



AGENDA
SCAPPOOSE CITY COUNCIL
COUNCIL CHAMBERS
33568 E. COLUMBIA AVE
SCAPPOOSE, OREGON 97056



**TUESDAY FEBRUARY 17, 2009
REGULAR CITY COUNCIL MEETING
AT 7:00 P.M.**

ITEM	AGENDA TOPIC	Action
1.0	Call to Order	
2.0	Pledge of Allegiance	
3.0	Roll Call	
4.0	Approval of the Agenda	
5.0	Public Comments	
6.0	Consent Agenda	
	6.1 February 2, 2009 City Council Meeting Minutes	
7.0	GIS Presentation	
8.0	Old Business	
	8.1 Intergovernmental Agreement for Municipal Court Judge with St. Helens Staff: Hanken	
	8.2 Report from Skate Park Advisory Committee Staff: Hanken	
9.0	Announcements	
	9.1 Calendar	
	9.2 Police Chief, City Manager, Councilors, and Mayor	
10.0	Adjournment	

This meeting will be conducted in a handicap accessible room. If special accommodations are needed, please contact City Recorder, Susan Reeves at (503) 543-7146, ext 224 in advance.

TTY 1-503-378-5938

**CITY OF SCAPPOOSE
REGULAR CITY COUNCIL MEETING
FEBRUARY 17, 2009
AT 7:00 P.M.
SCAPPOOSE, OREGON**

Call to Order

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

Flag Salute

Roll Call

The meeting of the City of Scappoose City Council 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
Jeff Bernhard	Council President
Donna Gedlich	Councilor
Larry P. Meres	Councilor
Art Heerwagen	Councilor

Staff:

Jon Hanken	City Manager
Doug Greisen	Police Chief
Brian Varricchione	City Planner/P.E.
Susan Reeves	City Recorder

Press:

Cecelia Haack	South County Spotlight
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Excused: Councilor Ingham, Councilor Erickson & Legal Counsel

Also present: Teresa Keller (Budget Committee member) and Craig Frasier (City Charter Review Committee member)

Approval of Agenda

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

Public Comments

Mike Dennis, owner of Oregon Aero read the following letter in to the record:

February 17, 2009
Mayor Scott Burge
Members of the Council
City of Scappoose
33568 E. Columbia
Scappoose, OR 97056

Ladies and Gentlemen:

I am here this evening with many of my colleagues who are affiliated with the Scappoose airport to ask for your help.

Even in normal economic times running a business successfully is challenging and these are certainly not normal times. All of us in the private sector are struggling as are you in the public sector.

On behalf of my company, Oregon Aero, and the other businesses at the Scappoose airport, I would like to thank the City Council for its interest in the airport and for its willingness to explore all economic growth opportunities. We appreciate your interest and your enthusiastic support.

Although the airport lies within the boundary of the City of Scappoose, it is owned and managed by the Port of St. Helens. Unfortunately, the Port has not demonstrated an interest in development at the airport, as we all would like.

During the past two years we have all witnessed the lack of communication and sense of common purpose between the City, private investors and the Port of St. Helens. While nearly every community in the nation is doing everything in its power to attract new investment and new family wage jobs, the Port has demonstrated a persistent unwillingness to act as a full partner.

The Port's decision to bring a lawsuit against the City for the adoption of a new land use zone, even though the new ordinance provides complete protection for the Port, is indicative of the constant strain between the Port and those of us who are working diligently to help the community's economy grow.

Our concern, and the reason we are here this evening, is the Port's negative actions regarding the airport are becoming widely known. They are scaring away business. Our businesses grow, as the airport grows, and the airport is not growing. At the same time, the Aurora Airport has greatly increased its job base, with new businesses around it. I personally know of several companies, Vans Aircraft, Pacific Coast Avionics and an aircraft restoration center that wanted to move to Scappoose, but established operations at Aurora instead because they could not "get to first base" with the Port of St Helens. These are companies that would be in Scappoose now, if not for the Port's inability to get a deal done, over the years.

The Scappoose Airport Business Association, as well as others who would like to see the potential of the Scappoose airport fully developed, are agreed that the airport would be better

served under the management of the City of Scappoose.

We would like to ask the voters within the Port District to approve amending the Port District's southern boundary, which is now the Columbia County - Multnomah County line, to be changed to Church Road in Warren. It is our hope that this question could be placed before the Port District voters on the May 2009 election ballot. In order to meet the election timeline, we respectfully request the Scappoose City Council refer the measure for the consideration of Port District voters.

Time is of the essence and neither those of us directly involved with the Port, nor the community at large, can any longer afford to waste and squander economic opportunities due to the inattention and ineptitude of the Port of St. Helens.

Respectfully,
Signed by Mike Dennis
(end of letter)

Mayor Burge asked how that would work. City Manager Hanken replied first of all he would need to talk to legal counsel related to this but his guess would be he is not sure that the City of Scappoose can put a measure on the ballot that is outside our jurisdiction. He would think this would need to be something that comes from Columbia County or the Port District itself.

Len Waggoner, Scappoose, explained he has been in this dialog for a bit of time and one of the things that he did was look up through the ORS codes how to dissolve from a district. He explained in regards to the withdrawal process, if Church Road is the line; the district itself has the opportunity to petition the Columbia County Board of Commissioners to ask for a dissolution. He explained then it would become a special district. He stated there are a lot of things that obviously go on with that process. He stated one of the issues that you have to keep in mind is the debt that the Port has incurred at the airport doesn't go away. He stated you really need to look at how this works in the sense of a special district then the special district questions come up. Does the special district develop taxing power, is it assigned taxing power, is it liable for the assets that are now at the airport, are their any bonds at the airport, etc. He stated the Port of St. Helens owns a business at the airport. He explained under the ORS code there is a complete set of methodology for withdrawal process. He stated one of the things to also be considered is Church Road was mentioned as a break off point but don't forget that the Port of St. Helens is a component player in the Crown Road as it goes clear out to the channel, therefore it has it's assets as a component with the City and with the County. So when you start giving them a real restrictive process there are still things on the river the Port may want to do relative to this community. If we isolate them and say Church Road is the limitation of your boundary therefore you are not going be an effective player on the water way, some day somebody may want to use that water front as an industrial process. So we have to be considerate of how we design what that district is. He is saying that the district should probably be the definition of airport zone because other wise we are going to wind up with a real entanglement with a political body that exists today. He stated we really need to sit down and determine how this process will work and the City would go out there as owner of the airport and that is a whole other process. He stated this is a very specific political process that needs to be addressed in a very regulated

format and unfortunately you are going to have to negotiate with the Port in order to make that egress.

Council President Bernhard asked why would somebody within the Port District in Clatskanie or other area ever vote for the Scappoose Airport no longer to be placed in within the Port District. What incentive would they have? Len Waggoner replied there is no disincentive in the sense that if the Port has bonds relative to this district then the bonds stay. The annual assessment goes against all the property so it doesn't really affect them.

Council President Bernhard asked City Manager Hanken, he knows it is early, but does the City really have a say if we want to manage an airport. Are we in a position to manage an airport, are we in a position to say no we don't want to manage an airport due to liabilities and those types of things. City Manager Hanken replied he is not sure the City is in a position to really look at that question simply until you know what the revenues, the expenditures and all the financials you really can't make a decision. He explained this whole process, if it were to occur is going to be lengthy.

Council President Bernhard asked if we really have a say to bring this on or not. City Manager Hanken replied he is not sure if the City has a say or not.

Councilor Gedlich asked Mr. Dennis if he and some of the other business owners gone to the Port and discussed this with them. Mr. Dennis replied no they have not. Councilor Gedlich also asked Mr. Dennis if any of them have also gone to the Columbia County Board of Commissioners and expressed their concerns with them. Mr. Dennis replied he has not.

Councilor Heerwagen asked Len Waggoner did he say any of this hinges on the Port agreeing on to changing a boundary, is that correct? Len Waggoner replied it is the nature of the business agreement. He stated it is a complicated issue when there is a specific asset involved, which is the airport. He stated the community has the right to generate the petition and go to the County Commissioner. He stated eventually it will come down to the Port because they own hard assets out there, you can't vote somebody's hard assets out of their projects.

Bruce Hugo, St. Helens, stated this is not a proposal to create a new district. He explained the voters created a port district and the voters can uncreate a port district. He explained if that were to happen all of the property that lies within the boundary of municipal corporation, such as a city, automatically becomes the property of that city, including liabilities and assets. He spoke in regards to the Port paying property taxes on all their properties except the properties that are docks or airports if they qualify and the qualification if all the revenue that is generated at the airport must be reinvested in the airport. The former City Manager of Scappoose wanted to challenge that and put it on the tax roles for the benefit of the City. The Challenge was given to County Assessors, the Assessor forwarded the challenge to the then Port Executive Director who said all the money coming off the airport is going in to the airport. Bruce Hugo explained there was more money coming off the airport than was ever reinvested in the airport. He stated that issue doesn't bother him personally. He stated the question is do you want to manage an airport.

Mayor Burge replied that issue bothers him because it violates FAA Guidelines for receiving money.

Councilor Gedlich asked if Bruce Hugo is it the Port Commissioners and Staff that everyone is having trouble with. She stated it is not the voters that are unhappy it is the people that work at the airport that are not able to work with the Port. Bruce Hugo replied he would think that 95% of the people in the Port District have no opinion of the Port. The remaining 5% that have to deal with the Port do have a very clear opinion of dealing with the Port. He gave an example that affects the City. He explained when Sierra Pacific was developing the west side of the runway one of the requirements for the 37 acre development was the provision of the sewer lines, the storm water lines and the water lines, so Sierra Pacific had all their engineers doing all the lines working with the City. OTAC engineering that was doing all the surveying work kept asking the Port where is your infrastructure plan so we can design our sewer system, storm water system and the looping of the water so it fits your infrastructure plan. The Port of St. Helens doesn't have one. In talking to you City Manager, your City Manager has been asking the Port for their infrastructure plan since he got here. Knowing all of that Sierra Pacific told OTAC Engineering to use all of the data that had been generated for Sierra Pacific and give it to the Port and asked OTAC to work with the Port at Sierra Pacific's cost to help the Port develop an infrastructure plan. It was never done. There is no infrastructure plan for the Scappoose Airport. He explained he doesn't work for Sierra Pacific any more but what he does know that when the sewer line was going in there and since the Port didn't have a plan it was put in by Sierra Pacific and maybe Sierra Pacific got lucky in putting the line in the right place. The point that he is making is that is a facility that should be developed and it can't be developed without water, sewer or storm water. He stated you have private investors and the City asking the Port please tell us what you want and what you are planning for so we can bring our infrastructure to help you make your decisions.

Councilor Gedlich stated if the Port is getting grants from the FAA based on the revenues they are getting from the airpark why aren't they are developing or why aren't they cooperating if the FAA says you must put money back in to the airport? Bruce Hugo explained it is not being said by FAA it is being said by the Department of Revenue.

Bruce Hugo stated the real point of the story is in talking to people who work out there and trying to develop the property the last meeting they know of involving the developers, the City and the Port was in July of 2008 and it was the second meeting with a professional mediator.

Council President Bernhard explained he believe the City is not in the position at this point to take a stance. He stated they also need to take a look at obviously what is happening as a whole at the airport maybe open up the dialog again with the Port. He asked are we talking about a possible boundary change or a complete discontinuance of the Port District itself. Bruce Hugo explained he feels county wide there is going to be some interest in this.

John Trudel, Newberg, Oregon, explained he is mainly here tonight for all of his friends. He explained the Port has never given invoices and for 15 years he complained about that. He explained there has never been any level of service provided in 20 years that he is aware of. He stated if you are thinking you are going to get a yes or a no, he doesn't know anybody who has been very successful at either of those. He explained businesses come out and state we want to lease property and typically they don't get an answer at all. He spoke with some of the people who tried to do that and after a year or two of not getting any response they go away. He stated

so that is the kind of environment that it is. He explained there is nothing invested as far as he can tell other than some of the FAA Grants where they have resurfaced the run ways. He feels if you were to speak to the business owners at the airport they would be interested in transitioning the airport to a different ownership. He stated it isn't a certain set of people at the Port, they have come and gone over the years, there just doesn't seem to be that much interest in it, so that is the kind of environment and he thinks that is what people are trying to change because it could be a crown jewel out here. It could really be an asset for Columbia County and Scappoose but he doesn't think it will ever go anywhere the way that it is being managed now and he doesn't think there is any desire on part of the Port to ever change it. He explained if you spoke to the businesses around the airport you would probably get 90 to 95% that would say anything is better than what they are doing. He stated it is in everybody's interest to have success.

Mayor Burge explained about a week or so ago Port President Robert Kaiser called him about meeting with him about the airport. Mayor Burge is hoping Council President Bernhard can meet with them. Council President Bernhard replied sure. Mayor Burge explained he is going to address these issues. He explained it was about a year ago or so that the Port said they were working a marketing plan, he hasn't heard or seen a thing.

Mr. Dennis talked about the airport being an invisible resource in the community. He stated they just sit there and the world has no idea what is going on out there. He stated people in other locations, other States are getting wise to this notion that there are a limited amount of really good jobs out there and they are going to have to do something to bring them to their environment. He stated it is in our own best interest to see if we can figure out how to work with the entities that are here. He stated everyone has expressed displeasure with the Port. He stated it is probably more of an issue for the businesses that have to work with multiple entities and the City doesn't have to work with each and he doesn't see that working out all that well. He stated it would be a lot easier for them at the airport if they only had one governing body to go before.

Chuck Hamm explained what kind of businesses the Port has chased away. He stated owners of the B-17 that sits on McLouglin Blvd came to the Port trying to put together a package to have a working air museum at the Port and the Port chased them away and now that is located in Aurora. He explained Vans RV's is the largest kit plane manufacture in the world. They came to the Port and the Port chased them away, he is also located in Aurora. He explained he is a member of NW Antique Airplane Club and when Evergreen Airport was open they did an antique fly in and it is the largest antique fly in west of the Mississippi. There was a lot of revenue from this event. The club went to the Port to try to put this on at Scappoose Airport and the airport would accommodate this event and the Port chased them away. The event is currently taking place in McMinnville and they have local support and the town just opened up and they made a lot of money from the event.

Approval of Consent Agenda

February 2, 2009 City Council Meeting minutes

Council President Bernhard moved and Councilor Gedlich seconded the motion to approve the February 2, 2009 City Council Meeting minutes. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye; and Councilor Heerwagen, aye.

GIS Presentation

City Planner Brian Varricchione gave a brief introduction.

Jim Clark and Shirley Corbett from GeoSolve Inc. gave a power point presentation to bring Council up to date on what they have done for the City of Scappoose. (They also gave a hard copy of the presentation to Council and staff).

Shirley Corbett presented an option to the City to have a computer at the front counter for citizens to look at the GIS system without staff assistance.

Council thanked Jim Clark and Shirley Corbett for their presentation.

Old Business

Intergovernmental Agreement for Municipal Court Judge with St. Helens

City Manager Hanken went over the staff report.

Councilor Gedlich moved and Council President Bernhard seconded the motion to approve the Intergovernmental Agreement for Municipal Court Judge with the City of St. Helens and authorize signature by Mayor. Motion passed (5-0). Mayor Burge, aye; Council President Bernhard, aye; Councilor Gedlich, aye; Councilor Meres, aye; and Councilor Heerwagen, aye.

Report from Skate Park Advisory Committee

Tim Wooten, Jacob Ogle, James Lennox and Jacob Trainer took turns reading the following statement:

Youth At-Large Statement
Presented By
Scappoose High School Skate Club

Preface

We, the Scappoose High School Skateclub, would like to thank the city of Scappoose and the City Council for taking an active role regarding the skatepark condition and the needs of the alternative sports athletes (ASA) in the community. A healthy skatepark and a network of individual skatespots are the building blocks for ensuring the ASA participants in the community have a safe and adequate space to practice their chosen pastime or sport.

Skate Spot Planning Revisited

During a previous meeting of the skatepark committee, the idea was brought forward of implementing a "spot" methodology regarding the planning practices to happen in the future for ASA participants and their needs. This floor plan typically sees the city designating an "anchor" park and several other smaller skateparks dispersed throughout the community. The anchor park would be larger in nature with a variety of obstacles and terrain. The spots subsequently are much smaller only featuring an individual obstacle or small terrain feature.

When this idea was brought before the group the consensus was that this is a good positive direction for our ideas to follow. We, the Scappoose High School Skateclub with the support of our advisor, would like to see these ideas move forward.

Actions Sought

The opportunity the school district presents is remarkable and the SHS Skaters would like to publicly thank Mr. Peterson for his tremendous support. However, we realize the actual implementation and construction of this project will most likely be a long rigorous road due to the fact that the primary focus of the district is to create the new buildings and classrooms first and once this is complete then seek out development ideas for the now existing Peterson School grounds. This is completely understandable and we support the school district and are looking forward to the upgrades and changes within the school properties ourselves.

For this reason, we would like to approach the "spot" concept and the "anchor" park concept from two separate directions and timelines.

We see the development and planning of the new main or anchor park as possibly down the road a number of months. We anticipate an open forum regarding the layout of the new sport grounds at the former Peterson School grounds as well. Plus we wish to see where we stand regarding funding.

We would like to see forward movement regarding the implementation of two skate "spots" in the Scappoose area to compliment the anchor park upon its completion.

Spot One would be an obstacle located in the new park opening next to JP West Road. The obstacle would be located off of the pathway which marks the edge of the park nearest the creek. The obstacle would be designed to appear as sculpture when not in use by the ASA participants in the area. Essentially it would not be an eyesore in the park. The design could be constructed from steel and/or concrete and secured to the ground. We feel this park was built for the community to enjoy and there should be features and amenities present within to help develop a variety of activities.

Spot Two would be a bench built from steel to withstand the wear and tear of bikes, boards and blades. The design would incorporate shape and size modifications to help enable usage by the above mentioned participants while keeping it a fully functional bench by all standards.

This would be placed out by the city park on Miller Road.

The advantages of creating these spots are as follows:

Dispersal of the large crowd which can form at the existing park

Prolonging the longevity of the current park

We feel the nominal funding required to complete the two projects could be taken from the existing funds set aside to tackle the skatepark issue. Of course a bidding process would be implemented and supporters of these projects who contribute funds would be recognized on site. We feel these projects should not exceed 3,000.00. As a comparison point, these two spots would last for decades with very little maintenance. This would be a very high yield project for the amount of funds extended.

Concluding Intention of This Presentation

The overall intention of this presentation is to solidify the support of the city council members so they may take this plan to the planning sessions for consideration and action.

Ending Note from the Scappoose High School Skate Club

The Scappoose High School Skate Club and its advisor would like to take this opportunity again to thank the city council for their time and the opportunity to speak with you tonight. We look forward to working with all of you in the future. We also would like to invite those of you with kids to participate in an upcoming "learn to skate" event we are planning over the upcoming spring vacation. Please speak with Councilor Erickson for details about the event.

Council thanked the committee for their presentation tonight.

Councilor Gedlich asked about vandalism at the skate park. One of the students replied he thinks this time around there is a lot more of our youth that are trying to participate and recognizing that we do need a new park and we need to be responsible about it and will take care of the park. He stated this would be a privilege given to them not something they deserve.

Council President Bernhard explained the committee discussed working with Jean Lewis and the Teen Court. Their possible idea was if there were kids that were in trouble and were going through Teen Court could possibly have to go to the parks and help clean up. He thinks that the skate park committee in general is really trying to strive and show the Council that there is a different level of maturity here, which was shown on the report presented tonight, and they are willing to play by our rules to understand how all this works. He stated it is really impressive and the report was impressive. He thanked them for putting this together.

Announcements

Mayor Burge went over the calendar. Mayor Burge explained on March 2, 2009 from 6:00 p.m. to 8:00 p.m. there will be a workshop on strategic planning and then the regular meeting at 8:00 p.m.

City Manager Hanken

City Manager Hanken explained staff is working on budget at this time.

Police Chief Greisen

Police Chief Greisen explained they are very excited about the GIS System and it will be very beneficial for this community.

Councilors

Councilor Gedlich thanked Jim & Shirley for the GIS presentation. She also thanked the students for the skate park presentation.

Councilor Meres stated he walked around the park and it is looking really nice.

Council President Bernhard explained somebody asked him for a dog area at the new park. He thought it was a good idea and fairly inexpensive to do. He stated there is plenty of space. City Manager Hanken explained he has had that request also. He explained as we move forward those amenities can be added.

Council President Bernhard addressed the issue of the tree removal along Highway 30. Since he was ill at the last meeting he was wondering if there was any way staff could do the work to save money. City Manager Hanken replied realistically in terms of the equipment needed to do that the City doesn't have that type of equipment. He stated one of the things we want to make sure of before we start cutting all the trees down is whether or not those roots are invading the water line.

Adjournment

Mayor Burge adjourned the meeting at 8:53 p.m.

City of Scappoose, Oregon

Scott Burge, Mayor

Attest: _____
Susan M Reeves, CMC
City Recorder