

City of St. Helens
Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 4th day of October, 2023 are the following Council minutes:

2023

- Work Session, Executive Session, and Regular Session Minutes dated September 6, 2023

After Approval of Council Minutes:

- ☐ Scan as PDF Searchable
- ☐ Make one double-sided, hole-punched copy and send to Library Reference
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COUNCIL WORK SESSION

Wednesday, September 06, 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

Jacob Graichen, City Planner
Jenny Dimsho, Associate Planner
Matthew Kahl, Contracted City Attorney
Tina Curry, Contracted Event Coordinator

OTHERS

Steve Topaz	Brady Preheim
Ron Trommlitz	Jane Garcia
Paul Vogel	Aurora Biggers
Jen Massey	Rich Mason
Arthur Leskowich	Pete Schweitzer

CALL WORK SESSION TO ORDER – 2:00 pm

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

- ◆ Ron Trommlitz. Mr. Trommlitz requested the same courtesy that was given to Doug Morten at the last meeting to speak over the three-minute limit. He read a letter into the record about the 2MG Water Reservoir presentation on August 16 which noted the project delays resulted in a 50 percent increase in replacement cost. He spoke about how the Pittsburg Road Reservoir was not a failure but that the rehabilitation plan applied to it failed, setting in motion events not shared with the community. He was here to show concern for what the City does not want the public to know. He requested a copy of the Walker report which is not being released due to attorney-client privilege.

Mayor Scholl explained the Council gave Mr. Morten extra time to speak at the last meeting because he was talking about a matter of public safety, and he did not have a script. Mr. Trommlitz thanked Mayor Scholl for allowing him the extra time.

- ◆ Pete Schweitzer. Mr. Schweitzer will be starting a mobile staging business in the fall which will be ready to roll next spring. He would like to put in a bid to the Council for next year's stages for 13 Nights. They will be national act size stages and expandable beyond that. The City Recorder's Office has his information.
- ◆ Steve Topaz. Mr. Topaz noted three items before he wanted his time limit to begin: he just learned Diane Dillard was passing away, and the City should acknowledge her; the written document he submitted is not accurately reported in the minutes of the August 2 Council meeting and work

session; freedom of speech is three minutes, and if it is extended, freedom of speech has been given up. He spoke about how the Veneer plant at the Waterfront was now going to be mixed use, wanting to know what the real plans are for using the property, and that it is known the property is contaminated. He talked about what the mill closing in the near future will mean when it stops supplying hot water to the lagoon, possible reroutings and clean-up, and questions still needing to be addressed. He described the sale and legal problems of the grow facility. The City should think about not tearing down the leaking reservoir but turning it into a roller-skating rink or velodrome. A copy of his testimony was submitted for the record.

- ◆ Brady Preheim. Mr. Preheim asked the Council to reconsider interviewing for the vacant Councilor position via Zoom and added an in-person option should be offered. Main Street Alliance no longer has an executive director. He spoke about how he believed the partnership had been a complete failure and less transparent. The City should reconsider the relationship. The City needed to have more public comment regarding the Gateway arch before moving forward. The intersection had not been worked on for a while. The work was supposed to be completed by the end of summer. A lot of merchants were unhappy, and the unfinished work would pose a problem for Spirit of Halloweentown. Columbia River Fire & Rescue should not be funded by the City. They should borrow from the County.
- ◆ Tina Curry. Ms. Curry thanked Public Works for moving the tent at the last minute with the construction team. Up-to-date information about Spirit of Halloweentown events and parking will be posted soon on the City of St. Helens website. People can let her know if they have questions.

DISCUSSION TOPICS

1. Length of Service Recognition - Lisa Scholl (20 years) & Nicole Woodruff (15 years)

Mayor Scholl recognized Lisa Scholl for her 20 years with the City where she currently was serving as Deputy City Recorder. He shared comments from her co-workers praising her and noted she is married to his cousin. He awarded Nicole Woodruff for her service of 15 years with the City, currently as Library Technician I. He shared her background with the City and Library Director Suzanne Bishop's praise of Nicole. The Council applauded Lisa and Nicole.

2. Columbia Economic Team (CET) Semi-Annual Report - *Executive Director Paul Vogel*

Executive Director Paul Vogel presented via PowerPoint CET's semi-annual report which highlighted an organizational update; Columbia County SBDC and its success; Keep it Local's new directory and mobile app; GRO Greater St. Helens; tourism; business recruitment, retention, and expansion including that which is St. Helens-centric; economic development and workforce initiatives and projects; and what is coming up including partnerships and collaborations.

Mr. Vogel noted with the Industrial Park and the Cascades closure, they worried about PGE not having the load. He acknowledged PGE might be the better option from which to buy the extra capacity for specific loads because PGE has robust transmission, an ambitious IRP for renewable portfolio development. PGE will need someplace to send the power because they have to develop it from a regulatory standpoint. They have the capability which is all the more reason to keep them focused in St. Helens.

Mayor Scholl stated it is known that the area has load issues. Mr. Vogel responded that Columbia River Fire & Rescue District has about 50 megawatts of headroom. If it is desired to get over 50 megawatts, it is necessary to work with BPA in a seven- to eight-year planning process. Once BPA says they cannot do it, then there is more license to go out to invest in a city's own utilities and work out other interconnection and power supply agreements.

Mr. Vogel thanked the Council for their support.

Mr. Vogel explained the Paid Leave Oregon law that went into effect very recently and that it will have an impact on employers and recruitment.

He distributed photocopies of the 1859 article on attractions in St. Helens.

3. Columbia River Fire & Rescue District Financial Assistance Proposal - *City Administrator John Walsh*

Mayor Scholl reported that the District withdrew their request for financial assistance. City Administrator Walsh added he had spent a lot of time helping to find alternative funding sources and clarified he did not know what solution they found.

Mayor Scholl explained the City's relationship with Akin Blitz, who was representing the District and clarified Mr. Blitz for the most part does not represent the City on a lot of its internal lawsuits and economic matters. Mr. Walsh said Mr. Blitz is used during labor negotiations for the police and AFSCME and sometimes advises on more complicated HR issues.

Mayor Scholl acknowledged there were no prior conversations about using the City's reserve to help the District. The City was as surprised as everyone else by the request. He explained why he had pointed the District in the direction of the County.

Council President Chilton said the idea of no fire/EMT response in the city had caused emotional stress. She hoped they could rebuild back to a healthier place. The County needed to step up, and the City needed to take initiative to get involved and help the Fire District get cleaned up.

Mayor Scholl stated he stays in his lane because the District has elected officials, but he understood Council President Chilton's points.

Mayor Scholl spoke about how people should get all the behind-the-scenes information about a matter before prosecuting a person in a public forum.

4. Economic Opportunities Analysis Update - *City Planner Jacob Graichen and Associate Planner Jenny Dimsho*

City Planner Graichen and Associate Planner Dimsho explained the Economic Opportunities Analysis (EOA) state policy in advance of tonight's regular session agenda item about Resolution No. 1991 for authorization of a technical assistance grant with the State to update the EOA, a project in the Strategic Plan. The State requires the analysis be updated. The last EOA the City did was in 2008 which was adopted in 2009. Mr. Graichen clarified he believed the quality control for the analysis may have been done in haste and added better data is available now. The EOA helps the City consider how much industrial land is needed for things like changing the zoning from industrial to something else. Staff believed updating the EOA was necessary. The application was due October 1st. The ask was \$60,000, which will cover the cost of an EOA in its entirety.

5. Review Proposed Rates Increases for Waste Management Drop Box Services - *City Administrator John Walsh*

Mr. Walsh reviewed the proposed drop box service rate increase which was limited to a special CPI and capped at 1.5 percent. A cover letter from Waste Management with the enclosed 2023 rate schedule is included in the meeting packet.

6. Review New Job Descriptions - *City Administrator John Walsh*

Mr. Walsh withdrew the first job description of Building Permit Technician, as it had not been vetted. He will bring it back after vetting. The rest of the job descriptions were ready for approval at tonight's regular session: Librarian I and Water Quality Operators I, II, and III. The pay for the positions was changing which a resolution will address. The job descriptions had changed a bit, too. He described the process of

the updating and negotiations and noted not every contract requires negotiations. He clarified about half of the City's job descriptions were up to date. City Recorder Kathy Payne added that last year staff implemented the step of the employee reviewing their job description with their supervisor during their performance evaluation. If they suggest any changes, staff will bring them up.

7. Assignment of Voting Delegate and Alternate for LOC Business Meeting

The Council briefly discussed the League of Oregon Cities (LOC) meeting, and their consensus was for Councilor Gundersen to be the delegate and Councilor Sundeen to be the alternate delegate.

8. Report from City Administrator John Walsh

City Administrator Walsh presented his report and noted some items were already addressed on the agenda. Highlights were as follows:

- The Paid Oregon Leave law went into effect September 1, and the City needed to revise internal policies to accommodate how the leave rolls out. He clarified the leave can be taken stop/start and not all at once.
- The City must update its Workplace Wellness policy to be eligible for future CIS grants.
- The State Ethics Board had clarified door prizes at the Wellness Fair do not have a cap. In addition, raffle prizes donated by fellow members at conferences can be accepted at any dollar amount as long as Councilors or staff are not making a decision based on the donor of the prize.
- Approval for signatures tonight:
 - The contract with Howard S. Wright had been vetted by legal and was ready to go.
 - Financial analysts Tiberius Solutions will look at the Urban Renewal forecasting and at the impacts of Cascades leaving to both the Urban Renewal Agency and to the General Fund City budget.
 - An amendment to the Kittleson and Associates, Inc. contract for work that was incomplete on the intersection. The project did have the undergrounding of the power. The contract was drawn up four years ago. It was taken down to bid it. The contractor said it is not their job to design it, and they were right. Overall, the project was going ahead as scheduled with the work that is complete. Mayor Scholl said the step was to get the contractor to bid properly on the work. A temporary fix was being made to the intersection to last the 60 days it will take to get through design and approval, etc. Mr. Walsh confirmed the fix will then be ripped back out and the project finished. The project will stay within the budget.
- He has been invited to participate at the LOC conference on a panel to discuss Council compensation and if it removes barriers for people to be on the Council. He spoke about other cities and their compensation for public service.
- The police station project was moving along.
- The First and Street project is going well.
- The contractors originally said the tent could be perpendicular next to where the street extension is. At the last minute, electrical contractors were in there, and they needed to get into it. The suggestion was to move the tent into the park. It will be gone the first week of November.

ADJOURN – 3:40 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

September 6, 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
Matthew Kahl, City Attorney with Jordan Ramis PC

Others: Tim Ralston (arrived at 4:19 p.m. and left at 5:04 p.m.)



At 3:55 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.

- **Consult with Legal Counsel/Litigation, under ORS 192.660(2)(h)**
 - 3:56 p.m. – Update on litigation brought by James Huffman against Municipal Judge Amy Lindgren.
 - 4:03 p.m. – Update on litigation with Cascades Tissue.
 - 4:07 p.m. – Update on litigation with ACSP.
- **Real Property Transactions, under ORS 192.660(2)(e)**
 - 4:13 p.m. – Update on Kelley Street property negotiations.
 - 4:14 p.m. – Update on property at Pittsburg Road.
 - 4:15 p.m. – Update on potential purchase/lease of property in the St. Helens Industrial Business Park.
 - 4:19 p.m. – Update on possible purchase/development of Millard Road property.

