City of St. Helens

Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 5th day of March, 2025 are the following Council minutes:

2025

- Work Session, Public Hearing, and Regular Session Minutes dated January 15, 2025
- Special Session Minutes dated February 18, 2025
- Work Session, Executive Session, and Regular Session Minutes dated February 19, 2025

After A	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
	Email minutes link to distribution list
	Add minutes to HPRMS
	Add packet and exhibits to HPRMS
	File original in Vault
	Update minutes spreadsheet



COUNCIL WORK SESSION

Wednesday, January 15, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey Council President Jessica Chilton Councilor Mark Gundersen Councilor Russell Hubbard Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Joe Hogue, Acting Police Chief
Suzanne Bishop, Library Director

Jacob Graichen, City Planner
Gloria Butsch, Finance Director
Amy Lindgren, Municipal Court Judge
Nolan Cochran, TMDL Coordinator
Ashley Wigod, Contracted City Attorney

OTHERS

Steve Topaz Brady Preheim Ron Trommlitz
Robyn Toschi Steve Toschi Jane Garcia
Wayne Mayo Adam Michelle Millar
Mitz Marci Sanders Richard Mason
Jenn Michelle Stephanie Patterson

CALL WORK SESSION TO ORDER - 2:00 p.m.

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

- ♦ <u>Steve Topaz</u>. Recommended a town meeting to review 2024 construction projects, changes during construction, issues with toxic material removal, and findings affecting future Waterfront projects. He also requested Executive Session minutes on the Police Chief's removal, a forensic audit of City finances, and the project management qualifications of City Administrator Walsh and Associate Planner/Community Development Project Manager Jenny Dimsho.
- Ron Trommlitz. Wanted the media to investigate the City's actions in the 2-million-gallon reservoir rehabilitation failure and the City Administrator's handling of the W-449 contract, noting he had not received the City Attorney's billed amounts for work on the W-449 contract as requested. He believed the City Administrator and School Board Superintendent were withholding information from the public.
- Robyn Toschi. Wanted increased transparency and accountability under the new City leadership. She asked that Council ensure members of the public are not bullied for making records requests; forego the final reading of Ordinance No. 3306 and instead design Building Code around architectural standards; and restore the plan for the Millard Road property to the original 64 single-family homes on R-10 lots. She also asked to be considered for all future ad-hoc committees.

- Steve Toschi. Stated that Ordinance 3306 contradicted the City's goal of prioritizing economic prosperity. He discussed the Planning Department's change to the Millard Road property plan from a 64-lot development to 90 mobile homes, noting the State's mandate for manufactured homes. He claimed Rick Scholl had violated the law by failing to disclose his financial interest in Ordinance 3306 and noted local high school students were protesting ethical concerns. He urged Council to reject Ordinance 3306 and to initiate Urban Renewal and Budget Committee meetings immediately.
- Brady Preheim. Said the investigation into a scandal involving the Police Chief and Mayor Massey would not be stopped by the Police Chief's resignation. Mayor Massey should apologize to City Administrator Walsh or fire him like she said she would. Chief Hogue should be hired as the permanent Police Chief. He supported the request for Tammy Maygra to attend Executive Sessions as a member of the news media, and he made suggestions for amending the Chronic Nuisance Ordinance.

COUNCIL ASSIGNMENTS

Council President Chilton accepted assignment to the Administration Department, Community Development Department, and Public Works Department.

Councilor Sundeen accepted assignment to the Police Department and Parks and Trails Commission.

Councilor Gundersen accepted assignment to the Planning Commission, Administration Department, and Columbia River Fire and Rescue.

Councilor Hubbard accepted assignment to the Planning Commission and Administration Department.

Mayor Massey accepted assignment to the Administration Department, Public Works Department, Library Department, Library Board, Community Development Department, and Tourism.

DISCUSSION TOPICS

1. Municipal Court Semi-Annual Report - Judge Amy Lindgren & Prosecutor Sam Erskine

Judge Lindgren presented her report, noting an increase in prosecuted crimes and violations compared to previous years and uncertainty over whether crime rates had risen, or police investigations had intensified. She noted the potential for dedicated traffic officers, which could qualify for grant funding. Addressing Jail finances, she stated that Sheriff Pixley doubted sufficient cuts could be made to sustain operations. The plan involved increasing Federal Marshall inmate beds while reducing or eliminating space for local offenders to maintain Jail operations without personnel cuts.

Acting Police Chief Hogue added Sheriff Pixley had offered to meet with Council about the upcoming changes occurring in March in response to Jail finances.

Judge Lindgren said she planned to meet with Sheriff Pixley and Acting Police Chief Hogue about finding ways to manage the issue, namely finding a holding space either permanently or at a daily rate. Failure to address Jail operations could threaten public safety, such as seen with increased crime in Oregon City and Gladstone where the jails did not have space to hold offenders. She described the positive impact the Jail had on the St. Helens community since people knew they would be held for crimes or not appearing. She confirmed without local holding cells, offenders would be booked and released, though overnight holds would still be required in the case of domestic violence. She can provide a graph showing violation and crime comparisons over the last few years. She recommended going to the Police Department for data regarding the types and locations of calls and added that the Police had implemented the electronic citation system which would hopefully improve officer safety. She clarified that both the Municipal Court and Circuit Court had received aid and assist cases, and described the conditions for

those cases being dismissed, noting the evaluations to continue prosecuting those cases were very expensive.

2. Planning Department Fee Schedule Update - City Planner Jacob Graichen

City Planner Graichen stated the proposed fee schedule would be adjusted to include a line item in response to Senate Bill 1537 Section 38 which allowed developers to seek Administrative-level Variances rather than going through the Planning Commission, with up to ten adjustments allowed per eligible project and no Code amendment required. Applications for Administrative Variances for eligible projects could begin this year, and he described multiple ways the Variances could be applied. Resolution 2035 would be on the agenda for the regular session tonight.

3. Request to Proceed with Adoption of Economic Opportunities Analysis and Water, Storm Sewer, and Sanitary Sewer Master Plans into the Comprehensive Plan - City Planner Jacob Graichen

City Planner Graichen stated the City had received a grant to update the Economic Opportunity Analysis (EOA), which had not been updated since 2009. He noted the EOA would be integrated into the Comprehensive Plan along with the currently adopted Water, Sanitary Sewer, and Stormwater Master Plans.

4. Discussion of Ordinance No. 3306 - City Planner Jacob Graichen

City Planner Graichen reviewed the amendments to Ordinance No. 3306, noting the State had mandated allowing manufactured prefabricated structures, but provisions were also included in the ordinance for single-room occupancy (SRO) and multifamily housing. He gave background on the residential Code amendments, the State mandate to allow duplexes, and the existing City Code allowing a duplex or two detached units interchangeably. The idea was to apply multifamily housing standards to all developments of three units or more, regardless of the units being attached or detached. He noted applying multifamily housing standards would not change the density requirements or create micro-lots and the standards would only be applicable where multifamily housing was already allowed.

Council and staff discussed the complexities of Ordinance 3306, touching on the topics of maintaining the parking requirement of one parking space per rented room except in the downtown and Houlton St areas; the potential impacts of multifamily developments and SROs on street congestion; considering the application of multifamily standards to SROs; the lack of regulations for SROs and the need for more tools to address community issues and compliance; facilitating Fire Marshall and Building Division safety inspections for SROs; and SROs as a potential solution for homelessness.

City Planner Graichen talked about the complexity of aligning St. Helens' Code with State mandate to allow manufactured homes/prefabricated structures, with one potential exception being manufactured homes/prefabricated structures were not allowed in historic districts or near historic landmarks.

Council expressed concern about the potential for manufactured homes outside of mobile home parks having negative impacts on surrounding property values and it was suggested that the ordinance could be configured with strict provisions.

City Planner Graichen explained that the City would have to allow the siting of manufactured homes and prefabricated structures on all land zoned to allow development of single-family dwellings. If clear language were put into the Development Code stating manufactured homes were not allowed in St. Helens outside of a trailer or manufactured home park, the Code would then be forwarded to the Department of Land Conservation and Development (DLCD) to be checked for compliance with the State. If the Code was not sent to DLCD and the City was faced with a challenge, the issue could potentially be appealed to the State and reversed, and the City would have to allow the use and would also be liable for attorney fees. He clarified that the mandate applied only to manufactured homes made after 1976, not mobile homes or trailers

Contracted City Attorney Wigod noted other cities across the State were affected by the mandate and had to update their Codes. She could ask a land-use attorney for advice regarding options for designing land-use rules for manufactured homes in the city while complying with State law.

Council and staff discussed the poor vision for economic vitality within Ordinance No. 3306, and the concern that City architecture would be defaced by manufactured homes and people could be deterred from choosing to live in St Helens. Calling upon neighboring cities who were struggling with the mandate to see how they were responding could be helpful. Support was expressed for the mandate to allow mobile homes and trailers in manufactured home parks.

City Planner Graichen shared maps of the historic district and landmarks in St. Helens. He stated around 5,000 property owners were sent a notice regarding SRO allowance to prepare the way for imposing additional regulations and providing defense against potential challenges. A special notice was also sent specifically to residents in the highway commercial zone to set a cap of no more than two units per lot.

City Planner Graichen recommended that Council reject Ordinance No. 3306 and provide direction to make a new ordinance with the desired components, noting staff appreciated any work that could be salvaged. He outlined the four separable components of Ordinance No. 3306:

- Rules for multifamily detached units.
- Rules regarding manufactured prefabricated structures which were required by State law but could be delayed.
- Rules regarding SROs which could be removed but would leave the Code silent as to SROs while the State could potentially remove parking requirements from SROs.
- Basic housekeeping items and the highway commercial zoning density cap.

5. Review of Final Partition Plat for OYO Hotel/Village Inn - City Planner Jacob Graichen

City Planner Graichen reviewed the Final Partition Plat for the OYO Hotel and Village Inn. The Mayor's signature was required to accept the right-of-way dedication along Brayden Street because it did not meet the minimum width standard due to building location. He confirmed there was an entrance on Highway 30 and both adjacent parcels had access to Brayden St consistent with access management practices. He noted Highway 30 was a major arterial road, and the goal was to ensure a secondary road was available.

6. Discussion regarding Adoption of a Chronic Nuisance Premises Code (Beaverton's Code attached)

Wayne Mayo stated Beaverton's Code 1040 worked well as a tool for the Police and landlords who were stuck with tenants creating chronic nuisance problems, especially in low-income housing, despite multiple Police calls.

Mayor Massey had researched the topic of chronic nuisance premises in other municipalities due to being aware of a specific apartment complex which was a very frequent location for law enforcement calls, with no ramifications for repeat calls. A nuisance ordinance would provide landlords with a tool to be able to weed out and choose tenants.

Wayne Mayo explained nuisances were often criminal in nature. Most of the ordinance language was options for the judge to either give more leeway or raise fines in the case the landlord was complicit in the nuisance. He explained people were not usually afraid to call the Police, but the ordinance would give the landlord the opportunity to go before a judge to get rid of tenants who caused serious problems. He confirmed under the ordinance, tickets with fines would be written to the landlord beginning on the fourth Police call and additional fines applied for repeat calls within a certain period. The judge would have the ability to increase or decrease the fines based on the circumstances, and the nuisance ordinance would be applicable to non-profit establishments. Beaverton had been using these ordinances with

success to address situations where Police were being called to the same housing complex ten times per day. This ordinance gave Officers the option to either issue a citation or report the nuisance to Code Enforcement.

Contracted City Attorney Wigod talked about the effectiveness of nuisance ordinances and highlighted the importance of communicating with property owners to solve repeat offenses. She recommended working with Beaverton staff to see what they liked or did not like in implementing their Code, and she would work with City staff on creating the new ordinance.

City Administrator Walsh explained the administrative aspects of nuisance ordinances were likely handled through Code Enforcement in other cities. He noted he did not want people to be deterred from calling the Police.

Wayne Mayo explained a judge would make the right decision case-by-case and a single mom experiencing domestic violence would not likely be given a citation. He suggested contacting Beaverton Police to see if the fine was affecting how people were responding to law enforcement. He agreed to provide a highlighted copy of the ordinance to Wigod.

Acting Police Chief Hogue talked about repeat Police visits being made in response to domestic violence. An ordinance with the right wording could be very effective, but he agreed the messaging could be misinterpreted in cases where Police calls could incur fines. The ordinance applied well to drug dealing and fights, but dwellings with families required careful consideration. He noted security alarms each had a permit, and the permit number was documented when Police calls were made to be used later for billing.

Council discussed repeat issues with false alarms which cost time and effort from Staff and Police. Hopefully, a progressive fee schedule would motivate businesses to address with repeat false alarms. The City could draft an ordinance with the right messaging in collaboration with the City Attorneys and the Police who could help create enforcement based on issues they saw in the community. It was important to ensure people were not afraid to call the Police, as well as being able to remove tenants who were causing a nuisance. It was mentioned that this topic had been discussed at the recent League of Oregon Cities meeting, and that fining landlords put pressure on housing complexes to practice good management and tenant selection

Hogue suggested creating a notification system to inform landlords how to follow up about Police visits. He agreed to look at other municipality's ordinances to consider potential concerns from the Police Department. He noted it would be good to have someone act as liaison between apartment complex management and Police Officers, and confirmed Police Officers were asked to serve on a lot of committees. He had seen a presentation from Police in Corvallis about creative strategies to fine owners of student housing who lived somewhere else, and he would reach out to the Corvallis Police to get more feedback.

7. Consideration of Application from Tamara Maygra of Odd Friday Talk Radio & St. Helens Update to Qualify as a Representative of the News Media to Attend Council Executive Sessions

Contracted City Attorney Wigod stated the Attorney General had amended the guidance for designating news media representatives attending Executive Sessions, and she advised postponing further news media representative decisions until she could review the new rules and provide guidance to Council. Ms. Maygra had been notified the application would not be reviewed until she could go over the rules.

8. Discussion regarding Meeting Schedule

Mayor Massey proposed holding two meetings per month alternating between City Council work sessions and regular sessions, with any urgent decisions to be made via Special Session. This schedule would allow time between the work sessions to do research and validate the information before making a

decision at the regular session and may reduce impact to staff preparing packets for meetings. She also suggested changing to an evening start time for meetings. She clarified that Council could address the same number of items by starting earlier to dedicate more time to work sessions. Proactive planning could ensure items still made it onto the agenda. Holding later work sessions could allow working people to attend meetings and stay informed.

Councilor Sundeen stated meetings were difficult to attend at 2 p.m., and more citizens and students could attend if meetings were held at a different time.

City Administrator Walsh noted cities that did not do work sessions had longer meetings to cover the same information. The current model was somewhat exhausting and took a lot of staff time, but Council may not want to lose the second regular session per month as decisions needed to be made at a regular cadence.

City Recorder Payne noted the proposed schedule may make preparing packets a little easier, but the same number of items would be involved. She talked about the impacts of operating in a City Administrator form of government where most decisions were taken to Council. She encouraged keeping a consistent meeting start time to avoid having to send notifications and suggested bringing the meeting schedule proposal to department heads to discuss the possible impacts of having longer between meetings.

Council continued to discuss possibly changing the schedule for meetings with the hope to relieve staff burden and better accommodate Council, noting schedule decisions could be discussed at the Strategic Planning session and modified as needed. For now, moving the start time one hour later would make it easier for Councilor Sundeen to attend meetings.

City Administrator Walsh stated putting two agendas together for one meeting could be too much information and could potentially cause project delays. He explained that an item being on the agenda did not obligate Council to vote on matter, though he acknowledged some matters were time sensitive. He proposed amending Council Operating Rules to change the work session time to 3 p.m.

9. Report from City Administrator John Walsh

City Administrator Walsh reviewed his report with comments and questions from Council and staff as noted:

- Waterfront Redevelopment District work was in progress with concrete going down in the plaza today.
- Public Works had replaced a water main valve at the S 1st Street/St. Helens Street intersection and now a contractor would put in a full concrete intersection, closing the intersection and rerouting traffic through River Street and out onto 2nd Street.
- Treadway had removed Christmas decorations and were working toward future events including 13 Nights and Independence Day.
- The lease agreement for the Masonic building would be on tonight's regular session agenda.
- Treadway was interested in taking over the administrative aspects of Citizen's Day in the Park which
 had been a huge burden on staff. Citizen's Day in the Park was not in the original contract with
 Treadway so the contract may require adjustment.
- He had met with Interim Superintendent Steve Webb and Acting Police Chief Hogue about the School Resource Officer position. The School District was asked to be the first to approve the intergovernmental agreement about the School Resource Officer, which will then come to Council for approval. The School District will discuss funding the School Resource Officer on January 22, 2025.
 - Acting Police Chief Hogue confirmed the IGA would begin at the start of the next school year. He
 explained getting a lateral hire would still require onboarding and training, or a local Officer may
 be interested in the position. He noted during the summer the School Resource Officer could do
 patrol or participate in summer camps. He hoped to recommend some job description language
 changes to define the new position.

- Mayor Massey recalled a presentation given by Police Officers at the library three years ago about the dangers of drugs, and the presentation was very well received by the community. She hoped the program could be presented again to educate the public.
- Council President Chilton noted the Public Health Department may be willing to participate.
- Hometown Heroes banners would be added to the downtown summer banner series.
- He met with the Police Station design team. The Gable Road site had become more complicated than
 anticipated and neighbors had been vocal about site suitability. The survey, Geotech, and
 environmental study had already been completed for the Gable Road site, and he listed alternative
 sites for the Police Station.
 - Council was interested in going back to the Planning Commission with a site selection process at a special meeting on February 5, 2025.
- Consultants would present an update on the Central Waterfront project on March 5, 2025, or March 19, 2025, to talk about the status of the lagoon, the findings of the report, and the potential options for the project moving forward.
- Project Arcadia was moving forward but was delayed due to an indemnification agreement. The City
 was working with them to get the Title 5 Air Quality permit boiler permits, and the other required
 permits. An extension agreement would be coming out by the next meeting and Arcadia would begin
 paying for the utilities beginning February 1, 2025. Office Max had remained unresponsive.
- He met with department heads, supervisors, and some staff members and everyone took the DISC
 personality assessment and participated in a team building exercise and talked about the state of the
 City. The team building was excellent, and he would like to do that exercise with the entire staff. He
 described the steps of the team building exercise where groups were separated by personality type.
- The Strategic Planning meeting would be held on January 31, 2025 from 10 a.m. to 4 p.m.
- No executive session would be held today.

ADJOURN - 4:20 p.m.

EXECUTIVE SESSION - None

Respectfully transcribed by ABC Transcript Recorder.	ion Services LLC and submitted by Lisa Scholl, Deputy City
ATTEST:	
Kathy Payne, City Recorder	Jennifer Massey, Mayor



COUNCIL PUBLIC HEARING

Wednesday, January 15, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey Council President Jessica Chilton Councilor Mark Gundersen Councilor Russell Hubbard Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator Kathy Payne, City Recorder Lisa Scholl, Deputy City Recorder Jacob Graichen, City Planner Joe Hogue, Acting Police Chief Suzanne Bishop, Library Director

OTHERS

Brady Preheim Steve Toschi

Robyn Toschi Mitzi

Dan Hatfield Guy Cummings

Pat Fery Jane Fery

Grant Toschi

OPEN PUBLIC HEARING - 6:15 p.m.

TOPIC

1. AP.2.24 through AP.6.24 - Appeal of Planning Commission Decisions to Build a Triplex with Multiple Variances on Wyeth Street (Dan Hatfield)

City Planner Graichen covered preliminary matters. There were no potential or actual conflicts of interest or bias in this matter. However, Councilor Sundeen declared that he drives by the subject location often. There were no objections from the audience for the Council to make a fair decision. Graichen went on to review the staff report, a copy of which is included in the archive packet for this meeting. A few highlights were:

- The structure was a non-conforming use prior to burning down in 2001. It was destroyed more than 50% and lost non-conforming rights.
- The Conditional Use Permit is a requirement of three or more units on one lot.
- The Variances are for lot size, setbacks, parking, and elevation.
- The Planning Commission denied the request and the applicant appealed to the City Council.
- In response to Council President Chilton's question about utilities, Graichen confirmed there are adequate utilities on site.

PUBLIC COMMENT

Applicant

◆ <u>Dan Hatfield and Guy Cummings</u>. Thanked Graichen for his presentation tonight. Dan purchased it as a triplex and is taxed as a triplex. He clarified that the fire was in 2021. He only wants to resume the use. If he can't get a triplex, he would entertain a duplex. Guy pointed out the area in photos included in the staff report.

Mayor Massey asked what variances would apply if it's developed as a duplex. Graichen responded that it would need variances for a reduced setback on Wyeth Street and a reduction to parking.

In Favor - None

Neutral

♦ <u>Pat Fery</u>. The property sat there for four years after the fire. It looked terrible and succumbed to vagrants. She supports a duplex over a triplex due to parking. There are no large complexes in that area and parking is already an issue in that area. She urged City Council to accept the Planning Commission's decision.

In Opposition

- ♦ <u>Brady Preheim</u>. Suggests a duplex there instead since a triplex does not fit. The Planning Commission decision should be upheld and the applicant can reapply as a duplex.
- ♦ <u>Robyn Toschi</u>. Advocated that the Council concur with the Planning Commission's decision. It was originally a house that was converted into a triplex. She disagrees with jumping through hoops to put something there that is nonconforming. The triplex should be denied.

Rebuttal

♦ <u>Dan Hatfield</u>. Parking will be an issue whether it's a triplex or duplex. He's being punished for something other people have.

CLOSE PUBLIC HEARING – 6:54 p.m.

Respectfully submitted by Lisa Scholl, Dep	uty City Recorder.
ATTEST:	
Kathy Payne, City Recorder	Jennifer Massey, Mayor



COUNCIL REGULAR SESSION

Wednesday, January 15, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey Council President Jessica Chilton Councilor Mark Gundersen Councilor Russell Hubbard Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Jacob Graichen, City Planner

Joe Hogue, Acting Police Chief
Suzanne Bishop, Library Director
Gloria Butsch, Finance Director

OTHERS

Brady Preheim Robyn Toschi Dan Hatfield Steve Toschi Mitzi Brittany **Treadway Events** Kelly Wheeldon Arthur Leskowich Erin Wheeldon Pat Ferv Jane Ferv Grant Toschi Mercedes Massey Brianna Gaston Nicholas Hellmich Adam St. Pierre **Guy Cummings**

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

PLEDGE OF ALLEGIANCE

Mayor Massey recognized Hometown Hero Martin Luis Scheer Jr. Martin and asked him to lead the Pledge.

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

- Nicholas Hellmich. Worked at Columbia Community Mental Health (CCMH) where EMS had responded unprofessionally to an incident, and he asked if EMS workers could receive traumainformed training.
- Steven Toschi. Showed maps of the Millard Road property plan which originally had 64 lots and was changed to 90 lots. He showed a map of Rick Scholl's property on Sixth Street and the proposal Mr. Scholl presented to the Planning Commission after failing to declare conflict of interest regarding Ordinance No. 3306. He noted manufactured homes would decrease neighboring property values, and he urged Council to send Ordinance No. 3306 back for revision and suggested limiting commercial interests running apartments to apartment residential zones.
- ♦ <u>Brady Preheim.</u> Stated no more than two Council members could be assigned to the Administration Department due to quorum rules. He asked for public confirmation about the status of the Police Chief and wanted Acting Police Chief Hogue to be hired as the permanent

Police Chief. He was waiting for an apology to City Administrator Walsh as his actions were carried out under the direction of Council.

DELIBERATIONS

1. AP.2.24 through AP.6.24 - Appeal of Planning Commission Decisions to Build a Triplex with Multiple Variances on Wyeth Street (Dan Hatfield)

Council and staff discussed the request, emphasizing the importance of supporting and not undermining the Planning Commission's decision. It was noted that everyone was required to follow Code, and it was not the same as being penalized. Councilors agreed a duplex would be more appropriate and would need fewer Variances than a triplex, and they recommended submitting a proposal for a duplex with a narrower footprint to the Planning Commission.

Dan Hatfield asked Council to approve his project with a duplex rather than a triplex to avoid the cost of having to go back through the Planning Commission.

City Planner Graichen clarified that if Council upheld the Planning Commission's decision an appeal could be made to a higher authority, or the project would go back to the drawing board. Council could approve some of the project's Variances such as the reduced setback or off-street parking which could be utilized in a proposal for the Planning Commission.

Council members stated the matter should go back to the Planning Commission for review and agreed approving a duplex rather than a triplex would be simple if it were not for the many variances in the request, which were beyond Council's scope.

City Administrator Walsh proposed remanding the decision to the Planning Commission to avoid the applicant needing to reapply and pay the fees again.

City Planner Graichen confirmed the decision could be remanded to the Planning Commission where the decision could be affirmed, reversed, or modified with the new concept that the project could be a duplex, with the condition that Mr. Hatfield grant written approval to extend the 120-day window for response.

Motion: Motion made by Councilor Gundersen and seconded by Council President Chilton to remand the decision back to the Planning Commission with the added condition of a written exension to the 120-day limit as stated by staff and based on discussion. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

REQUEST FOR APPROVAL TO ATTEND EXECUTIVE SESSIONS

2. Consideration of Application from Tamara Maygra of Odd Friday Talk Radio & St. Helens Update to Qualify as a Representative of the News Media to Attend Council Executive Sessions

Motion: Motion made by Councilor Gundersen and seconded by Councilor Sundeen to table the request for approval to attend Executive Sessions to discuss the matter with legal counsel. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

ORDINANCES – Final Reading

3. Ordinance No. 3306: An Ordinance Amending the St. Helens Municipal Code Chapters 17.16, 17.32, 17.60, 17.80, and 17.96 Pertaining to Multifamily Development, Oregon House Bill 4064 (2022) Regarding Manufactured and Prefabricated Dwellings, Oregon House Bill 3395 (2023) Regarding Single Room Occupancies, and Other Housekeeping Amendments

Mayor Massey read Ordinance No. 3306 by title.

City Planner Graichen suggested removing the parts of Ordinance No. 3306 Council was uncomfortable with, and allowing staff to draft a new ordinance with those parts omitted. The major components of

Ordinance No. 3306 were the rules regarding multifamily detached units, manufactured prefabricated structures, single-room occupancy, and other housekeeping amendments. He confirmed he could remove any component from all applicable sections of the new draft of the Ordinance.

Draft Minutes

Council President Chilton and Councilor Sundeen voiced concern about the component regarding manufactured prefabricated structures.

Councilor Gundersen noted though the issue was affected by State mandate, he preferred to review manufactured prefabricated structures on a case-by-case basis to ensure the best was being done for the City.

City Planner Graichen explained the housekeeping items in Ordinance No. 3306 were very general things that did not fit in the other categories mentioned. He recommended rejecting the second reading of Ordinance No. 3306 and directing staff to return with an Ordinance omitting manufactured prefabricated structures.

Mayor Massey voiced concerns about multifamily developments potentially being able to have four detached homes on one lot within a neighborhood, though she had nothing against manufactured homes. She supported the component regarding single-room occupancy (SRO) and the housekeeping items but would rather exclude the parts about multifamily detached units until an option could be presented that would not allow four homes on one lot.

City Planner Graichen clarified that the State mandate only pertained to the manufactured homes and single-room occupancy components, and the multifamily detached units had stemmed from Council Goals in response to the 2019 Housing Needs Analysis, though he confirmed the needs identified in the Housing Needs Analysis had generally been met.

Councilor Hubbard noted allowing many little structures did not work for infrastructure or neighborhoods.

Mayor Massey was concerned about developers buying investment property to put in clusters of many little homes similar to accessory dwelling units (ADUs) and proposed not allowing multifamily detached units in neighborhoods.

Motion: Motion made by Councilor Gundersen and seconded by Councilor Sundeen to reject or deny the second reading of Ordinance No. 3306 and direct staff to return with an Ordinance regarding single-room occupancy and housekeeping items. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

RESOLUTIONS

4. Resolution No. 2035: A Resolution of the St. Helens City Council to Set Planning Department Fees

Mayor Massey read Resolution No. 2035 by title. **Motion:** Motion made by Council President Chilton and seconded by Councilor Gundersen to adopt Resolution No. 2035. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

5. Resolution No. 2036: A Resolution Appointing the Budget Officer for Fiscal Year 2025-26 Mayor Massey read Resolution No. 2036 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Mayor Massey to adopt Resolution No. 2036. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

6. Lease Renewal for Masonic Building at 231 & 235 S. 1st Street

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '6' above.

City Administrator Walsh confirmed the rate of the lease was \$0.60 per sq. ft. which was well below market rate, and the City would enter a property tax exemption agreement with the building with no limits on the period of time the tax exemption could be applied except for the haunted house portion which had a limitation of 90 days per year as an event and required the Fire Marshall's approval.

Council members noted 90 days was enough time for a haunted house and the space could be used for storage and other uses that did not require a permit during the off-season. Treadway had ideas for using the space apart from Spirit of Halloweentown including laser tag and other activities. The building was beautiful and had been underutilized after the City put a fair amount of money into remodeling the building.

City Administrator Walsh stated discussions were being held and grants were being looked for to bring the Masonic building up to Code as the needed fire sprinkler was an expensive item.

Vote: Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

7. Final Partition Plat for the OYO Hotel/Village Inn

Motion: Motion made by Councilor Gundersen and seconded by Council President Chilton to approve '7' above. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

REVIEW APPLICATIONS FOR AND APPOINT NEW MEMBER TO BUDGET COMMITTEE

8. Budget Committee Applications

Councilors discussed the applications received for appointment to the Budget Committee and noting they preferred someone who had not served on the Budget Committee or other boards before. Council members agreed Marissa Swartz had valuable financial experience to offer to the Budget Committee.

Motion: Motion made by Councilor Sundeen and seconded by Councilor Hubbard to appoint Marissa Swartz to the Budget Committee. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

9. Appointment to Parks & Trails Commission

Mayor Massey noted she was sad to see Nick Hellmich leave the Parks and Trails Commission.

Councilor Sundeen shared Lucas Green's background and passion for preserving the Milton Creek Woodland Reserve and noted he had been interviewed and recommended for appointment to the Parks and Trails Commission.

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to appoint Lucas Green to the Parks & Trails Commission. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

CONSENT AGENDA FOR APPROVAL

- 10. Approve Budget Calendar for Fiscal Year 2025/26
- 11. City Council Minutes dated November 6, 2024, November 20, 2024, December 4, 2024, December 18, 2024, and January 2, 2025
- 12. Accounts Payable Bill Lists

Motion: Motion made by Councilor Gundersen and seconded by Councilor Sundeen to approve `10' through `12' above. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

WORK SESSION ACTION ITEMS

Council Work Session Times

Change time to accommodate schedules to 3:00 p.m.

Motion: Motion made by Council President Chilton and seconded by Councilor Hubbard to change Council work sessions and Council operating rules to accommodate a new start of 3:00 p.m. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

Summer Schedule

Mayor Massey stated canceling the first Council meeting in July and August 2025 would allow planning vacations and give staff more flexibility. A special session could be called if needed.

Motion: Motion made by Councilor Sundeen and seconded by Council President Chilton to cancel the first meeting in July and August. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

COUNCIL MEMBER REPORTS

Councilor Sundeen reported the Parks and Trails Commission met last Monday to discuss the Urban Trail Project and the next steps for the Milton Creek Woodland Reserve Project including reaching out to Council to work on a better map for the project area. Reid Herman had resigned from the Parks and Trails Commission and was appointed to the Planning Commission, and Nick Hellmich had also resigned from the Parks and Trails Commission. Lucas Green would be a good fit and offer a new perspective. He thanked Acting Police Chief Hogue and the Police Department for their good work.

Council President Chilton welcomed Mayor Massey to Council and commended her openness and willingness to work as a team. She read a statement she had written regarding changing the mindset to focus on bringing high-paying jobs like Project Arcadia into St. Helens, getting high school graduates into good jobs and programs, and keeping the money in the county.

Councilor Gundersen reported on the Columbia River Fire and Rescue Board's team efforts to stabilize financially and gave a shout out to the Local 3215, Dustin King, and Chief Smythe, noting they had saved enough money to purchase a new ambulance which would be running in May 2025. He also thanked Hometown Hero Martin Scheer Jr.

Councilor Hubbard welcomed Mayor Massey to Council and reported the Library was preparing supplies and staff to operate the new Makerspace. He stated Dan Hatfield's property sat as a hazardous burnt structure for four to five years, and he asked whether there was an ordinance to address dangerous structures that were an eyesore and to prevent unwanted inhabitants. The structures did not need to be brought up to Code immediately but should not be left in such disrepair. He said there should be an Ordinance to grant a set amount of time to address hazardous structures.

Councilor Chilton proposed possibly incentivizing owners to tear down dangerous structures on their own property.

MAYOR MASSEY REPORTS

Mayor Massey was excited for the opportunity to be a part of Council and thanked several City staff members for their specific work on several projects along with the following additional comments:

- Council members' new phone numbers would be populated soon on the City website to provide an easy way to reach Council members.
- She was glad Citizen's Day in the Park was still being planned, and that Treadway might take on the event so staff could enjoy the event and co-mingle with citizens.
- Her personal goal was to break ground on the new Police Station within six months, noting the matter would be discussed at a joint Council and Planning Commission meeting on February 5, 2025.

•	A form for public service/military background information collection was available on the City website,
	and she encouraged filling out the form or nominating someone.

OTHER BUSINESS

ADJO	URN –	8:19	p.m
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Respectfully	transcribed	by ABC	Transcription	Services	LLC and	submitted	by Lisa	Scholl,	Deputy	City
Recorder.										

ATTEST:	
Kathy Payne, City Recorder	Jennifer Massey, Mayor



COUNCIL SPECIAL SESSION

Tuesday, February 18, 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 Gloria Butsch, Finance Director

OTHERS

Sean Clark Treadway Events Jenn Adam Joe

CALL SPECIAL SESSION TO ORDER - 3:00 p.m.

Mayor Massey stated that the goal of the meeting was to review the Strategic Work Plans from 2022-2024, solicit new ideas for projects not previously identified, and discuss how to present and review progress on the plans going forward.

ESTABLISH FRAMEWORK FOR TRACKING COUNCIL GOALS

Mayor Massey introduced the idea of using a roadmap or action item document to track Council goals and projects more efficiently. She presented an example spreadsheet format with columns for task, owner, topic, category, priority, comments, action required, percent complete, and status.

Councilor Sundeen expressed support for having a living document that could be regularly updated. He emphasized the importance of setting measurable goals.

The Council discussed the need to prioritize items and distinguish between short-term actionable goals and longer-term projects. They agreed it would be helpful to have a simplified format to track top priorities separate from the more comprehensive strategic plan.

City Administrator Walsh noted that the existing Strategic Work Plan blends tactics and projects. He suggested reviewing the online version on the City website, which provides a clearer project-focused format.

The Council agreed to keep the full Strategic Plan as an overarching document but create a separate streamlined roadmap to track specific Council priorities and action items.

REVIEW STRATEGIC PLAN DOCUMENT FOR 2022-2024

1. Strategic Workplan 2022-2024

Walsh provided an overview of the existing Strategic Work Plan, noting it is organized into five goal areas aligned with the City's mission statement. He explained the plan includes both tangible projects and intangible cultural goals.

The Council reviewed the plan section by section, discussing which items were complete or still relevant. They agreed the document needed to be cleaned up and updated.

Mayor Massey suggested adding percent complete and budget information to help track progress. The Council supported this idea.

Councilors expressed that the current plan was too wordy and contained too many items to effectively track. They agreed to focus on identifying a smaller set of key priorities to actively work on.

ESTABLISH GOALS FOR 2025-2027

The Council discussed several potential priority areas and projects to focus on for 2025-2027, including:

- Public safety building/police station
- Waterfront development
- Mill site redevelopment
- Arcadia project
- Lagoon project
- Urban Trail development
- Sand Island improvements
- ADA-accessible fishing dock and kayak launch
- Economic development incentives
- Updating the City Charter
- Reviving the Youth Council
- Improving emergency preparedness/continuity of operations planning
- Grant writing and management

They agreed to further refine the list of priorities at future meetings.

IDENTIFY AND ASSIGN ACTIONABLE ITEMS

The Council identified several actionable items to pursue:

- Create a streamlined Council roadmap document to track top priorities
- Update and clean up the full Strategic Plan, adding percent complete and budget info
- Research other cities' practices for managing public comment at meetings
- Explore options for economic development incentives
- Look into grant writer/risk manager position
- Review and update Council Operating Rules
- Schedule legal update with City attorneys
- Plan guarterly work sessions for open Council discussion

Mayor Massey volunteered to research continuity of operations planning. Other Councilors agreed to take on research tasks as needed for priority items.

OTHER BUSINESS

The Council discussed ways to improve efficiency of Council meetings and staff reports. Key ideas included:

- Having department heads provide brief highlights rather than full presentations
- Focusing staff reports on progress toward goals/projects
- Creating a consistent template for department reports
- Considering moving public comment to the end of meetings

They also touched on staff morale issues and ways to show appreciation for employees.

ADJOU	RN -	6:00	p.m.
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Respectfully submitted by Lisa Scholl, Depu	uty City Recorder.
ATTEST:	
Kathy Payne, City Recorder	Jennifer Massey, Mayor



COUNCIL WORK SESSION

Wednesday, February 19, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey Council President Jessica Chilton Councilor Mark Gundersen Councilor Russell Hubbard Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Gloria Butsch, Finance Director

Mouhamad Zaher, Public Works Director
Sharon Darroux, Engineering Manager
Jacob Graichen, City Planner
Ashley Wigod, Contracted City Attorney

OTHERS

Richard Mason Adam St. Pierre Michelle Millar Joe Mitz Paul Vogel Steve Topaz Ron Trommlitz Daron Wallace Jak Massey Brady Preheim Jane Garcia

R. Toschi

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

ANNOUNCE 2024 CITY EMPLOYEE OF THE YEAR

Postponed until next meeting.

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

Ron Trommlitz. Provided a detailed account of issues relating to the Cty's 2-million-gallon reservoir, highlighting a timeline that dates back to June 23, 2016, when it was discovered that the reservoir was leaking 16,000 gallons in 24 hours. He noted the awarding of the WPI contract for rehabilitation in August 2016 and further complications in April 2017, when it was reported that leaks had escalated to 74,000 gallons per day. Trommlitz mentioned discrepancies in reports from City officials and consultants, raising concerns about the truthfulness of the reports, especially from Sue Nelson and Dave Elder. He emphasized that the City initially pursued litigation against WPI for failing to complete the reservoir project, but preferred to resolve the issue through mediation, which was prepared for in March 2021. Historical details included the City's hiring of Mohammad Zaher as Public Works Director in November 2020, followed by Sue Nelson's departure. Trommlitz also referenced negotiations and the eventual settlement agreement signed by City Administrator Walsh on April 8, 2022, which did not attribute liability to WPI for the rehabilitation failure. Expressing dissatisfaction, Trommlitz sought a comprehensive cause and responsibility assessment, along with an actionable solution for the failed reservoir rehabilitation. He concluded by highlighting the need for transparent communication and accountability in Cityled projects.

Brady Preheim. Addressed the Mayor, urging her to apologize to City Administrator Walsh for previous public statements, highlighting the idea that admitting one's mistakes can be a sign of strength rather than weakness. He emphasized that the Mayor had publicly criticized Walsh on multiple occasions and insisted that an apology was owed.

Additionally, Preheim expressed his support for Acting Police Chief Hogue, describing him as an example of what the community needs during challenging times. He advocated for the Council to formally open the position and appoint the current Acting Chief to the permanent role.

He referenced the Greenway report, mentioning that it included references to both the Mayor and her husband, contradicting the mayor's public denials regarding their involvement. Preheim noted that while the names were redacted, the report included specific details that he believed clearly pointed to the Mayor and her husband's involvement, despite their public statements to the contrary. He criticized the behavior described in the report, labeling it "disgustingly unethical," and underscored that such mentions were not favorable.

♦ Steve Topaz. Commented on the quality of recent meeting minutes, praising them as "really good." He then shifted focus to the police chief situation, providing an overview of how it had been publicized in the news across various media platforms. Topaz drew comparisons to his own experience, recalling that he had faced ethics charges brought by the Administration, which resulted in front-page news and widespread media coverage. However, he noted that following an investigation and a vote by the Ethics Board, he was found to have done nothing wrong and acted appropriately. Despite this, no newspapers reported on the outcome of the ethics investigation, which led him to question the reliability and accuracy of news reports.

Topaz raised further concerns regarding the redaction of names in official reports, emphasizing that the ability to confront one's accuser is a constitutional right that should have been upheld in his case as well. This issue of anonymity contributed to his skepticism about the truthfulness of media reports. In addition, he touched on the working conditions within the police force, particularly pointing out that police officers often work excessive overtime. He highlighted the lack of regulatory restrictions on police overtime in contrast to other professions such as truck driving or piloting, which have strict work-hour limitations and mandatory rest periods to ensure public safety. Topaz argued that excessive overtime for police officers could lead to inefficiency, increase danger, and negatively impact their families.

Adam St. Pierre. Speaking via Zoom, raised concerns regarding media access to executive sessions. He expressed his disappointment in receiving an email from City Recorder Payne earlier that morning, where it was mentioned that the City Attorney had recommended denying his organization, FAFODDS, access to the executive sessions. St. Pierre confessed that he had not been informed of the specific reasons for the denial. He pointed out that while the attorney's recommendation is considered, the Council has the authority to make the final decision. Emphasizing the essential role his organization plays as a government watchdog, St. Pierre conveyed that FAFODDS is committed to ensuring transparency and accountability in government processes. Highlighting their adherence to journalistic responsibilities, he appealed for the opportunity to revisit and discuss the denial recommendation, asserting that their group consistently focuses on investigative journalism and holds a strong track record of maintaining confidentiality, citing as an example their restraint in publicizing details about an FBI investigation mentioned in the Greenway report until its official disclosure. St. Pierre concluded by expressing his hope to understand the rationale behind the decision if the Council decided to uphold the

attorney's recommendation, stating that clarifying these reasons would allow his organization to address any concerns and reapply if necessary.

DISCUSSION TOPICS

1. Semi-Annual Report from South Columbia County Chamber of Commerce - *Outreach Director Jak Massey and Board President Ronda Hills*

Chamber Activities and Membership

Jak Massey, representing the South Columbia County Chamber of Commerce, provided a semi-annual report. She highlighted the growth in Chamber membership, increasing from 125 to 150 members over the past year. Massey detailed successful networking events, including well-attended coffee and commerce events and happy hours.

New Membership Levels and Benefits

Massey introduced new membership levels, including a nonprofit tier, a basic level for sole proprietors, and a top-tier diamond level. She explained that membership rates had increased, but additional benefits were added for gold, platinum, and diamond levels. These benefits included free tickets to the annual awards banquet and a new banner advertising program.

Upcoming Events and Awards

The Annual Awards Banquet was announced for the end of March, with various award categories including Small Business of the Year, First Citizen of the Year, and the new Diane Dillard Memorial Silver Citizen of the Year Award. Massey encouraged Council members to attend and consider sponsoring tables or awards.

Council President Chilton raised concerns about communication issues within the Chamber, noting difficulties in obtaining information about events. Massey acknowledged the challenge and outlined steps being taken to improve communication, including partnering with a Board member's employee for social media and marketing assistance.

2. Semi-Annual Report from Columbia Economic Team - Executive Director Paul Vogel

Paul Vogel from the Columbia Economic Team presented a brief semi-annual report. He highlighted that the team was actively working in St. Helens across all program areas, including tourism, small business support, recruitment, and energy initiatives. Vogel mentioned recent developments with Project Arcadia, including connecting the project with a potential new lender.

Vogel provided an update on Project Spice, stating that a decision was expected soon, potentially within the first quarter of the year. He noted that energy considerations, including discussions with Columbia River PUD (CRPUD) and concerns about BPA, were key factors in the project's progress. Vogel also mentioned that the State had agreed to fund the second two phases of the transmission feasibility study for the project.

Council members expressed appreciation for Vogel's efforts in turning around the City's investment in the Columbia Economic Team. They noted the value of his work across the entire county and the improved focus on various components such as tourism and regional development.

3. Review of RFP for Reservoir Site Selection & Design - Public Works Director Mouhamad Zaher & Engineering Manager Sharon Darroux

Public Works Director Zaher presented the RFP for the reservoir site selection and design. He explained that after exhausting options to mitigate the existing 100-year-old reservoir, the City was moving forward with plans for a new 5-million-gallon reservoir to meet future capacity needs.

Zaher outlined that the RFP would examine four potential locations identified in the Master Plan. He emphasized that the study would provide comprehensive data to support the selection of the most suitable location. Zaher noted that land acquisition could be a potential challenge in the process.

Council members asked about soil testing, costs, and plans. Zaher assured that all necessary specialists, including geotechnical experts, would be involved in the process.

4. Discuss Amendments to S. 1st Street - St. Helens Street Intersection Improvements Contract - Public Works Director Mouhamad Zaher & Engineering Manager Sharon Darroux

Public Works Director Zaher provided an update on the S. 1st Street - St. Helens Street Intersection Improvements project. He stated that the intersection closure was the last major phase of the project, with completion expected by June 30, with hopes to finish by April or May. Zaher addressed concerns about construction vehicles occupying parking spaces, particularly near the physical therapy business, and assured that they were working with contractors to minimize disruptions.

Council members discussed the potential impact on upcoming events, such as 13 Nights on the River and Community Day. City Administrator Walsh mentioned contingency plans, including the possibility of using a temporary stage if the park wasn't ready in time.

5. Review Resolution No. 2039 regarding Draft Revised Financial Policies - *Finance Director Gloria Butsch*

Finance Director Butsch presented the draft revised financial policies. She highlighted updates to criteria for reviewing SDC charges and utility fee rates. Butsch mentioned that a new utility rate study would be conducted for fiscal year 2026, with results expected to be presented by October.

Council members expressed appreciation for the comprehensive nature of the revised policies and the work done to streamline and clean up financial processes. Mayor Massey noted the significant improvements compared to the previous version from 2017-2018.

6. Review Resolution No. 2037 regarding Final Draft Policy for Executive Session News Media Attendance Application Process - *City Attorney Ashley Wigod*

City Attorney Ashley Wigod presented the final draft policy for executive session news media attendance. She explained that the updates were intended to incorporate Attorney General guidance into the policy, providing clearer criteria for reviewing media applications.

Wigod outlined the criteria for determining if a non-traditional media entity could be considered "institutional," including having a formal business structure, regular publications, and commitments to confidentiality and error correction. She also addressed questions about specific media organizations and the application process.

Council members discussed the policy and its implementation, with some expressing appreciation for the thoroughness of the review process for media applications.

7. Discussion regarding Start Times for Council Meetings & Joint Council/Planning Commission Meetings

Council members and staff discussed potential changes to meeting structures and start times. The general consensus was to maintain the current schedule of 3:00 p.m. for Work Sessions and 7:00 p.m. for Regular Sessions. However, they considered streamlining presentations and reports to allow more time for questions and proactive agenda items.

Ideas were proposed to improve public comment periods, including potentially moving general public comment to the end of meetings and allowing comments on specific agenda items at the beginning. The

Council also discussed creating a "memorandum of misinformation" to address factual inaccuracies that arise during public comments.

Regarding joint City Council and Planning Commission meetings, after discussion with City Planner Graichen, the Council decided to maintain the current 4:00 p.m. start time.

8. Report from City Administrator John Walsh

- He attended a meeting with Senator Wyden, noting plans to discuss the reservoir project with federal delegates to secure funding.
- A Special Session was announced for March 19 to discuss the Central Waterfront Project, including geotechnical analysis findings.
- Project Arcadia was progressing towards a prospective purchase agreement.
- The police station project was refocusing on the Columbia Boulevard location, with preliminary steps being taken.
- Broadband efforts in the county were advancing, with \$10 million of the \$40 million goal secured.
- An RFP for dock repairs was published, with responses expected soon.
- The City participated in National Engineers Week activities with local high school students.
- Discussions were held about the City's participation in the upcoming Chamber of Commerce awards banquet.
- Walsh also addressed questions about the status of the kayak launch project at Grey Cliffs Park, noting that it was still in the Marine Board's plans but had been delayed due to other priorities and staffing changes.

Recess - 4:47 p.m.

EXECUTIVE SESSION – 4:53 p.m.

- Real Property Transactions, under ORS 192.660(2)(e)
- Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)

Reconvene Work Session – 5:31 p.m.

Upon reconvening, Council added an agenda item to the Regular Session to approve and authorize the signature for Amendment Number One to the Purchase and Sale Agreement with Arcadia Paper Mills LLC.

ADJOURN - 5:32 p.m.

Respectfully transcribed by	ClerkMinutes and	submitted by Lisa S	Scholl, D	enuty City I	Recorder.

ATTEST:	
Kathy Payne, City Recorder	Jennifer Massey, Mayor

City of St. Helens CITY COUNCIL

Executive Session Summary

February 19, 2025

Members Present: Jennifer Massey, Mayor

Jessica Chilton, Council President Mark Gundersen, Councilor Brandon Sundeen, Councilor Russell Hubbard, Councilor

Staff Present: John Walsh, City Administrator

Kathy Payne, City Recorder

Others: Ashley Wigod, City Attorney with Jordan Ramis PC

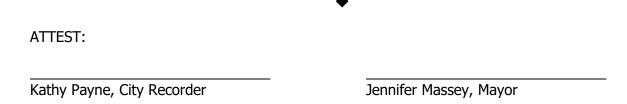
Jeff Kapp, City Attorney with Jordan Ramis PC

♦

At 4:53 p.m., Mayor Scholl 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.

- Real Property Transactions, under ORS 192.660(2)(e)
 - o Update on status of Project Arcadia.
- Consult with Legal Counsel & Potential/Pending Litigation, under ORS 192.660(2)(h)
 - o Update on litigation with St. Helens Assets.
 - Update on mediation with E2C Productions.

The Executive Session was adjourned at 5:30 p.m.



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



COUNCIL REGULAR SESSION

Wednesday, February 19, 2025

DRAFT MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey Council President Jessica Chilton Councilor Mark Gundersen Councilor Russell Hubbard Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator Kathy Payne, City Recorder Lisa Scholl, Deputy City Recorder Joe Hogue, Acting Police Chief Jacob Graichen, City Planner

Jenny Dimsho, Associate Planner/Community Development Project Manager

OTHERS

Reed Hjort Brandon S. Temperance Albrecht

Joseph Hall ReAnn Martin Justin Albrecht Beverly S. Trent Albrecht Tammy Maygra

Brady Preheim Jenni Gilbert Roger Joe Arthur Mitzi

Steve Topaz Adam St. Pierre

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

PLEDGE OF ALLEGIANCE

Mayor Massey recognized Joseph Paul for his public service and military contributions. She highlighted his extensive military service from 1985 to 2002, including branches served, rank, primary roles, deployments, and awards. Mayor Massey also noted Mr. Paul's public service and community engagement, including his involvement with various organizations and advocacy for veterans. She invited Mr. Paul to lead the Pledge of Allegiance.

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

♦ <u>Joseph Hall</u>. Presented a display of military service medals to the City of St. Helens in honor of veterans in the community. He explained the significance of each medal, which ranged from a World War I service medal to a POW/MIA medal. Hall noted the historical context for each, such as the first women's service medal awarded during World War II. He mentioned ongoing projects, including helping veterans secure awards they were initially denied and working on a Medal of Honor case. Hall also shared how he assists veterans by researching and locating lost medals, offering his services at no cost to the veterans or their families.

◆ <u>Tammy Maygra</u>. Addressed the Council regarding comments made about false information on Facebook. She stated that while someone was accusing her of spreading falsehoods, she wanted to assure the Council that everything she posted was indeed factual. To support her claim, Maygra referenced the approved minutes from January 29, 2024, where discussions were held about what would happen if a levy for the police station failed. She pointed out that Councilor Hubbard had asked about the implications and that Councilor Gundersen had agreed with an increase of 69¢ per thousand, noting that if it failed, they could add it to the utility bill. Maygra then played audio clips for the Council to corroborate the accuracy of her statements.

In addition to defending her previous comments, Maygra expressed concerns about potential restrictions on public comments, emphasizing the importance of transparency and open dialogue. She remarked on the Council members' responsibilities to listen to the public, highlighting that they receive compensation for doing so. Maygra reminded Mayor Massey of her previous advocacy for public accountability and transparency, urging that the Council should continue to uphold these values. She also mentioned the importance of free speech in the public forum, cautioning against any attempts to limit it.

Brady Preheim. Supported Maygra's statements and expressed strong opposition to censoring public comments, emphasizing the significance of First Amendment rights and the Council's duty to listen to the public regardless of their personal opinions. He cautioned that if Council members were unwilling to accept public criticism, they should consider resigning. Preheim conveyed gratitude towards Acting Police Chief Hogue, regarding him as a "hometown hero" for his whistleblowing efforts and urged the Council to consider making his position permanent.

Furthermore, Preheim addressed the issue of media representation in executive sessions, noting the scarcity of local news outlets and suggesting that KOHI should be recognized as a legitimate media source. He highlighted the absence of other media channels within the community and stressed the need for transparency and open communication. In a related discussion, Preheim clarified the ownership of a truck, refuting claims made in prior discussions by presenting the title to the truck, thereby disproving allegations and urging the Council and others to thoroughly verify facts before disseminating information.

- ◆ <u>Jenni Gilbert</u>. Expressed deep disappointment with what she perceived as Mayor Massey's lack of leadership and criticized the Council's decision to redact names in a police investigative report. She argued that this lack of transparency was concerning and urged the Council members to remain vigilant regarding ongoing issues within the City. Gilbert emphasized the necessity of supporting the Police Department, which she felt had been let down by recent actions. She also reminded the Mayor of her past actions when leading public calls for accountability and transparency, pointing out a perceived inconsistency in the Mayor's current conduct. Gilbert underlined the importance of maintaining open channels of communication and honesty, urging the Council to continuously uphold these values in their governance.
- Adam St. Pierre. Discussed the police investigative report in detail, highlighting specific sections and providing clarification on certain points. He expressed concern about the comprehension of the report by some media sources, noting that the report included complex information that might not be fully understood by the general public. St. Pierre referenced specific pages from the report, such as pages seven and eight, to outline instances where he believed actions were being misinterpreted. He emphasized the importance of understanding the Chief's actions mentioned in the report, which involved attempts to instigate the writing of an anonymous letter to the City

Council. St. Pierre criticized the lack of comprehension surrounding the context and implications of these actions and the report as a whole. Additionally, he provided examples from the report to support his concerns about misinformation, highlighting quotes that illustrated flawed interpretations by particular media sources within the community.

ORDINANCES – Final Reading

1. Ordinance No. 3307: An Ordinance Amending the St. Helens Municipal Code Chapters 17.16, 17.32, 17.80, and 17.96 Pertaining to Oregon House Bill 3395 (2023) Regarding Single Room Occupancies, and Other Housekeeping Amendments

Mayor Massey read Ordinance No. 3307 by title. **Motion:** Motion made by Council President Chilton and seconded by Councilor Sundeen at adopt Ordinance No. 3307. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

RESOLUTIONS

2. **Resolution No. 2037:** A Resolution of the Common Council of the City of St. Helens Adopting an Executive Session News Media Attendance Policy and Replacing in its Entirety Resolution No. 2001

Mayor Massey read Resolution No. 2037 by title. **Motion:** Motion made by Council President Chilton and seconded by Councilor Gundersen to adopt Resolution No. 2037. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

- **3. Resolution No. 2038:** A Resolution Adopting the City of St. Helens Governing Policy, and Superseding Resolution No. 1838
- Removed from agenda.
 - **4. Resolution No. 2039:** A Resolution to Adopt Financial Policies for the City of St. Helens, Superseding Resolution No. 1806

Mayor Massey read Resolution No. 2039 by title. **Motion:** Motion made by Councilor Gundersen and seconded by Council President Chilton to adopt Resolution No. 2039. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

REQUESTS FOR APPROVAL TO ATTEND EXECUTIVE SESSIONS

5. Consideration of Application from Tammy Maygra to Qualify as a Representative of the News Media to Attend Council Executive Sessions

Motion: Motion made by Council President Chilton and seconded by Councilor Sundeen to deny the application of Tammy Maygra to qualify as a representative of the news media to attend Council Executive Sessions.

Council President Chilton initiated the discussion by highlighting the findings from the City Attorney's report, which were instrumental in evaluating the application. The key concern raised was whether Ms. Maygra represented a well-established institution, as this was a crucial criterion for media representation in executive sessions.

Council President Chilton expressed her agreement with the attorney's assessment, emphasizing the importance of distinguishing between fact and opinion in reporting. Councilor Sundeen echoed these concerns, acknowledging the attorney's recommendation as a guiding factor in his decision. He reiterated that the application did not sufficiently meet the established criteria, specifically pointing out the lack of institutional backing.

During the discussion, the Council considered the broader implications of allowing individuals without clear affiliations to participate in executive sessions, recognizing the need for consistent standards in recognizing media representatives. The consensus was that while Maygra's application demonstrated her

interest, it fell short of meeting the necessary requirements for approval. The Council's decision to deny the application aligned with the City Attorney's recommendation, as well as underscored the Council's commitment to maintaining rigorous standards for media access, ensuring that those who qualify represent recognized institutions with a clear mandate to deliver factual and unbiased reporting.

Re-stated Motion: Motion made by Council President Chilton and seconded by Councilor Gundersen to deny the application from Tammy Maygra to qualify as a representative of the news media to attend Council Executive Sessions. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

6. Consideration of Application from FAFODDS to Qualify as a Representative of the News Media to Attend Council Executive Sessions

Mayor Massey stepped out of the room since she is a member of FAFODDS. Council President Chilton presided over this agenda item.

Motion: Motion made by Councilor Gundersen and seconded by Councilor Hubbard to deny the application from FAFODDS to qualify as a representative of the news media to attend Council Executive Sessions.

Council members acknowledged that FAFODDS had provided evidence of their nonprofit status; however, significant concerns remained about the institution's organizational structure and designated roles.

Councilor Sundeen mentioned that although the organization demonstrated their nonprofit status, they lacked clear institutional backing, which was a necessary criterion for approval. He emphasized that having a formally structured organization with designated roles was essential for media representation in Executive Sessions. Council President Chilton agreed, noting that the absence of clear roles and the undefined nature of the institution made it difficult for the Council to consider them a legitimate news outlet under the established guidelines.

The Council also discussed the importance of distinguishing between fact and opinion within reporting and stressed that established media organizations with a structured framework are expected to deliver factual and unbiased reporting. This emphasis on rigorous criteria was to ensure that those who are granted access represent recognized institutions committed to these journalistic standards. Council's decision to deny the application aligned with the City Attorney's recommendations, underscoring their commitment to maintaining high standards for media representation and upholding the integrity of Executive Sessions.

Vote: Yea: Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen; Abstaining: Mayor Massey

Mayor Massey returned to the room.

Consideration of Application from Maxine Bernstein of the Oregonian to Qualify as a Representative of the News Media to Attend Council Executive Sessions

Motion: Motion made by Councilor Gundersen and seconded by Council President Chilton to approve the application from Maxine Bernstein to qualify as a representative of the news media to attend Council Executive Sessions.

It was noted that Ms. Bernstein had presented proper credentials, affirming her status as a journalist for the Oregonian, a well-established news organization. Council members acknowledged the Oregonian's longstanding reputation and organizational structure, which helped ensure adherence to journalistic standards of factual and unbiased reporting.

Council President Chilton highlighted the importance of clear institutional backing for media representatives, which Ms. Bernstein clearly met through her affiliation with the Oregonian. She emphasized that having reporters from reputable media outlets present during Executive Sessions enhances transparency and encourages accountability. Councilor Sundeen concurred, reiterating that the Council's decision was consistent with established criteria focusing on institutional recognition and the journalist's credentials.

The Council recognized her qualifications and the credibility of the news organization she represents. This decision underscored the Council's ongoing commitment to transparency and open communication with established media outlets, ensuring that factual information reaches the community accurately.

Vote: Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

8. Fourth Amendment to Contract with Moore Excavation, Inc. for S. 1st Street - St. Helens Street Intersection Improvements Project, R-685

Motion: Motion made by Councilor Gundersen and seconded by Councilor Sundeen to approve '8' above. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

9. Extension of Agreement with Mayer/Reed, Inc. for Riverwalk Project Phase I and Columbia View Park Amphitheater

Motion: Motion made by Council President Chilton and seconded by Councilor Sundeen to approve '9' above. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

10. Appoint Trina Kingsbury to the Planning Commission

Motion: Motion made by Council President Chilton and seconded by Councilor Gundersen to appoint Trina Kingsbury to the Planning Commission. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

CONSENT AGENDA FOR ACCEPTANCE

- 11. Library Board Minutes dated January 13, 2025
- 12. Library Board Subcommittee Minutes dated February 1, 2025
- 13. Parks & Trails Commission Minutes dated January 13, 2025

Motion: Motion made by Council President Chilton and seconded by Councilor Sundeen to approve '11' through '13' above. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

CONSENT AGENDA FOR APPROVAL

- 14. City Council Minutes dated December 11, 2024, January 31, 2025, and February 5, 2025
- 15. Request for Proposal for Water Reservoir Site Selection and Design
- 16. Accounts Payable Bill Lists

Motion: Motion made by Council President Chilton and seconded by Councilor Sundeen to approve `14' through `16' above. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

WORK SESSION ACTION ITEMS

Project Arcadia

The Council briefly discussed the amendment, emphasizing its importance for the progression of Project Arcadia. Council President Chilton highlighted the need to adjust certain details in the existing agreement to better align with the project's scope and objectives. This would ensure a smoother transition and implementation process as they advanced with the project. The Council was in agreement that the amendment was crucial for maintaining the momentum of the development plans. The discussion underscored the collaborative efforts between the City and Arcadia Paper Mills LLC, aiming to foster economic growth and enhance community facilities.

Motion: Motion made by Council President Chilton and seconded by Councilor Gundersen to to approve and authorize for signature Amendment No. 1 to Purchase and Sale Agreement with Arcadia Paper Mills, LLC. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

Council Meetings

Motion: Motion made by Councilor Sundeen and seconded by Council President Chilton to move Visitor Comments for the Regular Session to the end of the meeting rather than the beginning.

The Council engaged in a discussion about the proposed change in the placement of visitor comments within the meeting agenda. This change aimed to start meetings on a positive note, fostering a better atmosphere which is more focused on staff appreciation and recognition of hometown heroes. Council President Chilton elaborated on the decision, emphasizing that the move would create a more engaging and open environment for public dialogue at the end of the meeting. They clarified that this adjustment was not intended to limit public participation or free speech but to restructure the flow of the meetings to enhance morale and productivity, as highlighted during strategic planning sessions. The Council collectively agreed that visitor comments would still be welcome, albeit at a different point in the meeting to ensure that meetings conclude on a high note, enabling better overall interactions and responses to citizen concerns.

Vote: Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

Motion: Motion made by Councilor Sundeen and seconded by Council President Chilton to have City department/division reports included in the Work Session packets once a month in a condensed version on a Council approved template. **Vote:** Voting Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

Motion: Motion made by Council President Chilton and seconded by Councilor Gundersen to have reports from community agencies be annual rather than semi-annual. **Vote:** Voting Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to add "Clearing Confusion and Setting the Facts Straight" on the Work Session agendas before Visitor Comments.

Councilor Sundeen explained that the addition would serve as a dedicated time for staff to address any misinformation or misunderstandings that may have arisen from previous meetings. This structured opportunity for clarification was aimed at increasing transparency and ensuring that accurate information is readily available to both the Council and the public.

Council President Chilton added that this agenda item would allow staff at least two weeks to formulate responses to any statements or discussions from the prior meeting that required clarification. By providing

a clear timeframe for addressing issues, the Council hoped to maintain an open line of communication with the community and to foster trust between the City and its residents.

The Council underscored the importance of this addition as a means to counteract the spread of misinformation, particularly in the digital age where rumors and inaccuracies can quickly proliferate. By including this segment in the Work Session agendas, the Council aimed to create a reliable resource where the public could find verified information and clarification on City matters.

Acknowledging that it would not be a forum for back-and-forth dialogue, the Council clarified that this item was about setting the record straight and providing factual information for public consumption.

Vote: Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

COUNCIL MEMBER REPORTS

Councilor Sundeen reported...

- Discussed Parks and Trails Commission's activities, including upcoming work parties.
- Highlighted an opening on the Parks and Trails Commission for new members.
- Asked Acting Police Chief Hogue to elaborate on the Police Department's new wellness program.
 - Outlined improvements in officer wellness through new initiatives.
 - Described concerted efforts to provide fitness instruction and facilitate lifestyle changes within the Department.
 - Emphasized the positive impact of new equipment donations and improved officers' health over time.

Council President Chilton...

- Provided details on event planning, covering 13 Nights on the River, Fourth of July celebrations, and Spirit of Halloweentown.
- Announced new sponsorships and event specifics, as well as plans for gift shop expansion.

Councilor Gundersen...

- Reported on the process and selection of a new candidate for City Boards and Commissions.
- Praised the high caliber of the applicants who have shown interest in these positions.
- Mentioned the installation of new garbage cans planned for downtown.

Councilor Hubbard...

- Expressed support for the newly appointed Planning Commission member.
- Highlighted the appointee's local background and the diversity they will bring to the Commission's decision-making processes.

MAYOR MASSEY REPORTS

Acknowledgement of Staff Work: Mayor Massey thanked City staff for their dedication and hard work, especially during the recent severe weather conditions. She highlighted the efforts of Public Works and Police Departments to ensure community safety and maintain essential services.

Council's Direction: Expressed enthusiasm for the Council's proactive approach towards improving operational efficiency. Praised Council initiatives aimed at enhancing governance and addressing long-standing community issues.

Police Department Concerns and Interim Chief Position: Discussed the ongoing efforts to address and resolve internal concerns within the Police Department, including conducting assessments and making necessary adjustments. Emphasized a commitment to fostering positive changes, focusing on improving departmental culture and operations. Highlighted the interim chief position, noting the conversations with Acting Police Chief Joe Hogue to address various issues and enhance Department

Kathy Payne, City Recorder

performance. Reaffirmed the Council's dedication to providing strong leadership support to the department during this transitional period.

OTHER BUSINESS

ADJOURN – 7:54 p.m.

Respectfully transcribed by ABC Transcription Services LLC and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Jennifer Massey, Mayor

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