

City of St. Helens

Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 3rd day of November, 2021 are the following Council minutes:

2021

- Work Session, Executive Session, Hearing, and Regular Session Minutes dated October 20, 2021

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- Scan as PDF Searchable
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COUNCIL WORK SESSION

Wednesday, October 20, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten – via Zoom
Councilor Patrick Birkle – arrived at 1:05 p.m.
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator	Jacob Graichen, City Planner
Matt Brown, Deputy City Administrator	Jenny Dimsho, Associate Planner
Kathy Payne, City Recorder	Crystal King, Communications Officer
Lisa Scholl, Deputy City Recorder	Tina Curry, Event Coordinator
Mouhamad Zaher, Public Works Director	Matthew Kahl, City Attorney
Brian Greenway, Police Chief	David Rabbino, City Attorney
Joe Hogue, Police Lieutenant	Peter Hicks, City Attorney

OTHERS

Jeremy
Claire Catt

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

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

- ◆ Tina Curry. Halloweentown update:
 - Very busy last weekend
 - About 60,000 people have visited so far this year
 - Hot Rod Rally Car Show on Saturday was fantastic. People were excited about it.
 - Garbage is insane. They are using every can available, and supplies are limited. Hudson Garbage Services empties the cans on Monday and staff picks up garbage on the ground that morning.
 - Celebrities will be coming this weekend
 - They are in the black and able to cover expenses
 - The Little Spooks parade is on the last Saturday of the month
 - More celebrities will be coming the last weekend
 - There will be a street party the last weekend

DISCUSSION TOPICS

1. **Planning Division Semi-Annual Report - *Jacob Graichen, City Planner***

City Planner Graichen and Associate Planner/Community Development Project Manager Dimsho reviewed their presentation. A copy is included in the archive packet for this meeting.

Strategic Plan 2021 Update

- 2021 Development Code amendments complete
- N. 10th/11th Street Bluff not complete
- St. Helens Industrial Business Park moving forward
- Riverwalk Design and Phase I Construction moving forward
 - December 15 tentative open house to review 30% design
- Bennett Building
 - New windows installed in the front
 - Bids in process for new parapet roofing and new/refurbished metal cornice
- Columbia Pacific Food Bank relocation plans to be complete in January
- Millard Road Development RFP results coming to Council soon
- Project Management Support
 - Business Oregon IFA Special Public Works Low Interest Loan Program for Riverfront District Public Improvements
 - OSMB Technical Assistance Program for Grey Cliffs Park in-water facility
 - OPRD Local Government Grant for Campbell Park Sports Courts project
 - Oregon Watershed Enhancement Board grant assistance
 - ODOT Safe Routes to School being managed by City Engineer Sue Nelson. Waiting on an MOU from the County.
 - Marshall Street/US 30 closure - waiting on a bid to acquire/install closure
- Current Planning Update:
 - St. Helens Place Apartments on Matzen Street is almost complete. The only thing left to do is construct storage units.
 - Grocery Outlet is complete
 - The building permit for Popeye's Chicken is close to being issued
 - Marijuana facility at 100 St. Helens Street is complete, after two appeals
 - Graystone Estates is near completion
 - New facility for Control Solutions at the corner of Industrial Way and McNulty Way
 - Armstrong property lines moved
 - Belton Road land division is complete
 - Running Dogs proposal for a house and micro-brew facility near N. 18th Street and St. Helens Street
 - Permits issued for the new apartments on Gable Road. Graichen acted as the responsible party because they were HUD funded.
 - St. Helens High School renovations are underway
 - Mark Comfort's RV park on Kavanagh is moving forward
 - Four-lot commercial subdivision on Highway 30 near Columbia Commons
 - Proposed subdivision in the County that Graichen has been reviewing because it is in the City's Urban Growth Area
 - Normally process one annexation a year. In 2021, on track to process nine annexations.
- Reviewed other Planning news
- Participated in a Certified Local Government four-year review in July.
- Looking ahead:
 - Current planning
 - Staff training
 - Beekeeping rules
 - Cottage cluster and annexation amendments
 - New strategic plan efforts
 - Anticipate at least one large subdivision application
 - Water Master Plan support

- Parks & Recreation Master Plan support
- Planning Commission vacancy efforts
- Reviewed long-term needs

Councilor Topaz talked about a meeting last week about the Waterfront beach. The architects did not seem to understand the river. The town was built on the river. There is a lot of land that cannot be built on because of the water, including the mill property area. What is the main theme of the mill property? At some point, the mill will die. How will they operate a sewer plant without a lot of water? They have toxic waste under water along that whole line. What kind of industrial business do they want there? He has not seen a good design or understanding of the value of the river. Is there a 20-year plan for that? Graichen responded that there is not a plan for a specific industry. There is a plan to extend utilities and parcelization of the property. Councilor Topaz said that parcelization could kill it for some industries. Apartments can go anywhere but industry cannot. Just recently, there has been a big problem with getting goods into the US. They are trying to make a deep-water port across the river. Does the City have any plans to provide a tugboat, fueling, etc. as an auxiliary to that? Graichen said no, not that he's aware of. There are challenges accessing the water because the mill encompasses so much of it. The spur is in that area as well. However, they do have a plan to ensure that the spur is not blocked off and there is a way to get around the mill, despite the challenges. Councilor Topaz talked about the potential of the mill being gone in the next 20 years, making the building obsolete. Graichen explained that the plan does not include the elimination of the mill.

Councilor Birkle believes the role of Planning is to help implement Council's direction. He agrees with Councilor Topaz's concerns for visioning but pointed out that it should be directed to the Council. Mayor Scholl agreed.

Mayor Scholl thanked staff for their work and great presentation. Kudos to Dimsho for her growth over the last few years. He is encouraged with her work and understanding of the Urban Renewal Plan.

Councilor Topaz asked if there is a budget to further educate Dimsho. Mayor Scholl has noticed that she's been self-educating well on her own. Education is always encouraged. Graichen added that Planning has a budget for professional development.

Mayor Scholl asked for an update about the Millard Road property. Graichen responded that they have been speaking with the developer's planner. Discussions have been going well and they will have a presentation for Council soon.

Councilor Birkle acknowledged the need to look at future staffing.

City Administrator Walsh talked about the parcelization framework plan for the Industrial property. The mill site was not really included in that. An Economic Opportunities Analysis would help target industries for the property.

Councilor Topaz has noticed that consulting firms don't tend to look at water being an important part of economic development. Mayor Scholl agreed that they need to consider the water.

2. Strategic Action Plan Updates

Brown reviewed...

- Parks & Recreation Master Plan RFP on tonight's agenda.
- A broadband survey is being conducted. Mayor Scholl pointed out that people are saying the survey takes too long and are quitting before they are done. Brown confirmed the survey takes about 18 minutes. It has been developed over the last 10 years by S&G. All of the questions are necessary. Brown will work with Communications Officer King to announce the length and why it's necessary at the beginning of the survey.

- Will begin holding monthly meetings with Mackenzie for the Public Safety Facility (PSF). Councilor Chilton has been invited.
- Planning a community engagement event on December 1 for Mackenzie to give a PSF update.

3. City Administrator Report - *John Walsh*

- Fantastic Planning report. There is a lot of work involved with growth.
- Police staffing discussion. Government was created based on a foundation of safety. St. Helens leads public safety for the region. Keeping it staffed is a challenge. It's a balance between maintaining a high level of service and fiscal reality. Improvements were made this year to retain officers, but they know they will lose some due to retirement next year. Lieutenant Hogue suggested a hiring list to select from as needed. Roles have reversed and qualified officers will go where they want to work.

Hogue attended training in Olympia about recruiting and retention. The goal is to stay ahead when it takes so long to recruit and train.

Chief Greenway heard Planning talk about an increase in development. The Police Department is spending \$18,000/month on overtime. Last year, that was \$14,000/month. There is a possibility of burnout. There are officers who don't want to work overtime and they can't require it. He would like the Council to put safety as a priority. They have already reduced services to the community. They want to be able to continue the level of service that residents expect and deserve. The officers are committed to keeping the community safe, but the City needs to keep them safe and motivated.

Discussion of creating a hiring list now to be ready when they have funding and openings. Hogue talked about the City of Hillsboro being continuously open for lateral officers. Greenway added that other agencies continue to attempt to take our officers, even with the wage adjustment. They need to be aggressive and communicate the new station and incentives.

Councilor Topaz talked about future pandemics and being prepared. They need more bodies.

Councilor Birkle talked about the community being supportive of the Police Department. They need to continue to communicate the needs to the public.

Councilor Chilton expressed frustration that this item was removed from the agenda. She wants to make sure they follow-up with this and communicate that they are supported.

Mayor Scholl wants to be sure this is included in the next budget. This opens the door for discussion.

Walsh suggested they consider continuous hiring like Hillsboro. Greenway agreed. His only concern is that there is no money in the budget right now for additional staff. He wants to be cautious with interviewing and not being able to hire. Mayor Scholl suggested they wait for a while until it gets closer to the new fiscal year. Councilor Topaz suggested moving money from the General Fund to the Police Department for staffing. Mayor Scholl responded that there are no extra funds for staffing with the new facility. They may need to consider \$4/month for the new PSF.

Greenway will work with staff to develop a plan and bring it back to Council for review.

- City dock use discussion
 - Dock Use Advisory Committee proposed members:
 - Mayor Scholl, Council President Morten, and Councilor Topaz – rotating so only two attend a time
 - City Administrator Walsh
 - City Prosecutor Erskine
 - Police Department representative – Corporal King
 - Columbia County Marine Patrol representative – Sheriff Pixley or MP Deputy

- St. Helens Marina representative – Brad Hendrickson and/or Toni Doggett
- Columbia River Yachting Association representative – Andy or Jolene
- Marine Board representative – Janine Belleque
- Citizens at large – Rich Mason & Art Leskowich
- Kiosk
 - Charge a fee? If so, how much?
 - Enforce time restrictions?
 - Who will enforce?
 - Need to train officers
- St. Helens does not have a great reputation with boaters. However, they are not alone in that and are working on it.
- Riverwalk and Street projects are going well
- Working with NW Natural Gas to renew their franchise agreement
- Columbia River PUD will be installing an EV station behind the Mason Building. They are also working on relocating power to underground.
- Halloween is pushing new boundaries every year. People are here all day long.
- Discussion of when to have a meeting to discuss Urban Renewal, what it is, what the boundaries are, what its used for, etc. Consensus of Council to have the meeting November 17 at 5:00 p.m. with dinner.
- The Library Board would like to have a joint meeting with Council in November or December. He will work with staff to figure out a date.
- Need to set a date for a Council retreat. He will bring back some dates to Council for discussion.
- Attended the LOC Board virtual meeting this morning.
- LOC has their general meeting on Friday. Councilor Chilton will attend as a voting delegate.

Councilor Chilton asked about changes to Parks & Recreation. Will that come to Council? Walsh said he will bring that to Council soon.

ADJOURN – 3:00 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

October 20, 2021

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

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder
David Rabbino, City Attorney
Peter Hicks, City Attorney

Others: None



At 3:10 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
 - Update on potential litigation filed by City employee.
 - Update on the litigation with Cascades Tissue.

- **Real Property Transactions, under ORS 192.660(2)(e)**
 - Update on the sale of the 12th Street City-owned property.
 - Update on the sale of the 10th Street City-owned properties.
 - Update on status of City-owned property on 12th and Old Portland Road.

The Executive Session was adjourned at 3:42 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL HEARING

Wednesday, October 20, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Councilor Patrick Birkle
Councilor Stephen R. Topaz
Councilor Jessica Chilton

MEMBERS ABSENT

Council President Doug Morten

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Jacob Graichen, City Planner
Dustin King, Police Corporal
Tina Curry, Event Coordinator

OTHERS

Jane Garcia
Brady Preheim

OPEN HEARING

TOPIC

1. Removal of Planning Commission Member for Non-Performance of Duties

City Planner Graichen reviewed his memo. A copy is included in the archive packet for this meeting. The commissioner has missed three consecutive meetings. According to the Planning Commission Ordinance, if someone misses three consecutive meetings without an approved excuse, they can be removed through this process. They have not been able to get ahold of the person after several attempts.

No testimony presented.

CLOSE HEARING – 6:55 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, October 20, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Councilor Patrick Birkle
Councilor Stephen R. Topaz
Councilor Jessica Chilton

MEMBERS ABSENT

Council President Doug Morten

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Jacob Graichen, City Planner
Dustin King, Police Corporal
Crystal King, Communications Officer
Tina Curry, Event Coordinator

OTHERS

Jane Garcia
Brady Preheim
Steve Toschi

CALL REGULAR SESSION TO ORDER – 7 p.m.

PLEDGE OF ALLEGIANCE

Mayor Scholl led us in the Pledge of Allegiance.

Councilor Birkle read the Council Mantra.

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

- ◆ Kim Harris. She moved here in 2005 and is very grateful for the small town. She works at the Dark Market and has met people from England, Sweden, and probably someone from every state in the United States. People travel to see Spirit of Halloweentown. It grows every year. Everyone has been nice, polite, and respectful of our little town. She is very grateful to work in the little store. She has never had a nicer, more hard-working boss than she has now. She is absolutely amazing. She can call her night or day and she never gets upset with her. She works hard and has done such an amazing job of organizing all of it. She is truly grateful that she has been part of the event and the town.

- ◆ Brady Preheim. Halloween has done amazing, even in the middle of Covid, with no outbreaks. It says a lot about the control and organization of the Tourism Director. The sheer number of people that come here from all over the world is amazing. The vendors, merchants, and tourists are all happy. He thinks the tourism director needs more money. The amount that she works is not fair.

There should be some sort of profit sharing. She works like this is her business and she gets really nothing from it. Unlike Councilor Chilton's statement, this event is going to continue to grow and make everybody happy. The Police Chief and Lieutenant made comments today about needing new staff. They have been given new cars, a new building, raises, and now they want more staff to provide coverage to the entire county. Why are they providing policing to the entire county? They can't even police their own property, such as Sand Island and derelict boats. They need to be compensated if they are going to police the entire county. It is not fair for the citizens who are paying for it. He also expressed concerns about the Chief's statement today that we are similar to Seattle. Seattle has a population of 775,000 people. There really is no comparison. Last week, they authorized almost \$2 million for design. Before the police station moves forward, they need to vote on it. It should not be a decision the City makes on its own. A lot more outreach needs to be done. Until that happens, they should not move forward with the police station.

- ◆ Steve Toschi. They are witnessing a renaissance as they welcome new people into the city. He complimented the Council for its steadfast determination to make the City one of the best places to live. The support of the Council for businesses, tourism, law enforcement, and every citizen is evident. St. Helens is a great place to live and visit. He and his wife, Robin, have a lot of family here. Robin was born and raised here and was the St. Helens High School Class President in 1981. After graduating college, she moved to the Bay area where they raised their family. They spent about 30 years here as tourists. Her uncle used to own Bar Harbor and her parents owned Sherlock's and Zatterberg's. They purchased a home here four years ago. From the outside looking in, St. Helens was a place trying to shake off the economic devastation from the mills closing. Over the last few years, they have seen the momentum growing. Tourism events in St. Helens are outstanding. St. Helens is a fun place to be. Halloweentown is a lot of fun and a great success. He spent a lot of time here on the river. He has driven his boat many times from here to Portland and around Rainier. St. Helens has one of the most valuable waterfronts on the Columbia River. Sand Island is another success for the City Council by transferring the concession to Brad Hendrickson. The views are phenomenal. This is a great place to be. Encouraged Council to stay the course and continue in the direction it is headed. There are many people afraid of change and those who resent the success of others. Resist those impulses. St. Helens is doing a great job. 13 Nights on the River in 2021 broke the ice of the horrible year of Covid. It brought tears to his eyes see kids playing and people dancing. The Sand Island Sandcastle Contest was great. It's great to see people coming for Halloweentown. Keep it up and protect it. There's a lot of work ahead. Too often they hear complaints, but he is here to tell them, "job well done."

Mayor Scholl clarified the policing issue brought up by Brady Preheim. Speaking as a taxpayer, someone may have perceived him ranting about the Columbia County services that they get for their tax dollar versus what they get from St. Helens, was confused. They are not policing Columbia County, Scappoose, or Columbia City. If there is a call that requires all police to respond, they all do that for each other. They have done a lot of public outreach. The fee has been narrowed down to \$3. This has been a long process. They are not going to stop because one person is against it.

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

1. Satisfaction of Mortgage for CAT Loan Payoff - 474 S. 13th Street (Seastone)
2. Amendment to Contract with JH Kelly, LLC for Columbia Pacific Food Bank Renovation Project
3. Amendment to Grant Agreement with Oregon Parks and Recreation Dept. for Campbell Park Sports Court
4. Contract Payments

Motion: Motion made by Councilor Chilton and seconded by Councilor Topaz to approve '1' through '4' above. **Vote:** Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

5. Reappoint Russ Hubbard and Jennifer Pugsley to Additional 4-year Terms on the Planning Commission

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to remove Shanna Cavanaugh from Planning Commission. **Vote:** Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz, Councilor Chilton

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to reappoint Russ Hubbard and Jennifer Pugsley to the Planning Commission. **Vote:** Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR ACCEPTANCE

6. Parks and Trails Commission Minutes dated September 13, 2021
7. Planning Commission Minutes dated August 10, 2021
8. Library Board Minutes dated September 13, 2021

Motion: Motion made by Councilor Chilton and seconded by Councilor Topaz to approve '6' through '8' above. **Vote:** Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

9. Joint Planning Commission/City Council Minutes dated September 22, 2021 and Council Minutes dated October 6, 2021
10. New Custodian Job Description
11. Parks and Recreation Master Plan Request for Proposals (RFP)
12. Declare Surplus Property - McCormick Park Caretaker House
13. Accounts Payable Bill Lists

Motion: Motion made by Councilor Birkle and seconded by Councilor Chilton to approve '9' through '13' above.

Discussion.

Councilor Topaz addressed the discussion about property sales timing in the October 6, 2021 City Council Regular Session minutes. That time schedule was not followed for the sale of the 12th Street property. He would like to make sure that is mentioned in the minutes since they have more property to sell and need to follow correct procedure.

1. Public announcement in a public newspaper
2. Public hearing
3. Sale of the property

Mayor Scholl pointed out that it was not part of the minutes. It will be part of the record for this meeting. They cannot go back and hybrid what they meant to say in a meeting.

Vote: Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

No items.

MAYOR SCHOLL REPORTS

- Attended a groundbreaking/ground blasting at Broadleaf Development on Gable Road. City Planner Graichen has been very involved assisting with the project. It will create 229 NOHA assisted housing units.
- Reminded people to unclog leaves from storm drains in preparation for the rainy season.
- Congratulated Senator Betsy Johnson on running for governor. She would be a great governor. She was at the Broadleaf Development event.

COUNCIL MEMBER REPORTS

Councilor Topaz reported...

- The Makespace Grand Opening went spectacularly well. Library Director Jeffries invited all of the staff who worked on the facility to thank them. They had a very good turnout. It is a spectacular space.
- He received a call from a developer who is interested in the Waterfront property. He cannot fulfill some of their questions because he's not allowed into City Hall. They have a problem in this group. He is limited with what he can do because of the way he has been treated.

Mayor Scholl disagreed, and pointed out that it was because he was censured. The censure time limit is coming up. He broke the censure a couple times, and nothing was done about it. Councilor Topaz argued that the censure was wrong. He will tell the people that the City is not interested. Mayor Scholl said it was a Council decision. He represents all citizens. If there was an actual developer, he would not withhold information from the voting public allowing them to develop that land the way the public wants it developed. He is very appalled that Councilor Topaz would use those tactics.

Councilor Topaz was charged with an unethical process... He will tell the developer, who has done a number of projects in Portland, that they are not interested. Councilor Chilton commented that was blackmail.

Councilor Chilton reported...

- She had dinner at the Klondike last weekend. She met the owner and talked about their projects. It looks great in there and the staff is wonderful. She encouraged everyone to go see it before they close after Halloween for a full remodel.
- Riverfront planning is coming together.
- Public Safety Facility planning is continuing. She is going to tour the Oregon City police station.
- On Friday, she is going to attend the League of Oregon Cities (LOC) virtual business meeting as a voting delegate for our City. She is hopeful that it will be in-person next year.

Councilor Birkle reported...

- Thanked City Recorder Payne for sharing the LOC article with suggestions of how to achieve a high-functioning Council. They are often criticized for not following the mantra, but he believes they always try. He hopes they all take the opportunity to read it.
- He attended the Makespace preview as well. Public Works crews did great work putting the space together and Library staff did great organizing it. They are hiring someone to staff the space. It opens up a world of opportunities.
- He attended the Scappoose Bay Watershed Council plant sale and made a connection with someone from Mackenzie. He told her about his suggestion to repurpose wood from the trees they are going to take down for the Public Safety Facility. He received an education about what is involved with that process. You can't simply remove an oak tree and use it for construction. It has to go through engineering and be tested. They may not have those trees in the building, but they may be able to share them with the community.
- He continues to come down here dressed up on Saturday nights to haunt the Plaza and businesses. He talks to people and asks what brings them here. It's been interesting talking to people and hearing how they like St. Helens.
- He will be coordinating the interview process to fill the Planning Commission vacancy. Several members have already expressed an interest in participating in the process.
- At the October 12 Planning Commission meeting, there was a presentation about the sanitary and storm sewer systems needs.
- Annexations are coming up.
- He admires the working be done by the Planning and Building divisions staff.

OTHER BUSINESS

ADJOURN – 7:40 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor