying. He explained when he was driving out of Elm Street he ended up on somebody's yard because an inconsiderate driver in a large van didn't want to share the road. He stated it is a mess down there and it should be a very high priority.

Councilor Judd asked if some of the developers are going to be working on some of those roads? City Engineer Smith replied yes, some work is still going to be done by Kessi Construction. He also explained there is possibly two more developments that will have some impact and some street construction.

Council President Ingham asked City Engineer Smith after the developments go in and the improvements that the developers are required to make are done then Elm Street would be worked on at that point correct? City Engineer Smith replied depends on what Council wants staff to do. Council President Ingham asked if it makes sense to put \$110,000.00 in to a project that might be altered by developers coming in? City Engineer Smith replied from his perspective no, but if Council wants staff to do that they can do that.

Council President Ingham feels the amount in the motion might be too premature.

Councilor Smith explained before anybody amends that motion, essentially what that motions does is permit payment on the Sawyer/Williams drainage improvements that have already been completed, permit the overlay on Sawyer from Columbia to Williams and put the remaining money back for fixing SE Elm Street. She stated in her support of this motion she is reprioritizing the projects, SE Elm just became extremely important.

Councilor Gedlich stated her motion was based on after construction and working with the contractors now. She would like to see the construction done in phases so people in that area aren't waiting for years.

Mayor Burge stated he would like to also include the option of recouping the money as development occurs down Elm Street.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

New Business

Franchise Agreement CenturyTel

City Manager Hanken explained the CenturyTel Franchise has expired June 30th and Council needs to provide direction to staff on which way they would like to go. He explained in researching why the franchise was done for a short time period, the telecommunication industry changes so rapidly in a short period of time and the City really didn't want to lock itself in a long-term commitment. He asked does the City want to continue moving forward with CenturyTel or does the Council want to explore other options?

Councilor Gedlich explained one of the basic reasons why the agreement was on 5 years was there are so many changes in the telecommunication industry and she and the City Manager at the time thought maybe future Council that might want to do some other business with some other telecommunication company.

Councilor Gedlich moved and Council President Ingham seconded the motion to direct staff to explore all options for providing telecommunication services including looking at other services providers. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Municipal Judge IGA

City Manager Hanken explained the City of Scappoose needs to enter into a new Intergovernmental Agreement (IGA) with the City of St. Helens for judicial services. Staff is making a recommendation to continue of this agreement with St. Helens.

Council President Ingham moved and Councilor Judd seconded the motion that Council approve the Intergovernmental Agreement for a Municipal Court Judge with the City of St. Helens as presented.

Councilor Gedlich asked if this is the same contract that we had previously and it is just a continuation? City Manager Hanken explained there is some different wording. He explained in the first IGA Judge Taylor was contracted not an employee, then there was an addendum to the contract when she began the full time employee for the City of St. Helens. He explained the proposed IGA takes that in to account and describes Judge Taylor as an employee of the City of St. Helens.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Ordinance for a Request by Masonry Builders, Inc. to annex 1 acre on East Columbia Avenue

Mayor Burge read the opening statement and guidelines for the hearing. No Councilors had anything to declare. There were no objections to the City Council hearing this matter.

Mayor Burge opened the public hearing at 7:37 p.m.

City Planner Brian Varricchione went over the staff report.

Brian, representing Masonry Builders, explained he would simply request approval based upon staff recommendation.

Mike Perdue asked about the draining issue. City Manager Hanken explained the drainage issue would be addressed at the time of the subdivision application.

Councilor Smith asked conceptually if this is approved do we have any ideas where the water might go? City Engineer Smith explained yes, he believes it is going to have to be picked up and run in the right-a-way down to the Willows subdivision where there is already a pipe installed in the ground to accept it.

Mayor Burge closed the public hearing at 7:41 p.m.

Council President Ingham moved and Councilor Smith seconded the motion to approve the annexation application and adopt the findings in the ANX 7-06/ZC 7-06 staff report dated February 1, 2007. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Council President Ingham moved and Councilor Smith seconded the motion to approve Ordinance 787, an Ordinance for a Request by Masonry Builders, Inc. to annex 1 acre on East Columbia Avenue.

Mayor Burge read the title for the first time.

Ordinance for a Request by Richard & Joyce Jones to annex 4.27 acres on Scappoose-Vernonia Hwy

Mayor Burge read the opening statement and guidelines for the hearing. There were no objections to the City Council hearing this matter. Councilor Meres stated he knows the person who sent in the letter but that won't affect his decision. No other Councilors had anything to declare.

Mayor Burge opened the public hearing at 7:45 p.m.

City Planner Brian Varricchione went over the staff report.

Richard Jones is the applicant for annexation based on two primary concerns; one is the septic system that maintains the present home is 30 years old; secondly the well was drilled in 1941. He explained it is adequate for house consumption during the winter month and high water months, but in the summer months it does pump down and there is not adequate water supply.

Dawn Roadenizer-Berg stated her and her husband aren't opposed to the annexation but they do oppose a manufactured home park being put on this site.

Richard Jones stated he is concerned also and his understanding that he can sell it with the restriction to mitigate the construction of a manufactured home park.

Councilor Smith explained there is a process where the seller can put a restriction on the plat.

Mayor Burge closed the public hearing at 7:53 p.m.

Council President Ingham moved and Councilor Smith moved to approve the annexation application and adopt the findings in the ANX 8-06/ZC 8-06 staff report dated February 1, 2007. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Council President Ingham moved and Councilor Judd seconded the motion to approve Ordinance 788, an Ordinance for a Request by Richard & Joyce Jones to annex 4.27 acres on Scappoose-Vernonia Hwy.

Mayor Burge read the title for the first time.

Ordinance for a Request by KS Development to annex 2.2 acres on Bird Road

Mayor Burge read the opening statement and guidelines for the hearing. No Councilors had anything to declare. There were no objections to the City Council hearing this matter.

Mayor Burge opened the public hearing at 7:55 p.m.

City Planner Brian Varricchione read over the staff report.

Brian Kangas, Scappoose, asked for Councils approval based on the Planning Commissions recommendation.

Virgil Mays explained this is basically right across the street from him. He doesn't feel that having 11 homes on two acres fits into their little community. He is against this. He thinks it is going to change things for them.

Walt Anderson, 34051 E Columbia Ave, explained he is concerned with the concept of street "A", since it would go through his house.

City Planner Brian Varricchione explained at the time of any development application the City does require that the applicant submit a plan that show how streets could be extended in the future. He explained the result of that at times is developments were a street stubs out at the property line and that street could get extended if the adjoining property owner wants to sell and develop or the street could be stubbed for some length of time.

Councilor Meres expressed his concern with streets that just dead end.

City Planner Brian Varricchione explained the idea of coming up with circulation plans that demonstrate a possible street network for the entire neighborhood it precisely to allow connectivity in the future. He explained if we didn't do that the City would have a lot of cul-de-sacs.

Councilor Smith does want to see a finding added that the conceptual plan is not feasible. She wants to make it clear that the Council did not buy in to that concept.

City Attorney Phillips explained keep in mind in this area you are moving from an area with very large lots and you are developing your City to and Urban Area, not the County. She stated in order to do that you have to provide for some mechanism to get to the interior lots, that is you have to build streets.

Councilor Gedlich explained since we don't know what is going to happen down the road, she would like to amend the staff report to assure the current property owners that they are protected.

Brian Kangas replied the thing with the conceptual drawing is merely conceptual.

Council President Ingham explained Council's job tonight is to approve or not approve the annexation to go forth to the vote of the people. She stated her advice to Mr. Mays is when this process gets started to become involved as he possibly can at the Planning Commission.

City Planner Brian Varricchione explained either Councilor's may propose a specific amendment to the staff report however given the size he recommends Council provides him the opportunity to amend it on February 20 when it comes back he will have amended it to include some mention of the circulation plan and those issues and then they can be incorporated in supporting material for the ordinance.

Mayor Burge closed the public hearing at 8:18 p.m.

Councilor Judd moved and Council President Ingham moved to approve the annexation application and adopt the findings in the ANX 8-06/ZC 8-06 staff reported dated February 1, 2007. Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Council President Ingham moved and Councilor Judd seconded the motion to approve Ordinance 789, an Ordinance for a Request by KS Development to annex 2.2 acres on Bird Road.

Mayor Burge read the title for the first time.

Ordinance for a Request by Crystal Ridge Construction to annex 1.77 acres on S.E. Elm Street

Mayor Burge read the opening statement and guidelines for the hearing. There were no objections to the City Council hearing this matter. Councilor Meres explained he talked to the property owner and it won't effect his decision. No Councilors had anything to declare.

Mayor Burge opened the public hearing at 8:20 p.m.

City Planner Brian Varricchione went over the staff report.

Art Lee, Crystal Ridge Construction, explained he is requesting Council approve the annexation because it is a good fit for the City.

Mayor Burge closed the Public hearing at 8:28 p.m.

Councilor Gedlich moved and Councilor seconded the motion to approve the annexation application and adopt the findings in the ANX 9-06/ZC 9-06 staff report dated February 1, 2007, as amended.

Councilor Smith stated she wanted to add in the report on this particular annexation is the Councilors approval of the \$110,000.00 and the prioritization of SE Elm in support of addressing the concerns brought up by Mr. Padrow.

Motion passed (6-0). Mayor Burge, aye; Council President Ingham, aye; Councilor Gedlich, aye; Councilor Smith, aye; Councilor Judd; aye and Councilor Meres; aye).

Councilor Gedlich moved and Council President Ingham moved that Council approve Ordinance number 790, an Ordinance for a Request by Crystal Ridge Construction to annex 1.77 acres on S.E. Elm Street.

Mayor Burge read the title for the first time.

Council Goals

City Manager Hanken explained what is before Council on the staff report is a brief review of the goals that we have been working on as a community. He explained as part of this report he would like to include his City Manager comments as well since they coincide.

City Manager Hanken explained on Wednesday he will be meeting with Robert Grossman from Wyoming Genesee, who is the parent company of Portland Western. Mr. Grossman is spearheading the Federal Funding Program for the rail projects.

City Manager Hanken explained tomorrow he will be talking with someone from Oregon National Guard to discuss the excavation at the park site on JP West.

City Manager Hanken explained as far as the Dutch Canyon water line staff is working on the loan application with the State. He explained hopefully we should be moving forward on this project this summer and his goal is to get it completed by the end of this year.

City Manager Hanken explained there are a number of things that are getting back on track.

Mayor Burge explained he wanted this on the agenda so Council will sit down and work out goals in the future. He would like to do a workshop before a Council meeting. The workshop will be on March 5th at 6:00 p.m.

Announcements

Councilor Gedlich thanked City Manager Hanken on his goals and what is happening. She discussed Council doing a letter to send with Tony Hyde to take to Washington D.C.

Council President Ingham asked about the letter from Carl Rafferty regarding the tennis court. City Manager Hanken explained he had a meeting with the new school superintendent and he is trying to set money aside to repair the tennis court. Council President Ingham would like the City to look at setting funds aside to help restore the tennis court.

Chief Greisen explained he attending a School Board meeting and the tennis court was discussed. Craig Frasier explained it could possibly be a senior class project.

Council President Ingham would like to see something on the agenda regarding options regarding a City Attorney.

Councilor Smith stated she got a call from someone from the Columbia County Planning Commission is looking for people to serve on their Planning Commission. If you are interested contact the County Commissioners office.

Mayor Burge stated if you get a chance to congratulate Donilee McGinnis, Miss Oregon, please do. He explained he attended the bowling fundraiser she held in St. Helens. City Recorder Pentecost explained she did send flowers to her on behalf of the City Council per Mayor Burge's request.

Adjournment

Mayor Burge adjourned the meeting at 8:43 p.m.

City of Scappoose, Oregon

Scott Burge, Mayor

Attest: _____
Susan M Pentecost, City Recorder