The Executive Session was adjourned at 5:17 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, September 06, 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

Nick Hellmich	Jen Massey
Patrick Birkle	Brady Preheim
Richard Mason	Jesse Lagers
Breanna Gaston	V. "Chin Chin" Hokinson
Adam St. Pierre	

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

PLEDGE OF ALLEGIANCE

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

- ◆ Patrick Birkle. It was an honor serving with the Council and staff. At one of his last meetings, he was confronted about questioning how the event coordinator handles cash. He only questioned that because the coordinator said at the January 18, 2023, Work Session that she does not have to account for cash. Reading the contract, he interprets it that all income related to events will be accounted for. He was fully justified in asking those questions. It was not an attack.
- ◆ Jen Massey. Acknowledged Council President Chilton's comment about being a liaison to Columbia River Fire & Rescue (CRFR). That resource is needed. She was told that Columbia County holds the ambulance contract but is not sure if it's accurate. It was disappointing to hear that Commissioner Magruder said there was "no way in hell she would agree to that," referring to loaning CRFR funds. Hopefully, CRFR will get their things together. The Police Department responds to medical calls almost 90% of the time. They are usually there first performing life-saving measures. They are in an imminent issue of not having 24-hour coverage and expect multiple retirements in 2024. The Sheriff made a promise for 24-hour coverage but has not said when that will happen. Is the City prepared to not have 24-hour coverage? Who will they call without it?

- ◆ Adam St. Pierre. There are 10 patrol officers, three patrol sergeants, one investigative administrative sergeant, two detectives, and two admin. If they have six people leave in the next two years, they are in trouble. They are one person away from losing 24/7 coverage. Just this week they have seen the Police Department remove 562 fentanyl pills from the street, arrest someone for Rape 1, and arrest someone for sexual activity with an underage female in the park. They have submitted a request for budget documents so they can be informed when they sit down and discuss ways to fund additional officers. He sent an email to the County Commissioners asking what percentage of the budget goes to law enforcement and was told they needed to complete a Public Records Request. They still have not received a response from Sheriff Pixley about 24-hour coverage. Multiple Public Records Requests have been submitted and they will share that information with the public.
- ◆ Nick Hellmich. He shared some of the reasons he wants to serve on Council:
 - Serve the community
 - Bring the spotlight back to the people of St. Helens
 - Act as a bridge between the people of St. Helens and the City
 - Bring solutions to the budget crisis
 - Create an inclusive and sustainable future
 - Transparency
 - Build a future to be proud of
- ◆ Brady Preheim. He is thankful that Patrick Birkle is gone. He constantly attacked the event coordinator. She does account for cash and Council should correct that in public. They know what he's saying is wrong. He would like to see an audit done of the Councilor who claimed he was going to donate all his money. His attacks are unfounded and unwarranted.

RESOLUTIONS

1. **Resolution No. 1988:** A Resolution to Amend the City of St. Helens Personnel Policies and Procedures Handbook (Resolution No. 1913, as amended) Adding a Policy on the New Paid Leave Oregon Law

Mayor Scholl read Resolution No. 1988 by title. **Motion:** Motion made by Council President Chilton and seconded by Councilor Sundeen to adopt Resolution No. 1988. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

2. **Resolution No. 1989:** A Resolution Adopting a New City of St. Helens Worksite Wellness Policy and Superseding Resolution No. 1715

Mayor Scholl read Resolution No. 1989 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Resolution No. 1989. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

3. **Resolution No. 1990:** A Resolution Amending the AFSCME Employee Compensation Plan for Fiscal Year 2023-2024

Mayor Scholl read Resolution No. 1990 by title. **Motion:** Motion made by Councilor Gundersen and seconded by Council President Chilton to adopt Resolution No. 1990. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

4. **Resolution No. 1991:** A Resolution of the City of St. Helens City Council Authorizing Application to the 2023-2025 Department of Land Conservation and Development Technical Assistance Grant Program

Mayor Scholl read Resolution No. 1991 by title. **Motion:** Motion made by Council President Chilton and seconded by Councilor Gundersen to adopt Resolution No. 1991. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

5. PUBLIC COMMENTS - Increase in Drop Box Rates

No public comments.

Resolution No. 1992: A Resolution Establishing Drop Box Rates and Superseding Resolution No. 1965

Mayor Scholl read Resolution No. 1992 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Resolution No. 1992. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

6. Contract with Howard S. Wright for Construction Manager/General Contractor (CM/GC) Services for New Public Safety Building
7. Agreement with Tiberius Solutions for Urban Renewal Financial Update
8. Second Amendment to Agreement with Kittelson & Associates, Inc. for S. 1st Street & St. Helens Street Intersection Improvements Project

Motion: Motion made by Councilor Gundersen and seconded by Council President Chilton to approve '6' through '8' above.

Discussion.

Mayor Scholl reported that this corrects a couple minor errors made at the S. 1st Street and St. Helens Street intersection.

Vote: Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

CONSENT AGENDA FOR ACCEPTANCE

9. Parks and Trails Commission Minutes dated July 10, 2023

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

CONSENT AGENDA FOR APPROVAL

10. Council Minutes dated August 2, 2023
11. New Building Permit Technician Job Description
12. New Librarian I (Patron Services Librarian) Job Description
13. New Water Quality Operator I, II, and III Job Descriptions
14. Accounts Payable Bill Lists

Motion: Motion made by Council President Chilton and seconded by Councilor Sundeen to approve '10', '12', '13', and '14'. **Vote:** Yea: Mayor Scholl, Council President Chilton, Councilor Gundersen, Councilor Sundeen

WORK SESSION ACTION ITEMS

None

COUNCIL MEMBER REPORTS

Council President Chilton reported...

- Proud of the Police Department. They are doing great work and protecting the community. It's important to share those updates with the community.

- She has been getting emails about the reservoir. What was reported by Public Works Director Zaher and Engineering Manager Darroux is all they know. She doesn't know about a smoking gun.
- She looks forward to a new councilor joining them. There are a lot of great candidates.
- They lost a pillar of the community today. Diane Dillard was a mentor to her and touched the lives of so many. Condolences to her family. She will be truly missed.

Councilor Sundeen reported...

- Parks & Trails Commission meets next week.
- Nob Hill Nature Park work party on Saturday.
- Thanked the Police Department for their great work. A lot happens behind the scenes that they don't see.
- It's hard to imagine the community without Diane Dillard. It's a big loss for the community. His thoughts are with the family.

Councilor Gundersen reported...

- He missed the last Planning Commission meeting.
- There are two candidates for the vacant Planning Commission position.
- He looks forward to performing Council interviews next week.

MAYOR SCHOLL REPORTS

- Condolences to Cheryl Breslin and Diane Dillard's families. They lost two powerful women back-to-back. They were both very involved in the community and will be missed.
- They received 10 applications for the vacant Council position. He is happy to see people wanting to be involved. Interviews will be held next week.
- They signed a contract for the new Public Safety Facility tonight. An ad-hoc committee recommended the Public Safety fee be added to utility bills. It makes it more equitable that everyone pays that \$10 per month.
- Kudos to the Police Department for getting drugs and sex offenders off the street.
- He still hasn't received financial information from the County. The City keeps money in reserves so they don't end up in the same predicament as CRFR.
- Already reading comments from reporters about what he said during the Work Session about CRFR. They don't hold secret meetings and make decisions behind the scenes. He is pleased with where they are at. He thanked City Administrator Walsh for monitoring the budget and managing the day-to-day operations. They would be shocked to see what he does and what he gets paid.
- Welcome back to school!
- 13 Nights on the River is rescheduled to next week.

OTHER BUSINESS

Consensus of Council to cancel the September 13, 2023, joint City Council and Planning Commission meeting. The next meeting will be held on December 13, 2023.

ADJOURN – 7:35 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor