

City of St. Helens
Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 19th day of March, 2025 are the following Council minutes:

2025

- Work Session, Executive Session, and Regular Session Minutes dated March 5, 2025

After Approval of Council Minutes:

- Scan as PDF Searchable
- Make one double-sided, hole-punched copy and send to Library Reference
- Minutes related to hearings and deliberations get copied to working file
- Save PDF in Minutes folder
- Update file name & signature block on Word document & copy Word document into Council minutes folder in Shared Drive
- Upload & publish in MuniCode
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- File original in Vault
- Update minutes spreadsheet



COUNCIL WORK SESSION

Wednesday, March 05, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey
Councilor Mark Gundersen
Councilor Russell Hubbard
Councilor Brandon Sundeen

MEMBERS ABSENT

Council President Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Joe Hogue, Acting Police Chief
Matt Smith, Detective Sergeant
Kolten Edwards, Detective
Mouhamad Zaher, Public Works Director

Shanna Duggan, Recreation Manager
Sharon Darroux, Engineering Manager
Crystal King, Communications Officer
Mike De Roia, Building Official
Ashley Wigod, Contracted City Attorney
Peter Hicks, Contracted City Attorney

OTHERS

Steve Topaz Mitz
Brady Preheim Robyn
Lacey Tolles

CALL WORK SESSION TO ORDER – 3:00 p.m.

ANNOUNCE 2024 CITY EMPLOYEE OF THE YEAR

City Recorder Payne announced the 2024 Employee of the Year Award. She described the qualities of an exemplary employee and listed the 13 nominations received for six employees. Payne revealed that Communications Officer Crystal King was selected as the 2024 Employee of the Year. She highlighted King's career progression with the City since 2008 and read excerpts from her nomination submissions praising her skills, dedication, and positive impact. King received a certificate, an 8-hour paid day off, and \$100 in gift cards of her choice. Congratulations!

CLEARING CONFUSION AND SETTING THE FACTS STRAIGHT

1. Clarification Memo to Public Comments Received on February 19, 2025

Mayor Massey reviewed a clarification memo addressing public comments received on February 19, 2025. The memo covered three main points:

1. Public Comment During Meetings: Mayor Massey clarified that Oregon law does not require City Councils to provide public comment opportunities during most work sessions or regular sessions. She referenced the City Council Operating Rules regarding visitor comments.

2. Public Meeting Laws and Transcription Accuracy: Councilor Sundeen explained that public meeting laws do not require verbatim transcription. He outlined the minimum requirements for written minutes or recordings of meetings.
3. Public Safety Fee Increase on the City's Utility Bill: Mayor Massey stated that the City Council has not taken action to increase the Public Safety Fee on the City's utility bill at this time, despite previous discussions.

Mayor Massey noted that this information would be uploaded to the City website for public reference.

VISITOR COMMENTS - *Limited to three (3) minutes per speaker*

- ◆ Steve Topaz. Expressed concerns regarding the limitations placed on public comments during City meetings. He noted the reduction in opportunities for public input, highlighting a shift to later meetings and less time allowed to speak. Public comments have now moved to the end of regular sessions, which he argued minimized the effectiveness of community feedback since comments made after an issue has already been voted on have no impact. Topaz further emphasized that freedom of speech should allow for all manners of speech, including praise and criticism, to be heard, even if not accepted. He also challenged the legal basis for some State laws, referencing his experience with State and Federal Court decisions. Additionally, Topaz raised questions regarding the Council's criteria for defining a news media outlet, emphasizing that such determinations should not be up to the Council, as it could lead to biases regarding which entities are recognized as legitimate media representatives.
- ◆ Brady Preheim. Criticized Mayor Massey for not apologizing to City Administrator Walsh, highlighting previous remarks she made about not trusting Walsh, accusing him of being overpaid, and even suggesting his removal on her first day. Preheim emphasized the need for an apology to Walsh, adding that despite various mistakes, he never blamed Walsh for not fulfilling Council directions, which he placed responsibility for on the Council members themselves. Preheim also questioned why Councilor Sundeen was not involved in bringing forward the agenda item on the Police Chief vacancy, considering Sundeen's position as the Police Commissioner. Furthermore, Preheim challenged the accuracy of the Council's public statements that they had not taken action on raising utility bills, arguing that recorded meeting discussions revealed a detailed plan to increase the utility bill to \$25. He highlighted the problematic nature of a previous statement where Council members indicated an intention to impose the fee despite any public opposition to the levy, suggesting this as a reason the levy did not pass. He concluded by urging the Council to correct their public records and acknowledge the discussions recorded in previous meetings regarding raising the utility bill.

DISCUSSION TOPICS

2. Recreation Program Semi-Annual Report - *Recreation Manager Shanna Duggan*

Recreation Manager Duggan presented a semi-annual report on the City's Recreation programs. She highlighted key statistics, including 148 registered programs and 83 youth in daily care. Duggan discussed ongoing goals, partnerships, funding sources, and grant opportunities. She emphasized the program's impact on the community and its focus on balancing free and fee-based activities. Council members expressed appreciation for the program's success and asked questions about staffing, volunteerism, and future plans.

3. Review Draft Staff Monthly Report Template and Draft Staff Report (Item Specific) Template - *City Administrator John Walsh and City Recorder Kathy Payne*

City Administrator Walsh and City Recorder Payne presented draft templates for staff monthly reports and item specific staff reports. The Council discussed the proposed formats and suggested additions such as including information on grants, funding opportunities, key issues, challenges, and completed projects. They agreed to revisit the topic at a future meeting after getting staff input and refining the templates.

4. Schedule Special Session Date to Finalize Road Map and Council Governing Policy - *Mayor Massey*

Mayor Massey proposed scheduling a special session to finalize the Council roadmap and Governing Policy. After discussion, the Council tentatively agreed to hold the roadmap session on March 18 at 3:00 p.m. They decided to address the Governing Policy separately due to scheduling conflicts with the contracted city attorney.

5. Report from City Administrator John Walsh

- The retirement of Public Works Construction Inspector Tim Underwood
- The Reservoir Site Selection Study RFP
- An upcoming update on the Central Waterfront project
- Extension agreements with Arcadia
- Plans for 13 Nights on the River
- Progress on the police station site
- Dock Repairs RFP
- Business promotion campaign for the downtown area
- Infrastructure funding request to senators
- Plans for the grand reopening of the Riverwalk and Streets and Utilities Project
- Exploration of timber insurance for the Salmonberry property
- The upcoming Chamber banquet

RECESS – 4:08 p.m.

EXECUTIVE SESSION – 4:31 p.m.

- Consider Employment of an Employee, under ORS 192.660(2)(a)
- Real Property Transactions, under ORS 192.660(2)(e)
- Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)

RECONVENE – 5:15 p.m.

Upon returning to the work session, Mayor Massey clarified that the Council did not discuss the consideration of employment of employees under ORS 192.660(2)(a) in executive session as originally planned.

DISCUSSION TOPICS – CONTINUED

1. Discussion of Police Chief Vacancy - *Councilor Gundersen*

Mayor Massey declared a potential conflict of interest regarding the police chief vacancy discussion due to her husband being a St. Helens Police Officer.

Contracted City Attorney Hicks joined the meeting remotely to provide guidance on the process for appointing a new police chief. He recommended offering an interim contract to Acting Chief Hogue for a six-month period, allowing for a comprehensive evaluation and vetting process. Hicks emphasized the importance of having an interim contract to outline the expectations during this period and to set the stage for a formal decision regarding Hogue's permanent appointment. The Council discussed the merits

of this approach, considering the need to address foundational issues in the Governing Policy and evaluation procedures. It was highlighted that an interim period would also allow time for implementing necessary changes in the evaluation process and governing policies to ensure consistency in future appointments.

Councilor Gundersen expressed confidence in Hogue, noting his leadership and longstanding service to the community and described his past actions in stepping up to fill leadership gaps even before stepping into the interim chief role. Council members discussed the intricacies of the interim contract, such as ensuring it was clear about the performance and feedback mechanisms in place, including a potential 360-degree review to fully assess Hogue's effectiveness and fit for the role. Additionally, they considered how a consistent process could be applied for future appointments, aiming to correct any past procedural flaws. There was consensus that a non-rushed, methodical process would provide the necessary transparency and accuracy in assessing if Hogue's role could transition from interim to permanent.

The Council also deliberated on whether a public job posting would be required if they proceeded directly to an appointment without the interim stage. Walsh indicated that typically, internal recruitments do not require external postings unless the procedure for this position differs. The Council sought further legal advice on this point to ensure compliance with any required processes. A motion was proposed: To appoint Joe Hogue as the interim chief of police subject to the terms and conditions of a mutually agreeable employment agreement.

This motion was introduced with the understanding that it would be refined according to additional legal counsel and insights before being formally enacted at the evening meeting. The intention was to guarantee that the employment agreement aligns with both legal guidelines and the City's strategic needs, while also reflecting Hogue's commitment to the community and his qualifications for the chief's position.

ADJOURN – 5:46 p.m.

Respectfully transcribed by ClerkMinutes and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Jennifer Massey, Mayor

City of St. Helens CITY COUNCIL

Executive Session Summary

March 5, 2025

Members Present: Jennifer Massey, Mayor
Mark Gundersen, Councilor
Brandon Sundeen, Councilor
Russell Hubbard, Councilor

Members Absent: Jessica Chilton, Council President

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder

Others: Ashley Wigod, City Attorney with Jordan Ramis PC
Chris Dolan, City Attorney with Jordan Ramis PC
Peter Hicks, City Attorney with Jordan Ramis PC
Kailyn Cassidy, Columbia County Spotlight



At 4:31 p.m., Mayor Massey opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call. Other than Labor Negotiator Consultations, representatives of the news media, designated staff, and other persons as approved shall be allowed to attend the Executive Session. All other members of the audience are asked to leave the Council Chambers. 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.

- **Consider Employment of an Employee, under ORS 192.660(2)(a)**
 - Nothing was discussed under this provision.
- **Real Property Transactions, under ORS 192.660(2)(e)**
 - Nothing was discussed under this provision.
- **Consult with Legal Counsel & Potential/Pending Litigation, under ORS 192.660(2)(h)**
 - Update on mediation/litigation with E2C Productions.

The Executive Session was adjourned at 5:04 p.m.



ATTEST:

Kathy Payne, City Recorder

Jennifer Massey, Mayor

An audio recording of this meeting is archived at City Hall.



COUNCIL REGULAR SESSION

Wednesday, March 05, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey
Councilor Mark Gundersen
Councilor Russell Hubbard
Councilor Brandon Sundeen

MEMBERS ABSENT

Council President Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Joe Hogue, Acting Police Chief
Ashley Wigod, Contracted City Attorney

OTHERS

Reed Hjort
Brady Preheim
Jenni Gilbert
Ashley Christner
Mitz
Roger

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

PLEDGE OF ALLEGIANCE

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

1. Agreement with Black and Veatch to Develop a Project Implementation Plan for pH Compliance Requirements for the City's National Pollutant Discharge Elimination System (NPDES) Permit

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '1' above. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

2. Contract with HASA, Inc. for Bulk Sodium Hypochlorite for the Wastewater Treatment Plant

Motion: Motion made by Councilor Gundersen and seconded by Councilor Sundeen to approve '2' above. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

CONSENT AGENDA FOR APPROVAL

3. City Council Minutes dated January 15, February 18, and February 19, 2025
4. OLCC Licenses
5. Staff Monthly Report Template and Staff Report (Item Specific) Template

6. Accounts Payable Bill Lists

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '3' through '6' above. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

WORK SESSION ACTION ITEMS

Date for Special Sessions

The Council engaged in a detailed discussion to determine dates for future Special Sessions, ultimately deciding that Peter Hicks would be able to meet on March 17 at 5:30 p.m. for a session focused on the Council Governing Policy. Additionally, the Council confirmed a Strategic Plan session scheduled for March 18 at 3:00 p.m. to further discuss a roadmap.

Police Chief Vacancy

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to appoint Joe Hogue as an Interim Chief of Police, subject to the terms and conditions of a mutually agreeable employment agreement.

Councilors Gundersen, Hubbard, and Sundeen supported appointing Hogue as Police Chief and acknowledged the work he has done. Discussion ensued with some members emphasizing the need for a swift resolution to provide stability to the Police Department, while others underscored the necessity of thorough due diligence and compliance with legal advice.

Throughout the debate, there was a unanimous acknowledgment of the exemplary work Hogue has accomplished since taking on the interim role in October. His leadership had already brought a positive shift within the Police Department. With these contributions in mind, members discussed the importance of having an employment agreement drafted under Akin's guidance, to be finalized once the City's Governing Rules and evaluation protocols were clearly outlined.

A notable point of deliberation was whether the position would necessitate public posting. The Council expressed the need to clarify this requirement to ensure compliance with employment regulations. Additionally, the concept of retroactive pay for Hogue's tenure as acting chief was broached, emphasizing the recognition of his ongoing efforts. This element, among others, was designated for inclusion in the employment agreement, set to be ratified later.

Council reached a consensus with a collective commitment to both immediate action and due process.

Vote: Voting Nay: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

Contracted City Attorney Wigod presented a suggested motion based on discussion.

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to appoint Joe Hogue as an Interim Chief of Police for six months, subject to the terms and conditions of a mutually agreeable employment agreement, and the City may permanently hire the Chief at any time during the term of the contract. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

COUNCIL MEMBER REPORTS

Councilor Sundeen reported...

- Parks and Trails Commission activities
 - Upcoming cleanup at Nob Hill Nature Park on April 5
 - Interviews for an open position
- Recent Police banquet, expressing appreciation for the Police Department and Acting Chief Hogue

Councilor Gundersen reported...

- Planning Commission meeting next week
- Joint Planning Commission and City Council meeting next week
- Satisfaction with the progress of the Waterfront development project

Councilor Hubbard reported...

- Project Arcadia moving forward
- Upcoming meeting with a developer regarding the Waterfront

MAYOR MASSEY REPORTS

- Thanked staff for their preparation
- Applauded Council members for professionalism and dialogue
- Expressed excitement for upcoming projects:
 - Waterfront development
 - New police station
- Mentioned a scheduled meeting with a developer
- Noted positive feedback from citizens about the Waterfront project

VISITOR COMMENTS – *Limited to three (3) minutes per speaker*

- ◆ Brady Preheim. Raised significant concerns over perceived ethical issues related to Mayor Massey's involvement in discussions about appointing the police chief. He criticized what he saw as unethical behavior, stating that the executive session was live-streamed and that Mayor Massey's behavior was, in his view, inappropriate. Preheim argued that Mayor Massey should recuse herself from anything related to the police chief appointment due to her involvement in a damaging report concerning her and her husband. He urged the Council to make an immediate decision to appoint Acting Chief Hogue permanently, expressing his belief that not doing so was also unethical.
- ◆ Jenni Gilbert. Echoed Preheim's concerns regarding ethical issues with the Mayor's participation. She noted that she had contacted the Ethics Commission about the situation, who reportedly suggested that there might be serious legal implications for the City. Gilbert expressed appreciation for some Council members like Councilor Gundersen, highlighting their efforts to uphold standards. She asserted her belief in the necessity for a public posting of the police chief position, suggesting this might be a legal requirement. Gilbert warned the Council to be cautious of certain behaviors by Mayor Massey and proposed that, under other business, the Council should appoint Chief Hogue immediately.
- ◆ Adam St. Pierre. Emphasized the importance of substantiating statements with evidence when making any claims. He remarked that he had observed attorney involvement in other local Council meetings similar to this setting, noting this as a commonplace occurrence. St. Pierre also thanked the Council for their diligent work and mentioned that he found starting meetings on a positive note appealing. However, he expressed a preference for public comments to be scheduled earlier in meetings, arguing it would enable citizens to provide input on agenda items before decisions are made.

OTHER BUSINESS

ADJOURN – 7:38 p.m.

Respectfully transcribed by ClerkMinutes and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Jennifer Massey, Mayor