

City of St. Helens
Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 4th day of August, 2021 are the following Council minutes:

2021

- Special Session Minutes dated July 14, 2021
- Work Session, Executive Session, and Regular Session Minutes dated July 21, 2021

After Approval of Council Minutes:

- Scan as PDF Searchable
- Make one double-sided, hole-punched copy and send to Library Reference
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City of St. Helens CITY COUNCIL

Special Session Minutes

July 14, 2021

Council Members Present: Rick Scholl, Mayor
Doug Morten, Council President
Patrick Birkle, Councilor
Jessica Chilton, Councilor

Council Members Absent: Stephen R. Topaz, Councilor

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder
Crystal King, Communications Officer
Shanna Duggan, Parks & Recreation Manager

Others: Casey Garrett Howard Blumenthal Rob & Amanda Renner
Roy & Jan Reed Lawrence Wait Maria Elena Alvaro
Carmin Dunn Sandy Salisbury Linda Sheffield
Autumn Oliver



6:02PM – Call Special Session to Order – Mayor Scholl

Citizen’s Day in the Park Planning Meeting

McCormick Park Pavilion

Citizen’s Day in the Park is scheduled for Saturday, August 7 from noon to 3:00 p.m.

Mayor Scholl listed off the donation commitments he currently has:

Sunshine Pizza	Pasta salads
IGA	Hamburgers, hot dogs, buns, BBQ, pot for hot dogs
Safeway	Chips and cookies
Skinny’s	Bottled water
Stan’s Refrigeration	Bags of ice

Mayor Scholl said that Highway 30 Cruisers is committed to having a car show. The National Guard is interested in being there. Don’s Rentals usually will donate tables and chairs. Shanna Duggan said that she has reached out to the Columbia River Fire & Rescue and Dutch Bros. but hasn’t heard back yet. American Heritage Girls, who has helped out every year, is also willing to volunteer but they have another commitment that day, as well. There will be a band setting up under the Veterans’ shelter.

Mayor Scholl said that anybody who wants to be involved can be. There are no fees. We just ask that anybody who charges something to discount your prices to the community.

The grand opening of the new McCormick Park playground will be on this day as well. It’s going to be a big day.

Rob Renner with Highway 30 Cruises asked where they will be parking the cars for the car show. He would ideally like them to park in the grassy area behind areas 1 and 2, behind the pavilion and veterans' memorial area. Councilor Chilton asked how many cars would be in attendance. Renner said that he really doesn't know. Councilor Morten thought it was a good idea to get them out of the parking lot but that there should be someone accountable for parking the cars and then directing traffic when they leave the area. Renner said that that is part of what they do. They will attract more car show participants if the cars are getting parked in an area with some shade, so, this area is good. He anticipates a good showing because since COVID had everyone inside, there are a lot of people who want to get out. Mayor Scholl asked Renner to reach out to Les Schwab to arrange for the awards for the car show. Renner assured everyone that they will take care of anything related to the cars.

Mayor Scholl said that this year's event is likely to draw a big crowd with the opening of the new playground equipment. Blaze, the mascot for the Portland Trail Blazers basketball team, will be in attendance. (The City received a grant from the MODA Assist program to assist with the purchase of the all-abilities playground equipment.) There's no guarantee that any actual Blazer players will be attending.

Duggan said that vendors will be set up in the parking area. There may be up to 30 vendors. The food will be served under the pavilion. First responder vehicles will be over in the parking area closest to the exit for easy exit in case of an emergency.

After some discussion it was decided that volunteers and vendors should arrive around 10:00 a.m. to set-up; begin cooking at 11:00 a.m.; grand opening ceremony at 11:45 a.m.; and be ready to serve food by noon.

Duggan will try to get a portable basketball hoop.

Duggan, Renner, and Councilor Chilton will work together on a layout for the whole event. Renner has some experience with this and offered his services.

Anybody interested in participating or volunteering should contact Lisa Scholl at the City, no later than July 30.

Crystal King will be taking care of all of the press releases and social media posts.

Duggan said that we can do the sand pile again this year. She is also thinking about doing a fun run to get people to explore the park. She said that Barlow Bikes will be here and handing out helmets to children.

Mayor Scholl said that the Council typically uses their discretionary funds for some of this event. He suggested that we reach out to the local 4H Club and see if, for a \$200 donation, they would come out and hold a petting zoo at the event. He wanted the Council's approval. Council President Morten asked that this request be brought up at the next Council meeting for consideration.

Mayor Scholl asked everyone if they knew of any other businesses that would like to donate anything to the event, to please let him know.

Council President Morten expressed a concern about the quantity of food this year, remembering that last time, we ran out of food. Mayor Scholl said that the Council may need to use some of its money to buy more food. Duggan said that she believes there will be a lot of people here

with the playground opening and the fact that COVID precautions have been lifted. With that many people, it might be a good idea to spread out the cooking into more than one location. She suggested that we might need to use the 13 Night's trailer and some canopies.

Mayor Scholl said that if anybody can think of any other food sources that would be willing to donate, to ask the business or let him know.

Duggan emphasized the need for volunteers. There's a lot of moving parts and we need as many people as possible to help out.

Adjourn - There being no further business, the meeting adjourned at 6:35 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL WORK SESSION

Wednesday, July 21, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Patrick Birkle via Zoom
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Mouhamad Zaher, Public Works Director
Brian Greenway, Police Chief
Joe Hogue, Police Lieutenant
Jose' Castijella, Police Sergeant
Dustin King, Police Corporal
Kolten Edwards, Police Officer

Jacob Graichen, City Planner
Rachael Barry, Government Affairs Specialist
Mike De Roia, Building Official
Amy Lindgren, Municipal Court Judge
Bill Monahan, City Attorney
Tina Curry, Event Coordinator
Jesse Templin, Utility Worker II
Jamie Edwards, Administrative Billing Specialist

OTHERS

Jennifer Anderson
Carl Coffman
Connor Delaney

CALL WORK SESSION TO ORDER – 1:01 p.m.

VISITOR COMMENTS - Limited to five (5) minutes per speaker

Mayor Scholl introduced Carl Coffman and talked about the Conex box housing project on N. 7th Street.

- ◆ Carl Coffman. Distributed project information to the Council. A copy is in the archive packet for this meeting. They are on project number 40 right now and have learned ways to improve through those builds. They will be featured at the Street of Dreams in Portland. They have run into an issue of spray foam being unavailable, which is used to reduce sound between multi-family units. These are one-bedroom, 640 square foot units. He hopes to be done by September. Council is welcome to come look at them. Government has available land for affordable housing, and this is a way to use it. He was hoping to sell each unit for \$125,000-150,000. Unfortunately, due to the rise in costs, it will be closer to \$185,000-200,000.

DISCUSSION TOPICS

1. Employee Length of Service Recognition - Jesse Templin (15 years) & Jamie Edwards (5 years)

Two employees have reached milestones in their employment with the City of St. Helens.

15 Years

Jesse Templin began working for the City on July 10, 2006, as a Utility Worker I. In 2012, he moved into the Utility Worker II position, where she still serves today.

5 Years

Jamie Edwards began working for the City on July 5, 2016, as a Utility Billing Specialist. In 2017, her title was changed, and duties added to include court payments. Then in 2020, her title was changed again to encompass all her duties as an Administrative Billing Specialist, where she still serves today.

Congratulations, Jesse and Jamie, and thank you for your service!

2. Request from Habitat for Humanity - Jennifer Anderson, Executive Director

Jennifer Anderson reviewed her request and talked about the Habitat for Humanity organization. A copy is included in the archive packet for this meeting. Habitat for Humanity is preparing to build a house at the corner of S. 8th Street and Plymouth Street. The sidewalk fee in-lieu-of is \$22,541.25 and System Development Charges is \$15,412.48. She is requesting the City use ARPA funds to cover those costs.

Discussion of fees. Deputy City Administrator Brown explained that the Council cannot legally waive SDC fees. The funds would need to come from another source. Government Affairs Specialist Barry talked about the sources of funding she has been investigating. City Planner Graichen provided background information. The Code allows the City to require the sidewalk be installed or allow a fee in-lieu-of.

Council will discuss the request at the regular session.

3. American Rescue Plan Act (ARPA) Spending Recommendations - John/Rachael

City Administrator Walsh & Government Affairs Specialist Barry presented the recommendations. A copy is included in the archive packet for this meeting. The recommendations align with the City's Strategic Plan and responds to the COVID pandemic and recovery. They have learned a lot about the impact on families, businesses, and the City team. Investing heavily in the Recreation Center and Library activities addresses educational disparities.

Councilor Topaz asked about the Industrial Business Park line item and if those funds can be used for the toxic dump cleanup. Barry has not seen that as an eligible or recommended use. They will be looking for funds to address that. Mayor Scholl clarified that Boise and OfficeMax is responsible for that cleanup. Council President Morten added that as long as they continue operating the industry on that property, there is no cleanup that can start. Walsh said there is an indemnification with OfficeMax, a parent of Boise, to clean it up to the desired standard. OfficeMax is in negotiations with DEQ about that property. The DEQ liaison has been in communication with Barry. They will be issuing a timeline by the end of this year. Discussion ensued about that property.

Councilor Chilton pointed out the Mainstreet line item and thought it was already being funded. Barry explained that it is an eligible use and directly related to recovery. Brown added that the funds will pay for a part-time staff person. That is money from the General Fund or Community Development Fund that will not have to be used. The ARPA funds were already added to the Budget in anticipation of them being received.

Councilor Chilton pointed out the \$80,000 line item for a Broadband study. Brown talked about the initial presentation and study done. The study listed is to move forward with the next study. They will report the study results back to Council to be directed whether or not to proceed.

Councilor Chilton asked about the funds for Parks & Recreation. What types of projects are they working on? Barry explained that it includes the renovation and upgrade for the new building, administrative assistant, and program specialist. The impact of the Parks & Recreation programs has been instrumental to the community during the pandemic. They were out in the community providing hotspots, take-home kits, outdoor activities, etc. It falls under addressing educational disparities.

Council President Morten expressed his appreciation of the Strategic Plan Goal for each line item being included.

Councilor Birkle requested the funds that were designated for Mainstreet be used to help support families with housing and nutrition. Council President Morten talked about Mainstreet being part of Economic Development. If you take away from Mainstreet to support families, it will change to Goal 3 Livable and Safe Community. Councilor Chilton suggested taking from Parks & Recreation instead of Mainstreet. Barry reminded them to consider these funds from a City role. They will be coordinating with other nonprofit partners who will be receiving funds as well, such as Community Action Team.

6. Presentation on City Docks - *Lt. Hogue and Corporal King*

Lieutenant Joe Hogue and Corporal Dustin King reviewed their presentation. A copy is included in the archive packet for this meeting.

They met with the Port of Brookings who had issues in the past and were able to clean it up and offer recommendations. Hogue pointed out that the oversight is not handled by their Police Department.

Recommendations from City of Brookings:

- Increased oversight
- Update Ordinances to an enforceable level
- Kiosk for dock registration
- Camera installation

Options for the City:

- Create an oversight position
- Expand existing position
- Acquire City boat

King talked about the enforcement issue they have at Sand Island. The Police Department has no direct access to the Island. They have had to utilize transportation from citizens which is not acceptable. He equated it to handcuffing a violator and putting them in the back of someone's personal vehicle. Training for marine patrol is 40 hours. Without the proper equipment and training, the City can only respond if it's a life-or-death situation on the Island.

Council President Morten asked if they are requesting the purchase of a boat. Hogue responded that they do need the proper tools if they are responsible for enforcement. Chief Greenway talked about the difference between dock enforcement and Sand Island enforcement. He is in favor of a kiosk automated system at the docks to reduce staff time and recommends it be installed before Christmas Ships. He also recommends Parks & Recreation take over the dock oversight and call the Police Department when enforcement is needed. As far as Sand Island, the city is at an extreme risk by having a park that is not properly policed.

Councilor Birkle arrived in-person at 2:31 p.m.

Discussion ensued about enforcement of boats on the docks. The City cannot do anything with the boat for at least 10 days after a citation is issued.

Councilor Chilton agrees with the kiosk. She questioned the security the Sand Island lease holder provides. Mayor Scholl explained that the lease holder is responsible to transport officers to and from the Island. Discussion ensued on re-addressing that responsibility.

Discussion ensued about duties and liability. City Attorney Monahan recommended further investigation and discussion with the City's insurance, CIS. He also recommends beginning with a kiosk.

Greenway directed King to investigate Sand Island and CIS to discuss liability. He suggested City Hall staff investigate the kiosk.

4. Annual Report from City Auditor - Pauly, Rogers, PC

Connor Delaney reviewed the audit process and report. A copy is included in the archive packet for this meeting.

Councilor Chilton referenced the negative balance in the visitor and tourism fund. Brown talked about the way tourism operates on an event basis versus the way the City operates on a fiscal year. The City has had to provide a loan in one part of the fiscal year and then get reimbursed in the next fiscal year. There is a plan to create a committee to help oversee E2C and staff on reporting revenues and expenses within the Visitor and Tourism Fund. They are going to meet regularly to discuss issues and what can be fixed. They hope it is not an issue in the future. Walsh added that improved communication and oversight will be valuable. Council President Morten appreciates the additional oversight. He suggests a Council member be involved in the oversight as well. Walsh pointed out that tourism is under Administration. Brown reported that meetings are going to be held on Thursdays at 1 p.m., so it may be difficult for Council participation.

Councilor Topaz requested an audit of Tourism several years ago. Would that have helped in this case? Brown explained that the oversight committee will be able to address some of the revenue and expenses. They are also planning to do an inventory review and document what they have.

Councilor Birkle did not think an audit was needed in the past. However, they are in a position that they need to increase oversight and control.

Council President Morten brought up the difference between tourism and community events. There needs to be accountability.

Brown said an audit was done of the Public Works hours spent on tourism activities and nothing was done with it at that time. It can be done again. He agreed that Council needs to determine what events are tourism and what events are considered City events.

Councilor Chilton wants to see tourism cleaned up and a motion on tonight's agenda to go out for an RFP for tourism production management. Mayor Scholl said she can bring that up during work session action items. Discussion ensued about the RFP. There is a current RFP that can be used as the base. Walsh will bring it back to the Council for review and amendments.

Mayor Scholl expressed that the return on tourism investments for our citizens have been phenomenal. The City is spending money but businesses are profiting. Council President Morten added that the Council needs to understand E2C's roll, both seen and unseen.

Conor talked about the negative tourism funds balance. It was likely affected by COVID and the loss of revenue.

Councilor Topaz asked about the rent money from the marijuana facility on the mill site. Does that show up on the audit? Conor referred to management with that question. There is a line item for marijuana fees. Walsh explained that about \$16,080 is received from the contract payment and community benefit fees. Brown added that it goes into the Community Development Fund. It will not likely be displayed as a line item in the report because the auditors categorize everything broadly.

Break - 3:23 p.m.**5. Finance and Municipal Court Semi-Annual Report - Matt**

Municipal Court Judge Lindgren reported that Court is going very smoothly.

- They are back in full operation.
- Two jury trials were scheduled, but neither one happened.

- The LEDS 2020 transition has been fully executed, which links to the Oregon State Police database system. That allows them to switch functions from mail to electronic submission. The City is also moving to E-tickets.
- Truancy Court has not moved forward. She hopes to see it move forward when school resumes. She oversees Truancy Court in Gladstone, which will help. It is more of an outreach with parents and kids.

Brown reviewed the revenue and expenses in his report. There is an increase in expenses to pay for the new E-ticket software.

Brown reviewed City Prosecutor Erskine's report. He requested distributing forms for feedback on his work. Council concurred.

7. Building Division Semi-Annual Report - *Mike*

Building Official Mike De Roia reviewed his report. A copy is included in the archive packet for this meeting.

- 623 permits issued
- 241 plan reviews
- John Hicks was hired and has helped conduct 3,083 inspections
- 3.4 FTE
- Building, planning, and engineering collaborate regularly
- E-plan review project
- Code updates
- Training and continued education
- Reviewed current and upcoming projects

8. Review Proposed Hazard Mitigation Plan Update - *Mike*

De Roia reviewed the plan. A copy is included in the archive packet for this meeting. It is a collaboration with Columbia County and all the cities within the County. It boosts available funding when a disaster happens. It is updated every five years.

9. Review Proposed Job Description for Administrative Assistant - Parks & Recreation

Continued to tonight's meeting.

10. Strategic Action Plan Updates

Continued to tonight's meeting.

11. City Administrator Report

Continued to tonight's meeting.

ADJOURN – 4:01 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor

City of St. Helens
CITY COUNCIL

Executive Session Summary

July 21, 2021

Members Present: Rick Scholl, Mayor
Doug Morten, Council President
Patrick Birkle, Councilor
Stephen R. Topaz, Councilor
Jessica Chilton, Councilor

Staff Present: John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Bill Monahan, City Attorney
David Rabbino, City Attorney

Others: None



At 4:02 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

- **Consult with Counsel/Potential Litigation**, under **ORS 192.660(2)(h)**
 - Update on the litigation with Cascades Tissue.
- **Real Property Transactions**, under **ORS 192.660(2)(e)**
 - Update on potential sale of City-owned lots on 10th and 12th Streets.
 - Update on City-owned house off 12th Street and Old Portland Road.
 - Update on City-owned Millard Road property.

The Executive Session was adjourned at 4:39 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, July 21, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Patrick Birkle
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Tina Curry, Event Coordinator

OTHERS

Art Leskowich	Jane Garcia	Russ Low	Christina Sullivan
Brady Preheim	Jennifer Pugsley	Missie Low	Tommy Sullivan
Jill Gilbreath	Molly Matchak	Tammy Maygra	

CALL REGULAR SESSION TO ORDER – 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Peterson led the pledge of allegiance.

The Councilors read the Council Mantra.

VISITOR COMMENTS – *Limited to five (5) minutes per speaker*

- ◆ Jill Galbreath. There was a memorial plaque at the city docks for her grandfather, former Mayor Frank Corsiglia, since 1984. She has been researching archives to find information about the memorial. Her grandmother was given the option of renaming the McCormick Park Japanese Gardens or 6th Street Ballpark after him. He had a dream for the Waterfront and her grandmother chose the docks for placement of a plaque in his memory. The plaque was on a wooden base that rotted. It was removed when it broke, which was at the same time as construction in the park. She found it about a year ago and was told by Parks staff that it was going to be replaced. Now she's being told that it would have to be approved by Council to be re-mounted, which she is requesting.

Councilor Topaz reported that it was taken down by SHEDCO in 2010 because it was in poor condition. It would need to be removed from the plywood and re-mounted. He suggested mounting it on the lighthouse.

Mayor Scholl informed Jill that they will investigate it further and get it placed.

Jill thanked the Council and requested it be visible to her children.

- ◆ Brady Preheim. He complained about the meeting link being removed from the agendas. It took him a long time to find it on the website. He is unhappy with the way the ARPA funds are being spent, particularly the \$755,000 for staffing and building renovations at the Recreation Center. Council lied and said that no money was needed to refurbish that building. How much will be used to renovate the building?

Mayor Scholl explained that the building is sound, but the heating and A/C would be a part of that cost. It is an investment into our children and our community that meets the criteria of the funds. Brady argued that it is still money, which the Council said they did not need to spend. Mayor Scholl further explained that they did not have allocated funds that were available at the time that was said. Council President Morten added that General Fund money is not being spent.

Brady clarified that he wants to know what they are doing and how much they are spending. Councilor Birkle pointed out the ARPA request in the work session agenda packet lists the renovation at \$75,000.

Brady compared the tourism deficit to Black Friday. Businesses run on a deficit until they make a profit on Black Friday. Most of the tourism funds come from Spirit of Halloweentown in October. Tourism has always made money. There is no reason the Council should have concerns about that. If they have questions, they need to go to the tourism director and ask. He wants to see Council show respect and follow their Mantra. There are a lot more important things than tourism to be concerned about.

Mayor Scholl agreed that tourism is thriving.

- ◆ Tammy Maygra. The tourism director has done a remarkable job. It's also an opportunity to support non-profits during events. Years ago, the Council was very supportive and happy about what was happening with tourism. Now that it's going well, the Council wants to "cut her off at the knees." Councilor Birkle stated that \$75,000 from ARPA funds was to going to be used for the repair/renovation of the new Recreation building. How much money will be used on the two new staff members?

Brown referred to the ARPA report.

- \$75,000 Recreation building renovation
 - The HVAC system is 17 years old, so the intent is to earmark between \$15,000 – 17,000 for that project when it fails in the future.
 - The remaining funds will be earmarked for renovations that come up in the near future.
- Two staff positions are being recommended for Parks & Recreation
 - \$255,000 for an Administrative Assistant over the next three years
 - The job description is on tonight's agenda for approval.
 - The position will assist Parks & Recreation Manager Shanna Duggan with all the paperwork processing.
 - It is a permissible expense for youth programs with ARPA funds.
 - \$225,000 for a Recreation Specialist over the next three years
 - This position will be in charge of putting on youth programs all year.
 - \$200,000 for Library activities over the next two years
 - Aid in growing the Makerspace for youth

Tammy referred to a public records request for the Parks & Recreation Manager recruitment. There were about 29 applicants. Most of the applicants had a bachelor's degree and more experience than Shanna Duggan. Shanna did not have a bachelor's degree, nor the experience to run a big Parks and Recreation Department. Why did the City include those requirements and then hire someone that did not have any of the requirements? Now the City is hiring an assistant because she is overwhelmed. Maybe they should have hired someone that had the degree or the experience. It is still taxpayer's money.

Council President Morten requested time to investigate and provide a thorough response.

Brown clarified that the minimum requirements was a bachelor's degree and/or five years of experience in recreation or activity planning.

Councilor Birkle and Mayor Scholl acknowledged the excellent job Shanna has done as the Parks & Recreation Manager.

- ◆ Molly Matchak. She's owns Molly's Market. She opened 22 months ago on the day of the Halloween parade. She heard about 8,000 people were attendance. Her store opened at noon and closed at 7:20 p.m. because she ran out of everything. It was the best day ever for about a year. This past 4th of July, she broke a record because of tourism. Make it work and help it thrive. She loves her business and owns the building with her brother. Her brother owns a lot of real estate here. They are both invested. If Tina doesn't do this, who will take it on? People come from all over and talk about Halloweentown. There are businesses who can close for two months in the winter because they make so much money during October.
- ◆ Jennifer Pugsley. She owns 50 Plaza Square. How many times do they have to come before the Council in support of E2C Productions? She will continue to show up in support every time this comes up. No other aspect of the City is scrutinized this much. Could it just be a personality conflict? She loves the direction the City is going with Halloweentown and tourism. It is the City Council's job to fix what is broken and this is not broken.
- ◆ Russ Low. Sand Island has recently been the site of fist fights and people being injured. They are unable to get a police boat over there. There is also a squatter boat on Sand Island, that was recently kicked off the city docks, and had several police responses to it previously. There have been unsavory characters carried back and forth to that boat. What will it take for the City to enforce public safety on the Island? There's been a lot of gas siphoning around the marina. That was not happening in the past. Why can't they get police response on the Island?

Mayor Scholl explained that they had a presentation about this during the work session. The City does not have a police boat, only the County and State have one. Staff is continuing to investigate enforcement mechanisms.

Russ said he heard a gunshot on the north end of the Island. He made 13 attempts to call St. Helens Police Department at 503-397-333 and none of them connected. Mayor Scholl will check into that.

- ◆ Tommy Sullivan. He does not understand why they are going after tourism. They are saying that tourism is in a deficit. And they're also saying Parks & Recreation needs \$200,000+ to do what they need to do. How was the Parks & Recreation Department working before with what they had? Now we've hired someone else, and we have to hire more people to do the job that was already being done. He is requesting clarification.

Mayor Scholl explained that the previous position was only a Recreation supervisor in the past. It has a lot more responsibility and oversight now.

Tommy asked how much money Parks & Recreation has made compared to tourism. Mayor Scholl responded that those are both investments that the City should make. Council President Morten compared it to the education district. It isn't in the business to make money.

Discussion ensued about the program and needs. The Council is fiscally responsible to spend tax dollars wisely.

- ◆ Art Leskowich. He appreciates all the previous comments and everybody here that serves the community. He is struggling with understanding the process, how things are seen, and how it happens. Why are real estate actions approved on very short notice through Authorization for

Signature on the agenda? There was an article in the Chronicle a year ago about a marine business coming to St. Helens, bringing \$2-5 million annually. He was excited about it. The placement of the barges and tugboats was going to be a sublease. There were months of negotiations and executive meetings. Last month, there was another agenda item for an update to the lease. Why was there not a proper process for the lease agreement? That property was later determined as the most contaminated. How was that not known? Some of the things the City plans to do is atrocious.

ORDINANCES – Final Reading

- 1. Ordinance No. 3268:** An Ordinance to Annex and Designate the Zone of Certain Property at 35111 Six Dees Lane

Mayor Scholl read Ordinance No. 3268 by title for the final time. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Ordinance No. 3268. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 2. Ordinance No. 3269:** An Ordinance to Annex and Designate the Zone of Certain Property at 505 N. Vernonia Road

Mayor Scholl read Ordinance No. 3269 by title for the final time. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Ordinance No. 3269. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

RESOLUTIONS

- 3. Resolution No. 1927:** A Resolution Adopting a Hazard Mitigation Plan Update for the City of St. Helens and Superseding Resolution No. 1844

Mayor Scholl read Resolution No. 1927 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1927. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 4. Resolution No. 1928:** A Resolution of the St. Helens City Council, Amending the City Employee Compensation Plan for Fiscal Year 2021-2022

Mayor Scholl read Resolution No. 1928 by title. **Motion:** Motion made by Councilor Chilton and seconded by Councilor Birkle to adopt Resolution No. 1928. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 5. Resolution No. 1929:** A Resolution of the St. Helens City Council to Set Planning Department Fees

Mayor Scholl read Resolution No. 1929 by title. **Motion:** Motion made by Councilor Chilton and seconded by Councilor Birkle to adopt Resolution No. 1929. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 6. Resolution No. 1930:** A Resolution of the City of St. Helens, Oregon Authorizing Full Faith and Credit Financings and Providing for Related Matters

Mayor Scholl read Resolution No. 1930 by title. **Motion:** Motion made by Councilor Chilton and seconded by Councilor Birkle to adopt Resolution No. 1930. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 7. Resolution No. 1931:** A Resolution Rescinding Resolution Nos. 1878 and 1879, which Declared a Local State of Emergency in the City of St. Helens as a Result of the COVID-19 Pandemic

Mayor Scholl read Resolution No. 1931 by title. **Motion:** Motion made by Councilor Chilton and seconded by Council President Morten to adopt Resolution No. 1931.

Discussion.

Councilor Birkle thinks the County is continuing the state of emergency. They did not want to cut themselves off from possible additional funding sources. Is that a possibility? Mayor Scholl said it could potentially. Walsh agreed that it's possible, but it can be reinstated. Brown added that the ARPA and CARES ACT funds did not require agencies to be in a state of emergency.

Vote: Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

AWARD BID/CONTRACT

8. Award Storm Drain Abandonment & Structure Replacement Project to Turney Excavating, Inc. for \$49,500

Motion: Motion made by Council President Morten and seconded by Councilor Chilton to approve '8' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

9. Concession Agreement with Columbia River BMX for Racing and Concessions at McCormick Park
10. Agreement with Structural Nexus LLC for Structural Plan Review Services
11. Contract Payments

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '9' through '11' above.

Discussion.

Councilor Chilton asked if the BMX concessions will use the existing ballfield concession stand or build their own. Mayor Scholl responded that they already have one at the BMX track.

Vote: Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR ACCEPTANCE

12. Library Board Minutes dated May 10 and June 14, 2021
13. Parks & Trails Commission Minutes dated May 10 and June 14, 2021
14. Planning Commission Minutes dated May 11, 2021

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '12' through '14' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

15. Council Minutes dated June 2 and 16, 2021
16. Declare Surplus Property - Library Equipment
17. Request for Qualifications for Design-Bid-Build of New Public Safety Facility
18. Job Description for Administrative Assistant - Parks & Recreation
19. Accounts Payable Bill Lists
20. OLCC Licenses

Mayor Scholl pointed out the OLCC licenses that were added.

Brown explained the Administrative Assistant job description. A copy is included in the archive packet for this meeting. Parks and Recreation has recently been combined into one department. The Parks & Recreation Manager position has a number of tasks, including administrative meetings, meetings with community partners, etc. There is not enough time in the day to attend all the meetings and process paperwork. The Administrative Assistant will help process office paperwork, programing paperwork, etc.

Councilor Birkle questioned the RFQ for the Public Safety Facility. He was surprised to see it on the agenda since they have not made any final decisions or votes on exactly what the facility will be or the

cost. The RFQ includes a \$15 million construction cost estimate. Walsh explained that there's a contingency since they don't know the final cost. Brown added that the initial estimate received was the high option of \$15 million. He further reviewed the RFQ.

Motion: Motion made by Council President Morten and seconded by Councilor Chilton to approve '15' through '20' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

Habitat for Humanity Request

Mayor Scholl confirmed that the in-lieu-of sidewalk fee has been waived in the past. He likes what Habitat for Humanity does for the community. This is for a three-plex to help three families. They can't waive SDCs, but they can waive the sidewalk fee.

Discussion ensued.

Motion: Motion made by Councilor Birkle and seconded by Councilor Topaz to waive the sidewalk fee for the Habitat for Humanity project on S. 8th and Plymouth Streets. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

RFP for Tourism

Motion: Motion made by Councilor Chilton and seconded by Councilor Topaz to direct staff to bring back an RFP for Tourism Production Management and direct staff with continuing the Tourism Committee plans with involvement from this Council as they make changes to the Tourism Committee.

Discussion.

Council President Morten did not hear anyone speak against tourism tonight. There were a lot of positive comments about tourism. He appreciates their testimonies. When he joined the Council 14 years ago, there was a lot of conflict amongst the Tourism Committee. Walsh took it over as an administrative task. They have gone through RFPs twice and Tina came out at the top both times. Tourism is effective and efficient. He does not think there's really a need for an RFP at this time.

Councilor Topaz owns a business downtown and Halloweentown does not help him at all. Based on car count passing his business and parking on the street, he sees the crowds diminishing. There has been a lot of angst because the tourism company has closed streets. He has been part of SHEDCO and the tourism company did not play well with them. There was a comment made about how great the Plaza was on 4th of July. Judy Thompson put together the Plaza activities with Veterans and others. The biggest part of 4th of July this year was not tourism. They have a high-cost parking lot for the 4th that was ran by tourism. The businesses downtown are making money because of tourism. It does not help his business or others uptown. It does not bring the community together. They need to expand tourism to include more ideas. The fact that it isn't broke doesn't mean it doesn't need to be improved.

Councilor Birkle recalled that this was discussed in April. Asking questions, reviewing and evaluating programs from a broader basis, does not mean that someone is doing a bad job. Halloweentown, 13 Nights on the River, and 4th of July have all had an immense benefit on the businesses down in the Riverfront District. For years to come, the Council's attention is going to be focused on development of the riverfront. Businesses in the Houlton Business District, Highway 30, and elsewhere may also be benefitting. Where are the facts and figures? There is value in having real numbers. They do have an obligation to support all businesses. Just because it's not broken, does not mean it can't be improved. There are things in the contract that the City has not made sure are being followed through with. It's important for the City to know what is owned. The current contract does not reflect the plans for the future, such as 4th of July. What is the impact going to be on the money that is spent each month? This

is not an attack, and they are not out to get Tina. If she is the most qualified or the only candidate, then so be it. He supports the motion.

Councilor Chilton agreed that this is not a witch hunt or attack on anyone. This is a revamp of our tourism. She has a whole list of problems that need to be addressed. They need to review the contract, make amendments, and release an RFP. The best candidate will be selected.

Mayor Scholl does not think it's broken. He is not opposed to an RFP. If Council had issues with what was going on, they should have talked to Tina. Councilor Chilton responded that the questions she has could not be answered by Tina. This is not about Tina. This is not a personal attack. They need to do better with the oversight of tourism. Mayor Scholl referred to number six of the City Council mantra. It is their duty to encourage, champion, and recommend as necessary. Councilor Birkle responded that he chooses to communicate primarily through the City Administrator and City administration. Tina is not a City employee. She is a contractor. Mayor Scholl lives under terms that requires him to speak up when issues arise. Has there been anyone interested in taking over 4th of July? Councilor Topaz responded that he was approached by someone who wanted to take over the financing of it. He contacted Walsh. Mayor Scholl said that still leaves all the other 4th of July coordinating duties open. St. Helens takes Independence Day seriously. Again, for the record, he stated that he has nothing to do with it if 4th of July doesn't happen next year. He clarified that what people may perceive as "attacking" is not always the case. Sometimes he is simply trying to find out information. He apologized if that is the way it was perceived. Halloweentown is huge and he wishes it could include uptown. The State has made it clear that cities have to have a thriving downtown district to survive.

Councilor Topaz wants to see Halloweentown expanded. Doing the same thing every year does not encourage more people to attend. They must widen their horizons and get the whole town involved and invite citizen participation. Mayor Scholl responded that citizens do not want to get involved. They have tried and no one steps up. Only one guy wants to help and that's just financially.

Councilor Topaz reminded Mayor Scholl about the Maritime Festival and how much he helped with it. He tries to share his ideas but does not want to be heard. Topaz told Scholl that he just yells at them. Scholl disagreed that he was yelling. He was pointing out that citizens have not stepped up.

Vote: Yea: Councilor Birkle, Councilor Topaz, Councilor Chilton; Nay: Mayor Scholl, Council President Morten

Staff will bring back an RFP to Council for review.

STRATEGIC PLAN UPDATE

No update.

CITY ADMINISTRATOR REPORT

- 4th of July was a great show with a good turnout!
- Correction to Mr. Leskovich's testimony earlier about the Waterfront and pollution to the river. He is talking about the area on the industrial site and not down here. The City did not purchase the water or in-water piece. They lease the water space above it. They did not want to be responsible for the contamination in the river along the Channel. They worked with DSL closely to lease the property to the tugboat company. There was a miscommunication between DSL and DEQ, and DEQ retracted their approval. OfficeMax has been in discussions with DEQ on a voluntary cleanup program to make it usable in the future. The City is following the process to make sure they have a clean Waterfront.
- Tonight, they were supposed to have a Riverwalk review of the design alternatives for the Technical Advisory Committee. That has been postponed until August 4th.
- They found a large Columbia View Park sign in storage that they would like to put back up.

- Communications has decided to publish the e-Newsletter every two weeks to keep up with everything that is happening.
- There is a League of Oregon Cities (LOC) Conference in Bend in October. Many cities take their entire Council. Registration opens August 2nd, and the hotels fill up quickly.
- There was a presentation today on the N. 7th Street housing project.
- The Business Park infrastructure design is moving forward with the consultant.
- The Riverfront Street design is also moving forward with utilities.
- The Public Safety Facility is moving forward with steps made tonight.
- Wrapping up filming over the next few weeks for a documentary about the St. Helens Waterfront.
- Moving forward with Main Street.
- Return of Citizens Day in the Park on August 7th.
- Chief Greenway is requesting funds for the Police Awards Banquet.

Motion: Motion made by Mayor Scholl and seconded by Councilor Chilton to allocate \$500 for the Police Awards Banquet. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

MAYOR SCHOLL REPORTS

- Attending the Oregon Mayor's Association (OMA) Conference next week. It will be nice to be back in-person. It's very insightful and helpful. He looks forward to connecting and building relationships.
- A couple citizens were hit at the crosswalk at Don's Rental and Ace Hardware. He would like to request Public Works Director Zaher look at that location for a flashing crosswalk signal. Council concurred to direct Zaher to address it.
- He would like to see deer crossing signs at S. 4th Street and Old Portland Road. Council concurred to direct Zaher to address it.
- The city did not burn down on the 4th of July. Thank you to citizens and the Police Department for a job well done.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- The dedication of the new McCormick Park playground equipment from the Blazers Grant will be on August 7th at Citizens Day in the Park.
- The Friends of Parks programs have been very successful. He recognized Councilor Birkle and all the volunteers for their work to help with the program.
- The Parks & Trails Commission has been reviewing trail connectivity for pedestrians. He, Public Works Director Mouhamad Zaher, and Parks & Trails Commissioner Jerry Belcher walked the new proposal for the urban trail. The trail offers beautiful views, routes through business districts, and connects parks. It is going to benefit citizens and visitors. There is not a lot of cost involved to construct the trail.

Councilor Topaz reported...

- The Council hears visitor comments in the meeting. Some things said are true and some are not. He will defend their right to say what they want, even if they don't agree with what it.
- He read two documents into the record. A copy is included in the archive packet for this meeting.
 - Letter to his attorney from the Ethics Commission regarding the allegations Brown made against him. The Commission did not find cause to proceed with an investigation and the matter was dismissed.
 - Final Order of Dismissal from the Ethics Commission. The Commission voted to dismiss the matter.

- He briefly reviewed the 16-page report from the Ethics Commission, which was not submitted for the meeting record.
 - Walsh and Mayor Scholl both knew about the conditions Topaz spoke about when he asked a question at the Budget Committee meeting. They knew the geographic, geologic, and water drainage problems. Walsh said nothing and Scholl spoke against Topaz.
 - The question about ethics, did Topaz speak at a meeting that allowed public comment, yes. Therefore, what Topaz asked was not unethical.
 - Was the question asked by Topaz unethical? No. Topaz is part of a neighborhood class.
 - Will Topaz financially gain anything? No. No ethics violation.
- The Commission found no violations. The talk of the violations resulted in him being censored. Yet, nothing was done wrong.

Mayor Scholl pointed out that a private investigator was hired. Brown had nothing to do with the investigation. The Oregon Ethics Commission is a separate matter from the private investigation. The investigation was found to be sustained and true. Scholl agreed that he did call Topaz out at the meeting. He felt it was unethical for Topaz to ask for his stormwater project to be fixed.

Councilor Topaz argued that Mayor Scholl is wrong and continued to talk about his project. Mayor Scholl called Topaz out of order. Topaz argued that his freedom of speech was being taken away and walked out at 9:39 p.m.

Mayor Scholl clarified that when he calls a point of order that is the way it is. He resides over this meeting. If anyone has a problem with it, they can be dismissed and escorted out by Officer Edwards. He will use his authority when he must. He refuses to sit here and listen to lies and disruptions by Councilor Topaz. Topaz is trying to use an ethics complaint by an employee...the investigation was sustained.

Council President Morten reported that he has received quite a few calls from people talking about our lack of professionalism on the Council, including the demeanor and behavior. That is why the Mantra is read at the beginning of the meeting. The Council needs help when things like this happen. He read the City Council Team Agreement that was adopted on April 15, 2020. The Team Agreement and Mantra are guidelines for the Council to follow. Mayor Scholl responded that he will go back to a time limitation on visitor comments. He agreed with Councilor Topaz that people should have an opportunity to express their freedom of speech. But if mistruths are being spoken about the Council, he will call for a point of order.

Brady suggested Council specify what complaints with the Ethics Commissions does. As someone who has filed dozens of complaints with the Commission, you could literally commit murder on the Council, and they would do nothing. The Commission investigates if you violated executive session and they investigate whether you have personally been enriched financially. They will not look at anything else.

Councilor Chilton reported...

- Citizens Day in the Park planning meeting went really well. Casey Garrett and some brand-new citizens came. It was good involvement. She is excited about the plans for the car show.
- Attended the Riverwalk meeting. She is really excited to discuss that as a Council. There are beautiful things in the works and the riverfront will look completely different.
- She attended the Parks & Trails Commission meeting. That is a really well functioning committee. They listen to each other and share ideas.
- Her and her family went camping on Sand Island for the 4th of July. Staff is really nice there and they had a great time. The fireworks show was amazing.
- She attended the Columbia County Fair and Rodeo and had a great time. It was great to be out and see people again. Her daughter competed in the rodeo and won her competition for steer riding.

- She has some involvement in the Police Awards Ceremony. Planning begins next week.

Councilor Birkle reported...

- The Planning Commission met last week. The major topic was looking at the plans for the high school renovation. There are lots of things moving ahead. It's been 40 years since the last big construction project there.
- He followed up with Planning Commission Chair Dan Cary about the Council's decision. As a liaison, he did learn that it is important to communicate the Council's decision to the Commission when it's an appeal.
- He heard that one of the Planning Commissioner's partners was approached by one of the parties in the case, asking about the decision made. Another Commissioner was also questioned about the decision made. The Council needs to firmly state that they support the Planning Commission even if they don't always agree with their decisions. They do put a lot of work into serving. He does want to arrange a joint meeting with the Planning Commission.
- Commended the Library and Recreation staff on their response to the heat emergency. Staff adjusted work schedules to open the Library additional hours. The Recreation Center was able to open with staff and assistance from community partners. He hopes Council can address the need for these services in the future.
- Public Works did a great job responding to water main ruptures and repairing them in the 100+ degree heat.
- He talked about his tours of the Wastewater Treatment Plant and Water Filtration Facility.
- He has spent a lot of time talking to community members and visitors.
- He has been attending 13 Nights on the River, which gives him an opportunity to talk to more people.
- The new playground looks good.
- He had the opportunity to speak at the 4th of July bell ringing. The Oregon Secretary of State and Representative Brad Witt was in attendance.
- Council could have banned fireworks sales, but he is glad they did not. Citizens exercised safety.

OTHER BUSINESS

ADJOURN – 10: 07 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor