

City of St. Helens

Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 20th day of September, 2023 are the following Council minutes:

2023

- Work Session, Executive Session, and Regular Session Minutes dated August 16, 2023

After Approval of Council Minutes:

- ☐ Scan as PDF Searchable
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COUNCIL WORK SESSION

Wednesday, August 16, 2023

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Jessica Chilton
Councilor Mark Gundersen
Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Crystal King, Communications Officer
Mouhamad Zaher, Public Works Director
Sharon Darroux, Engineering Manager

Gloria Butsch, Finance Director
Sheri Ingram, Public Works Office Assistant
Bill Monahan, Contracted City Attorney
Tina Curry, Contracted Event Coordinator
Jenny Dimsho, Associate Planner/Community Development Project Manager

OTHERS

Eddie Dunton	Claire Catt	Jak Massey
Steve Topaz	Diana Weiner	Emilia Ponti
Scott Jacobson	Ron Trommlitz	Brett Kahr
Steve Toschi	Doug Morten	

CALL WORK SESSION TO ORDER – 2:01 pm

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

- ◆ Doug Morten. Mr. Morten spoke about how Dalton Lake is one of Oregon's foremost catastrophic fire hazards especially with the danger of winds St. Helens experiences. Residential areas on dead-end streets should have ingress or egress if a fire occurs. He recommended for public safety that City staff, a police person, or a member of the Council be a liaison to the Fire District. He could see inexpensive, smoke-sensitive fire alarms available online being used at Dalton Lake and Belton Drive to warn citizens. Other municipalities could have helped Longview with a fire when they ran out of water and their sirens did not go off.
- ◆ Steve Topaz. Mr. Topaz reviewed a January 5, 2022, geotech report for the Veneer property and a September 16, 2021, geotech report for Columbia View Park. The ground at the Veneer property is not stable enough to build any reasonable building on it. The report was given to the City when he was still a Councilor. Details and the warning of this report are such that John Walsh and Jenny Dimsho should not have continued to design an apartment complex on the property. The latter report gives the same picture of unstable soil under the park/amphitheater, stating the possibility of sliding into the river if a seismic event occurs is very high. While the reports are attached to any construction RFP going out to contractors or developers, the City Council has not made this information public to the citizens of St. Helens. He spoke about potential safe uses of the properties.

- ◆ Emilia Ponti. Ms. Ponti, Director, WildFlower Play Collective, provided an overview of her organization and requested funds for a heat pump for their rented location at the old school house on Bachelor Flat Road, which has no air conditioning. They had to close the past three days due to the heat. The heat pump would stay with the building and benefit the School District, too. The Collective would also like to be a cooling center open to the public, specifically families with littles, for extreme heat events in the future.

Mayor Scholl informed Ms. Ponti about the grant program that opens in January, and Council President Chilton clarified that Council changed two years ago from the process of requesting funds at any Council meeting to the grant program. When Ms. Ponti asked if Council has information about becoming a cooling center, Mayor Scholl suggested reaching out to Regional Education Service.

- ◆ Steve Toschi. Mr. Toschi believed the City can do better than the proposed Gateway arch design, which in his opinion was missing natural beauty and was ugly. He posted the design online, and many Facebook comments are running strongly against it. He agreed with comments calling the posts clunky. The City should go back to the drawing board and look at what other cities have done with gateway arches. The design should emphasize St. Helens, not the Riverfront. Council should reject the design, solicit additional designs, and put a vote to the community to get input for something that is supposed to be iconic and lasting for the town.

Mayor Scholl said the Gateway arch was on the agenda to be discussed and nothing is set in stone.

DISCUSSION TOPICS

1. Length of Service Recognition - Sheri Ingram (25 years)

Mayor Scholl recognized Public Works Office Assistant Sheri Ingram for her 25 years of service. The Council applauded her.

Public Works Director Zaher added he relies heavily on Sheri's expertise. She has done a superb job, and St. Helens was lucky to have her.

2. Chamber of Commerce Semi-Annual Report - *Executive Director Jak Massey*

Chamber of Commerce Executive Director Jak Massey thanked Council for their support and participation and announced she was promoted to Executive Director. She presented her report (included in the meeting archive packet) as follows:

- A quick synopsis of semi-annual membership stats.
- Pros and cons of the Chamber staff update.
- She reviewed their goals, noting the challenge is how to achieve them with limited time and resources.
- A review of their networking events: Coffee & Commerce and Happy Hour.
- Their marketing activities: the newsletter, facility use and promotional opportunities, and local media connections.
- Community outreach and support.
- The Annual Awards Banquet was very successful. Next year's will be held on Saturday, March 23 at the Fairgrounds Pavilion.
- A review of their Board of Directors. They were seeking to fill two vacant Board positions.
- A building update addressing plans to replace the furnace and air conditioning unit.
- The Chamber was a Gold Winner for the *Columbia County Spotlight* 2023 Readers' Choice Awards in the Community Outreach category.

Council President Chilton said, as a Chamber member, she has difficulty reading the newsletter, perhaps due to her office's email program. Ms. Massey acknowledged it could be a formatting issue and hoped the issue would be resolved once they start the new program.

The Council acknowledged her great work.

3. Update on 2.0MG Reservoir Replacement Project - *Public Works Director Mouhamad Zaher and Engineering Manager Sharon Darroux*

Public Works Director Zaher and Engineering Manager Darroux presented their report (included in the meeting packet) via PowerPoint reviewing the background, repair/replacement options, selection of the approach of the contract Design-Build, the timeline, and the funding which will consist of \$1 million of City funds and a \$3.25 million low-interest loan for the reservoir replacement project. Engineering recommended replacing the reservoir with a Design-Build option. Tonight's agenda will include a recommendation to award the Design-Build contract to Emery & Sons Construction Group/Keller Associates.

Questions from the Council were addressed as follows:

- The City is functioning with only one reservoir with almost a 1-million-gallon deficit in storage. If a fire were to occur, the City would probably have to do water curtailment. If an emergency arises requiring high use of water, there will be a deficit.
- The new reservoir will not be finished until 2025, but it is better to take the time to build it right.
- The old reservoir will be partially demolished, leveraging any materials by refurbishing or selling them in order to save costs.

Mr. Topaz said the reservoir project would not take care of the leak since the leak is not coming from the reservoir. The leak and the reservoir are two different problems. Mayor Scholl responded that the geotech analysis will be the first step of the process, and the engineers will identify the source of the leak.

4. Update on the S. 1st and St. Helens Streets Gateway Project - *City Administrator John Walsh*

City Administrator Walsh, Associate Planner/Community Development Project Manager Dimsho, and Brett Kahr from Lower Columbia Engineering, LLC presented an update on the Gateway project (included in the meeting packet).

Ms. Dimsho reviewed the members of the Gateway stakeholder committee. She spoke about the committee's iterative process and that they met three times from April to July. For design processes, it is important to keep the design in context. She believed talking about the process would help shed light on the design and recognized the arch is an important project and an important project to get right as the gateway to Downtown St. Helens. She noted the Planning Commission unanimously liked the design and approved it in June.

The reason to do the Gateway at this time was the City has a contractor doing construction at the same intersection who can construct the footings for the Gateway design at the same time. The Gateway stakeholder committee took a comprehensive look at what other communities had done and narrowed the list down to four preferred designs and rendered them. They wanted to make sure not to invite climbability. She described how the design was intended to honor St. Helens' maritime theme.

Mr. Walsh noted birds and having to clean the arch were also taken into consideration.

Ms. Dimsho added funding existed for the project at this time, and the plan was to bid it fairly soon. If Council wanted to slow down the process, that was certainly an option. The project could be done in phases.

Council President Chilton said she was part of the advisory committee and did not believe the negative public comments have been fair. The committee did a good job in talking about the design and being open to ideas. Ultimately the chosen design was not her favorite, but she will not stand against the Council. The design was not aesthetically pleasing to her, and other ideas looked more traditional.

Councilor Sundeen who also sat on the committee said other ideas that were turned down appeared too bulky. The proposed design was a compromise on that front. The Riverfront design came from the idea that the Gateway should reflect the community. To him, St. Helens seemed to be an afterthought on the sign. The committee wanted to make sure the Gateway did not take away from the theater marquee.

Mr. Kahr noted the committee tried to avoid some of the traditional designs since they all look the same. The proposed concept appealed to some people because it is unique.

Mayor Scholl suggested maybe the design needs to be discussed after the infrastructure is done.

Council Gundersen explained why he thought the design looked great and spoke about the Planning Commission's review of it. He was in favor of the proposed design.

Council President Chilton said she leaned toward the proposed design as a favorite as it looks really clean and simple.

Mayor Scholl suggested getting the infrastructure in place, and Council President Chilton agreed. She would like to put more time in the design process. She respected the time already put into the process. Mayor Scholl stated the Council works for the citizens of St. Helens and has to take their input.

Councilor Sundeen did not believe the process had been rushed.

Mayor Scholl recommended an open house for public input, and Mr. Walsh agreed. Council President Chilton suggested maybe an open house with the potential for voting on the design. Ms. Dimsho was concerned about putting the design to a public vote without the context of the background, noting the project had already been vetted. The Council discussed the possibility of an open house and of putting the design to a public vote.

Council President Chilton planned to vote no on the design because she does not necessarily like it.

Mayor Scholl said the direction he heard was to get the infrastructure in place and hold off on the design.

Ms. Dimsho pointed out the idea was to have the Gateway completed along with the construction as the grand opening of the intersection with the Gateway as the crown jewel. Mayor Scholl replied that the Council understood the intent.

Councilor Sundeen was in favor of keeping the project moving forward, and if an open house is held, it would be great to get more feedback. Councilor Gundersen agreed, adding half the people would like the design and half would not.

Mayor Scholl agreed with Councilors Sundeen and Gunderson. He suggested taking the four designs they were looking at to an open house and explaining the process. He wanted everyone to remember St. Helens would be celebrating the Gateway, and it should be designed around the celebration. The Council should show up at any open house and support the stakeholder committee and the Planning Commission.

5. Water Leak Adjustment Request from Armstrong World Industries - *City Administrator John Walsh*

Mr. Walsh presented the request (included in the packet) for the billing adjustment for the leak that occurred at Armstrong World Industries. The leak was about 10 feet underground in a locked vault, and Armstrong had no way to know it was leaking. Staff recommended the Council approve the request, write off the outstanding balance of \$146,410.86 due to the leak, and reset Armstrong's account to its normal monthly average of \$30. The adjustment was more than Staff could approve. The request will be on tonight's agenda for a decision.

6. Discuss Process to Fill Vacant Council Position

Mayor Scholl noted the Council had declared the position vacant at their last meeting. The Council discussed the process to fill the position with input from Attorney Bill Monahan on the pertinent rules.

One concern was the possibility of having to narrow down a high volume of applicants in a small timeframe since they would not have to go through the election process. Council considered having more than one day for interviews depending on the confirmed numbers of applicants. The Council was in favor of interviewing every applicant.

The Council decided August 30 would be the deadline for submission of applications and Zoom interviews would be held at 5:15 p.m. on September 14. Two questions Council wanted on the application were: why does the applicant want to fill the position and what do they hope to accomplish? Each Councilor could ask one additional surprise question as long as it is consistent across all applicants.

Break – 4:11 pm

7. Report from City Administrator John Walsh

Mr. Walsh provided his report as follows:

- The City had been working with its community partners to offer cooling centers.
- The Waterfront Trail was blocked off for construction to try to complete the stormwater work before fall. The Trail is expected to be closed for a month. As much parking as possible will be reinstated as soon as possible, and the Trail will be reopened as soon as possible as well.
- The Bluff Trail was under construction. Due to removing the parking, the City was being sensitive to the businesses' needs and trying to be accommodating.
- NW Natural was currently working down here and working around the other contractor.
- The City had been busy with the news of Cascades announcing their full closure and staff meeting with them and representatives of interested parties. It was tough to see them go, both for the community and for the City finances. Staff was evaluating the financial impacts to the City due to the closure, and Mr. Walsh had reached out to the advisor for the Urban Renewal District. Mayor Scholl commented that the closure was a blindside and the City and Cascades had, save one incident, been really good partners. Cascades invested in St. Helens' buildings. He had heard chatter the City could have done more for Cascades, but he did not know what else the Council could have done to change their decision. He spoke to Vice President John David about the roof they had just invested in. Mr. David said it just did not pan out and that they were pulling the plug on the West Coast operation in a regrouping of corporate America. Mr. Walsh noted Cascades invested \$50 million into the City. Mayor Scholl added there had been no signs of them leaving.
- Staff was closely monitoring the impacts of using the reserves for the budget this year and what it might look like to meet the City's goals again. He and Finance Director Butsch had been working closely on some scenarios to think a few months out from this time, perhaps in the fall and winter, to make changes not to have to use the reserves again.
- A year or so ago the City moved to payroll being twice a month due to tax payments which results in a few more days of work for the Finance Department. Finance Director Butsch had contemplated a return to paying monthly in order to be more effective and efficient. The staff will be polled to get some feedback on the matter.
- City Staff made the cover of League of Oregon Cities' *Local Focus* magazine. The Waterfront was featured in the issue.

ADJOURN – 4:32 pm

EXECUTIVE SESSION

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

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

August 16, 2023

Members Present: Rick Scholl, Mayor
Jessica Chilton, Council President
Mark Gundersen, Councilor
Brandon Sundeen, Councilor

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder
William Monahan, City Attorney with Jordan Ramis PC

Others: None



At 4:33 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)**
 - Update on the City-owned lot on Kelley Street and negotiations to sell.
 - Update on the City-owned Millard Road property and potential sale.
- **Consult with Legal Counsel/Litigation, under ORS 192.660(2)(h)**
 - Update on the Cascades Tissue litigation.
 - Update on the potential litigation with MEI.

The Executive Session was adjourned at 5:07 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor

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



COUNCIL REGULAR SESSION

Wednesday, August 16, 2023

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Jessica Chilton
Councilor Mark Gundersen
Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Tina Curry, Contracted Event Coordinator

OTHERS

Diana Wiener
Nick Hellmich

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

PLEDGE OF ALLEGIANCE

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

- ◆ Nick Hellmich. He announced his interest in the vacant Council position and talked about his background:
 - More than a decade of experience and leadership roles in the financial service industry.
 - Currently works at Community Action Team (CAT) where he spearheads homeownership and financial literacy classes to empower community members with tools to create a stable and prosperous future.
 - Previously worked at Wauna Credit Union where he cultivated relationships, opened and managed a branch, and championed community service efforts.
 - Previously served in the US Navy, where he was instilled with discipline, being meticulous, and the value of service for the greater good.
 - Believes in the power of community engagement and its direct impact on the local economy.
 - Offers his professional expertise and passion for community welfare and growth.

AWARD BID AND/OR CONTRACT

1. Award Bid to Emery & Sons Construction Inc. for Progressive Design Build Services for the Replacement of the 2.0MG Reservoir and Authorize the Public Works Director to Negotiate a Final Scope of Work and Cost based on the Contractor's Design-Build Proposal

Motion: Motion made by Councilor Gundersen and seconded by Council President Chilton to approve '1' above. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

2. Performance Agreement with Oregon Department of Energy for Grant for Solar at the New Public Safety Building
3. Extension of Agreement with Structural Nexus LLC for Structural Plan Review Services

Motion: Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '2' and '3' above. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

CONSENT AGENDA FOR ACCEPTANCE

4. Planning Commission Minutes dated July 11, 2023

Motion: Motion made by Council President Chilton and seconded by Councilor Gundersen to approve '4' above. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

CONSENT AGENDA FOR APPROVAL

5. Council Minutes dated July 19, 2023
6. Accounts Payable Bill Lists

Motion: Motion made by Councilor Gundersen and seconded by Council President Chilton to approve '5' and '6' above. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

WORK SESSION ACTION ITEMS**Leak Adjustment - Armstrong World Industries**

Motion: Motion made by Council President Chilton and seconded by Councilor Gundersen to approve a utility account adjustment for Armstrong World Industries back to their average water utility fee due to a major water leak. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

COUNCIL MEMBER REPORTS

Council President Chilton reported...

- Attended the Black Tie & Blue Jeans fundraiser. It was fun and a nice opportunity to network.
- Softball is in full swing. Parks & Recreation Manager Shanna Duggan has done a great job running the co-ed league at McCormick Park.
- Agreed with Doug Morten's comments made during the Work Session about the need for a stronger partnership with the Fire District.
- Will be on vacation next week.
- Applauded Public Works Director Mouhamad Zaher and Engineering Manager Sharon Darroux on their 2MG Water Reservoir presentation during the Work Session. It was a great opportunity to be transparent and share what has been happening with the community.

Councilor Sundeen reported...

- Parks & Trails Commission met on Monday.
 - Discussed the fire danger in parks and the recent fire at the BMX track. He would like it clearer that smoking is not allowed in parks.
 - Reviewed park permits and fees.
 - Vandalism continues to be a big problem, especially in bathrooms. There has also been drug use in the restrooms. Mayor Scholl wants to make sure the bathrooms are unlocked on Friday for the movies.
- The Gateway sign was first proposed to Council in February, committee meetings were held April through June, and Planning Commission made a recommendation at their July meeting. The rendering was emailed to Council and distributed in the newsletter a week ago. Nothing has been

done in secret. He does look forward to community input at an open house. He wants it to be something everyone can be proud of.

Councilor Gundersen reported...

- Announced that the Planning Commission meetings are public, available online, and allow for public input. People should attend meetings if they really want to know what's happening.
- He also attended the Black Tie & Blue Jeans event and had a great time.
- Transparency can easily be resolved by showing up and participating. Come to the Council meetings instead of just complaining, commenting, and asking questions on social media.

MAYOR SCHOLL REPORTS

- The Black Tie & Blue Jeans event raised a lot of money for scholarships. It was a good event.
- He met with Congresswoman Suzanne Bonamici. It was nice to show off the city to her. She was impressed with what's going on.
- He agreed with Doug Morten's comments during the Work Session. It's scary for the people who live in that area and the potential to be trapped during a fire.
- Glad to see the new tourism boat running.
- The Sandcastle competition was great.
- Attended the Oregon Mayors Conference in Hood River last week. He learned a lot and got ideas for the Waterfront and paid parking.
- A lot of time and collaboration has gone into the Waterfront project. There have been plenty of opportunities for input. They need to celebrate what is happening and not tear it down. He is always willing to listen when people come to him.
- The Urban Renewal was adopted in 2016 and they are already implementing it.
- The League of Oregon Cities (LOC) Focus Magazine featured City employees on the cover, a section on employment retention and recruitment, and an expose' on the Riverwalk and Riverfront project.
- Thanked staff for their work.

OTHER BUSINESS

ADJOURN – 7:23 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor