

City of St. Helens
Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 20th day of January, 2021 are the following Council minutes:

2021

- Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated January 6, 2021

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COUNCIL WORK SESSION

Wednesday, January 06, 2021

DRAFT MINUTES

MEMBERS PRESENT

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

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Mouhamad Zaher, Public Works Director
Sue Nelson, City Engineer
Sharon Darroux, Engineering Project Manager
Rachael Barry, Government Affairs &
Project Support Specialist

Crystal King, Communications Officer
Jacob Graichen, City Planner
Jenny Dimsho, Associate Planner
Bill Monahan, City Attorney
Mike De Roia, Building Official
Brian Greenway, Police Chief
Joe Hogue, Police Lieutenant
Tina Curry, Event Coordinator

OTHERS

George Dunkel	Judy Thompson	Jerry Cummings
Chris Iverson	Durell Kearsley	Gulgun Mersereau
Jonas Biery	Duncan Brown	Steve Pegram
Bob Brawand		

CALL WORK SESSION TO ORDER – 1:00 p.m.

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

None.

Welcome to new councilors Patrick Birkle and Jessica Chilton.

DISCUSSION TOPICS

1. Police Station Ad-Hoc Committee Presentation

Assistant City Administrator Brown reviewed a PowerPoint presentation. A copy is included in the archive packet for this meeting.

Chris Iverson and George Dunkel were in attendance to review the Committee's recommendation. The facility recommended is 10 times the size of the existing facility. They emphasized the need for a new facility. The City already owns the recommended site.

Recommendation:

- Community engagement
- Additional polling after community engagement, if needed
- Increase funding for utility assistance programs

- Creation of Public Safety Fund
 - Additional fee on utility bill
 - Start at approximately at \$7 and then increase yearly, if needed
 - Creation of Public Safety Fund as "Administrative Action" by Council after community engagement period
- Sale of current police station to pay down debt
- Continue researching potential grants and other funding opportunities

Councilor Topaz pointed out that it appears to be half Police Station and half City Hall. Should it be enlarged to include all of City Hall? Or should they remove the City Hall portion and build a new City Hall? Are there any agencies that apply for public safety grants? Brown explained that there is potential for expansion across the street from the proposed site. They have been investigating grants. Unfortunately, the City does not meet low-income USDA grant requirements. They will continue seeking grants.

Chief Greenway explained that they have a deadline of January 31, 2021 to apply for federal grant funding under the Presidential Order on Safe Policing and Safe Community Act. Unfortunately, part of the process is that police departments have to be accredited or be in the accreditation process. They cannot pass accreditation standards because of the current facility. A new station will open those federal funds.

Council President Morten thanked the Committee for their work. He would like Council to keep the Budget Committee in mind while reviewing this. He agreed with Councilor Topaz's suggestion to put City Hall and the Police Station together. It should be considered as Phase II for the future.

Councilor Chilton agreed with the need for a new police station. She requested clarification of the utility bill charge. Brown explained that the amount would be dependent on a 20-year or 30-year loan. Financial advisors are in attendance to further explain.

Duncan Brown, PFM. They are the City's financial advisor for capital projects and bond issues. The utility fee/surcharge is flexible. It can be imposed at the Council's discretion. It could start off small and grow or stay consistent. It is more flexible than general obligation bonds.

Councilor Birkle recognized the great work of the Committee. He appreciates their insight. He shared some of his thoughts:

- Need to look at a permanent funding source for the Recreation Program, which is funded through the utility bill now.
- Need to make sure we are flexible for residents who are financially constrained.
- Agreed with involving the Budget Committee.
- Agreed with the multi-uses of the building. Designing a building for possible expansion is important to keep in mind.
- This is a good opportunity to recruit and retain officers.
- Public outreach is key for the entire process.

Brown reported that the recommendation from the Committee is to increase funding for utility assistance programs. The City currently gives funding to Community Action Team (CAT) to help with utility assistance.

Brown reviewed the next steps:

- Discuss/accept Committee recommendation
 - Adopt a resolution on January 20
- January 20 City Council Meeting
 - Revisit Committee recommendation
 - Discussion and decision on community engagement period

Council concurred with recommendations to proceed.

Mayor Scholl agreed with the Committee's recommendations. The need for a new facility is great.

Committee member Judy Thompson acknowledged the honor of being able to participate. The need for a new facility is significant. They need to be prepared for growth and attract officers. She is happy to see it happen.

Committee member Jerry Cummings appreciated the opportunity to participate. It was disheartening to see the existing facility. Our City is only going to increase in size. The more people who move here, the more inadequate the facility will become. It is important to do this. He is willing to help in anyway with the public engagement.

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

1:55 p.m.

Building Official Mike De Roia reviewed the Building Department duties and report. A copy of the report is included in the archive packet for this meeting.

- Between July 1 – December 28, 2020:
 - Received 324 building permit applications; 232 required plan review
 - Performed 83 inspections a week, which the County does partially help with
- A new Building Inspector begins on Monday, January 11. John Hicks brings a lot of construction and inspection experience. He is looking forward to having him on board.
- Implemented ePermitting software

Councilor Topaz asked what kind of space De Roia would need if they moved into the Police Station. De Roia is not sure exactly how much space they would need but they do need more space for plan review. Planning and Engineering also participate in the plan review process. Mayor Scholl pointed out that the Police Station facility is proposed to include Municipal Court, which would free up space for them move to the annex building next door. He thanked De Roia for his hard work. He has been working tirelessly and attending classes to earn certifications.

Council President Morten thanked De Roia. He is by far the best Building Official he has seen in his 14 years here. He agreed with moving Building next door when Court moves.

Walsh extended his appreciation to Mike.

3. Review Proposed Bench Donation for McCormick Park

2:06 p.m.

The Parks & Trails Commission has recommended approval of the two benches. Kathy Syrstad of St. Helens Lions Club submitted the application. Council President Morten agreed with the proposal.

Councilor Birkle spoke with Kathy about the proposal. He explained the proposed sites for the two benches.

- Adjacent to the new bridge near the old camping sites.
- The corner of Old Portland Road and S. 18th Street. Council President Morten emphasized the need for the bench to face the park and not the streets.

Mayor Scholl suggested the bench location be considered for a future round-about, in accordance with the Master Plan.

Council had no objections to the proposal for two benches.

4. Consideration of Right-of-Way (ROW) Dedication by 970 Oregon Street - Jacob

2:14 p.m.

City Planner Graichen reviewed his memo. A copy is included in the archive packet for this meeting.

The applicants are opposed to the ROW dedication. They have filed an appeal to the Planning Commission. However, ROW's require Council acceptance. The Council can decide to reject the ROW dedication, making the appeal mute. Is the Council comfortable discussing this tonight? He reviewed a memo listing the basis for rejection if the Council decides to do that. A copy of the memo is included in the archive packet for the meeting.

Discussion ensued.

- ◆ Durell Kearsley. He is concerned that the ROW dedication affects them for future sale of the property. If they try to sell the property, they will have to move the existing gate before lending would be approved. That would cost between \$15,000 - 20,000. This is premature of the final goal. It will cost them now but may not happen for another 50 years.

Council President Morten talked about the former owner wanting to sell that property to the City. Council voted no at that time. The City would still entertain a proposal to purchase that property. It is a valuable piece of property to Public Works. Durell understands the history. They are not ready to sell at this point. If they do, they will make that offer.

Councilor Chilton appreciates Durell's input. She thanked Council President Morten for his insight as well.

Councilor Birkle appreciates the background information. He would prefer it follow the standard process and go to Planning Commission for a decision.

Discussion ensued.

Durell talked about the delay this is causing. The odds of development is at least 50 years down the road and should not be considered.

Walsh pointed out that the ROW dedication will happen if the City is the future buyer.

Discussion was continued to tonight's meeting.

Break 2:56 p.m.**5. Strategic Action Plan Updates**

3:06 p.m.

Brown updated the Council on the communications and streaming policies for public meetings. YouTube was used for streaming when they first began. They have since change to streaming on Facebook. Facebook does not allow them to use the agenda management software to track timing. However, YouTube does work with the software to allow for the use of timestamps. The City has been asked about streaming videos on the website since not everyone has Facebook. Zoom and Facebook cannot embed on our website, but YouTube can. He is proposing to switch back to YouTube for Council and Board/Commission meetings.

Mayor Scholl likes that YouTube can timestamp for easy access.

Council President Morten agreed with using YouTube.

Councilor Chilton thinks it is fine. She would like to continue streaming on Facebook for more access. Brown clarified that they could post a link on Facebook to the website when the meeting begins.

Consensus of Council to switch to YouTube for streaming on January 20, as discussed.

6. City Administrator Report

3:15 p.m.

- Will be reviewing good governance in a Council retreat.
- Happy New Year!
- Welcome new councilors!
- 2020 was awful. Hopefully, it is only up from here.
- Working towards a healthy and vibrant community.
- New McCormick Park playground equipment contract was just signed.
- Updates to Campbell Park with grant funding.
- Waterfront redevelopment project is proceeding.
- St. Helens Industrial Business Park framework plan and funding is moving forward. It will be presented to Council at the first meeting in February.
- Continuing to work on a draft for the RV park behind the Recreation Center.
 - Planning to preserve the area along the creek.
 - 20-foot trail along the creek.
- Grading component at the Mill site.
- Approved a franchise agreement at the last meeting from Waste Management for drop boxes at the last meeting.
- The Comcast franchise agreement is on hold.
- Columbia River PUD franchise agreement expired on December 31. Staff will work on it and bring to Council.
- NW Natural Gas franchise agreement will come to Council for renewal as well.
- Memorandum of Understanding (MOU) between the City and SHEDCO is being reviewed. It will come back to Council for approval.
- There was a dock usage issue during Christmas Ships. Staff is working to improve the process and enforcement, especially related to transient boaters.
- Working with community partners to keep up with COVID challenges and health updates.
- The need for communications at the City is continuously increasing.
- Council retreat on January 27. He emailed a draft agenda to Council.

OTHER BUSINESS

3:25 p.m.

Councilor Topaz reported...

- He is going to propose an RFP for the Tourism Director tonight.
- He still has not gotten a number from Walsh for the OreGrow plant. He is going to make a motion tonight to end the sale.
- The City needs a work plan for the next 20 years.

Council President Morten reported that Oregrow is paying the City. He told Councilor Topaz that he needs to have the facts correct before making those statements. Brown added that the sale of the property is complete.

Mayor Scholl reminded Councilor Topaz that this was an action item for the entire Council. He told Councilor Topaz that he continues to distract the Council from the work the City is doing to move forward.

ADJOURNMENT – 3:28 p.m.**EXECUTIVE SESSION**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor

City of St. Helens
CITY COUNCIL

Executive Session Summary

January 6, 2021

This meeting was held electronically via Zoom.

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

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

Others: None



At 3:32 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call.

- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
 - Update on the Cascades claim against the City.
 - Update on the in-water clean-up of property off St. Helens Industrial Business Park.
 - Update on the status of the Comcast franchise.

- **Real Property Transactions, under ORS 192.660(2)(e)**
 - Update on City-owned property for potential sale and some with relative appraisals.
 - Update on potential acquisition of property on Gable Road.
 - Update on the timber appraisal of the Sykes Road property owned by Boise that the City is considering purchasing.

The Executive Session was adjourned at 5:01 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL PUBLIC HEARING

Wednesday, January 06, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Morten
Councilor Patrick Birkle
Councilor Jessica Chilton

MEMBERS ABSENT

Councilor Stephen R. Topaz

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Sue Nelson, City Engineer
Jacob Graichen, City Planner
Mouhamad Zaher, Public Works Director

OTHERS

Scott

OPEN PUBLIC HEARING – 6:45 p.m.

TOPIC

1. Exemption from Competitive Bid Requirements for Campbell Park Sport Court Installation Project

City Engineer Sue Nelson was in attendance to give the background on this request. A copy of the report is included in the archive packet for this meeting. This is a formality/legality for the project installation. A grant was received for multi-sport courts and other improvements at Campbell Park. This project went out to bid in August 2020, but no bids were received. They re-advertised in a broader spectrum and for a longer period of time, but still received no bids. The attorney prepared draft findings for an exemption to the bid requirements, which is included in the packet. They will attempt to contact a minimum of three contractors to request bids.

Questions/Comments

No written or verbal comments were received.

Nelson report that she and Associate Planner Jenny Dimsho have received interested from a couple contractors since this exemption was released. This process needs to be completed before they can request bids from them.

CLOSE PUBLIC HEARING – 6:53 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, January 06, 2021

DRAFT MINUTES

MEMBERS PRESENT

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

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Mouhamad Zaher, Public Works Director
Sue Nelson, City Engineer
Jacob Graichen, City Planner

OTHERS

Durell Kearsley	Rich Bailey
Brady Preheim	Scott
Dean Kampfner	Jaime

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

PLEDGE OF ALLEGIANCE

Mayor Scholl said the Pledge of Allegiance.

Following the Pledge of Allegiance, the video from this afternoon's swearing in was played.

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

No visitor comments.

DELIBERATIONS

1. Exemption from Competitive Bid Requirements for Campbell Park Sport Court Installation Project

Motion made by Councilor Topaz and seconded by Councilor Birkle to approve the exemption from competitive bid requirements for Campbell Park Sport Court Installation Project. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

RESOLUTIONS

2. Resolution No. 1909: A Resolution Appointing a Budget Officer for Fiscal Year 2021-22

Councilor Topaz read ORS 294.414(4), "Appointive members of the budget committee may not be officers, agents or employees of the municipal corporation." Is that a conflict for appointing Assistant City Administrator Brown?

Mayor Scholl read Resolution No. 1909 by title. Motion made by Council President Morten and seconded by Councilor Chilton to adopt Resolution No. 1909.

Discussion.

City Administrator Walsh clarified that there is a difference between the budget committee and budget officer. A task of the budget committee is to appoint an officer. He has been a budget officer at past organizations. The finance director is typically the budget officer.

Councilor Topaz asked if the budget officer has a vote. Walsh said no.

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

AWARD BID/CONTRACT

3. SCADA Upgrade Project at the Water Filtration Facility to Advanced Electrical Technologies for \$146,940

Motion made by Council President Morten and seconded by Councilor Topaz to approve '3' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

4. Dedication Deed for Portion of Lot 1 Ellsberg Subdivision on N. Vernonia Road for Public Use
5. Agreement with Lane Council of Governments for Compensation Survey for Non-Represented Employees
6. Agreement with Kittelson & Associates, Inc. for Assistance with Oregon Community Paths (OCP) Grant Application & Implementation

Motion made by Council President Morten and seconded by Councilor Topaz to approve '4' through '6' above.

Discussion.

Councilor Birkle recognized the generosity of property owners to provide sidewalks on N. Vernonia Road.

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

CONSENT AGENDA FOR ACCEPTANCE

7. Parks & Trails Commission Minutes dated October 12, 2020
8. Library Board Minutes dated November 9, 2020

Motion made by Council President Morten and seconded by Councilor Topaz to approve '7' and '8' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

9. Council Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated December 16, 2020

Motion made by Council President Morten and seconded by Councilor Topaz to approve '9' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

Oregon Street Right-of-Way (ROW) Dedication

- ◆ Rich Bailey. He pointed out that the ROW dedication is 5% of their property. That is very valuable for highway frontage. It will limit the number of storage units by moving the fence and allowing sufficient turning space. He estimates the financial impact to be about \$100,000 for something that might not happen. There are a couple conditions in the Code that address not adding more residential traffic to industrial property on the highway. It is not made for residential. It is intended for industrial equipment. The intersection near there is already bad.

- ◆ Durell Kearsley. Agreed with the burden it places on them. Displacing 100+ homes in Crestwood is likely not going to happen in their lifetime. It is more likely that their property will sell and change use before that happens.

Rich added that there is not much buildable land left on Madrona Court because of the wetlands.

City Planner Graichen summarized that a vote is needed if the Council chooses to reject the ROW dedication. He referred to the three findings reviewed during the work session as a basis for that decision. Rich and Durell are in support of the rejection of the ROW dedication.

Motion made by Council President Morten and seconded by Councilor Chilton to deny the ROW dedication.

Discussion.

Councilor Birkle asked if the rejection would allow the owners to build as they propose. Graichen clarified that it could be developed either way. They are challenging the condition of the ROW dedication. This is to decide if the appeal needs to go to the Planning Commission. If the Council agrees with Rich and Durell, then the appeal would be mute and that would be the end of it.

Councilor Birkle expressed reluctance this afternoon, citing the need for due process through the Planning Commission. In this case, he has no qualms voting in favor of the rejection.

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

Graichen requested a vote in support of the following findings:

1. The multitude of residential dwellings that use this leg of Oregon Street, though significant in quantity as it relates to the city's street standards, are all within a manufactured home park. The park's private street system is similar to this leg of Oregon Street lacking defined non-motorized passageway improvements such as sidewalks.
2. The adjacent railroad right-of-way provides some passive (unimproved but accessible) relief for the existing 40' wide public right-of-way width of Oregon Street and there has been no indication from the railroad operator or owner of obstructing use of the railroad right-of-way adjacent to Oregon Street.
3. The subject property has redevelopment potential in the future when right-of-way dedication requirements can be considered again.

Motion made by Mayor Scholl and seconded by Council President Morten to approve the findings above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Council President Appointment

Mayor Scholl would like to nominate Councilor Morten. He has served the longest and has the most in-depth knowledge. Councilor Birkle agreed.

Mayor Scholl did a roll-call vote to appoint Councilor Morten as council president.

Councilor Birkle – Morten

Councilor Chilton – Morten

Councilor Topaz – Topaz

Mayor Scholl – Morten

Council President Morten accepted the appointment. He would be honored to continue serving. He appreciates the confidence from the two new council members. Teaming with council, staff, and crew

members, outside agencies, and municipalities is extremely important. It is also important to involve oneself in community outreach and prepare yourself to be mayor at any time. It is all about "we" and not "I."

Council Appointments

Mayor Scholl made the following appointments:

Public Works and Administration – Mayor Scholl and Council President Morten

Police – Councilor Chilton

Planning Commission – Councilor Birkle

Library – Councilor Topaz

Boards and commissions are staying status quo.

Councilor Chilton expressed interest in eventually serving on the Parks & Trails Commission. Mayor Scholl informed the Council that they are welcome to attend other meetings and talk to staff about areas they do not oversee.

Discussion ensued.

MAYOR SCHOLL REPORTS

- Welcomed Councilor Chilton and Councilor Birkle.
- 2021 is starting out very fast. There are a lot of moving parts. It might get worse before it gets better. He is here to represent each and every citizen of St. Helens. It feels good to have another term underneath his belt. A lot of big changes are going to be happening for the citizens.
- Happy New Year!

COUNCIL MEMBER REPORTS

Council President Morten reported...

- Congratulations to Councilor Birkle and Councilor Chilton!
- He remembers being in their shoes 12 years ago.
 - He campaigned to open the waterfront. He was appalled that they only had about four feet to access the docks. Since then, Grey Cliff Waterfront Park has expanded, and the Boise plant and Boise Veneer plant was purchased. They now have over a mile of waterfront. The Council made it happen. It feels amazing to see things moving forward.
 - He also campaigned for safety. The enthusiasm for the new police station is great. It should attract people to our city.
- He feels so good to be part of this council.

Councilor Topaz reported...

- During a meeting a year ago, he brought up the need to do a tourism director RFP. He requested that RFP be done now. To make the job better, he requested an outside audit of tourism.
- They have a lot to do and need a 20-year plan with all the projects that are coming up. They need to find ways to clip them together.

Councilor Chilton reported...

- She is really excited and nervous at the same time. She takes this job very seriously. She is pleased that St. Helens residents believes in her. She hopes she can come in, bring some livelihood, and continue the journey they have already begun. She is excited about serving as a liaison to the Police Department. That is a passion of hers. She is happy to support them with the proposed new facility. She will work to make sure their needs continue to be met. This will be a transition for her and family, but she is looking forward to it.

Councilor Birkle reported...

- Thanked the citizens of St. Helens for their vote of confidence. He is here to serve the residents of St. Helens and make a place of safety and health. He and his wife moved here 29 years ago with a three-year-old and three-week-old. They were looking for a place to raise their children without having to move. He hopes that St. Helens can continue to be that place.
- Great thanks and appreciation to the staff for helping with the transition - City Recorder Payne, Government Affairs & Project Support Specialist Barry, and City Administrator Walsh. He has a great respect for all the City employees. What they are doing is for the good of the City. As an educator, his approach is to ask questions. He ensured staff that if he is asking questions, it is to become informed. He promises to come prepared to meetings. If he has questions, he will seek that information prior to the meeting.
- Thanked the Council for welcoming him. He has hopes and dreams but does not have an agenda. He understands he is only one of five. Even though there may be decisions he does not like, he will support the decisions made by the majority.

Mayor Scholl report that the Council will be talking about their mantra, expectations, and conduct during the retreat. Councilor Birkle touched on much of what they will be discussing.

OTHER BUSINESS

Mayor Scholl thanked staff. They do a fabulous job and are appreciated.

ADJOURN – 7:58 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor