

**City of St. Helens**  
*Consent Agenda for Approval*  
**CITY COUNCIL MINUTES**

Presented for approval on this 17<sup>th</sup> day of November, 2021 are the following Council minutes:

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2021

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- Work Session, Executive Session, Public Hearings, and Regular Session Minutes dated November 3, 2021

**After Approval of Council Minutes:**

- Scan as PDF Searchable
- Make one double-sided, hole-punched copy and send to Library Reference
- Minutes related to hearings and deliberations get copied to working file
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## COUNCIL WORK SESSION

Wednesday, November 03, 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, Deputy City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Mouhamad Zaher, Public Works Director  
Sue Nelson, City Engineer

Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner  
Crystal King, Communications Officer  
Sharon Darroux, Engineering Project Manager I  
Tina Curry, Event Coordinator

### OTHERS

Lynne Pettit	Peter Olsen
Art Leskowich	Emily Flock
Stephanie Patterson	Steve Donovan
Malinda Jones	

### CALL WORK SESSION TO ORDER – 1 p.m.

Mayor Scholl read the Council Mantra.

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

- ◆ Stephanie Patterson, Spirit of Halloweentown Vendor Coordinator. It was an epic season. They were packed every weekend with happy people. They taught people the witch dance and cupid shuffle. The vendors did very well and made a lot of money. They all want to come back next year.
- ◆ Tina Curry. Spirit of Halloweentown update:
  - Stayed in the black and have funds leading into next year
  - Everyone seemed happy
  - No major incidents
  - Restaurants and merchants did very well
  - Everyone was busy
  - They only had bad weather issues one weekend
  - The weather the last weekend was perfect
  - Giving back to volunteer organizations, such as CERT, Kiwanis, Lions Club, and Rotary. The CERT team did a great job monitoring the parking lot and keeping things moving.
  - The pirates were so popular they came every weekend
  - People generally followed the rules

**DISCUSSION TOPICS** - *The Council will take a break around 3:00 p.m.***1. Waste Connections (Hudson Garbage) Request for Christmas Promise Contribution for Kids Bike Build Program - *Malinda Jones***

Malinda Jones reviewed her request. This is their sixth annual bicycle build. They work with DHS and the Giving Tree. They fundraise and partner with Walmart to purchase the bikes. They build the bikes and then deliver them before Christmas. In 2019, they did 150 bikes. Last year was different because of COVID and they did 124 bikes. The need is big this year. She is requesting the City's assistance with the bikes. Last year, Waste Connections built the bikes at homes because of COVID. They hope to work together this year to build the bikes and invite the community.

Mayor Scholl reported that they have changed their process for grant requests, but he knows they have supported the program in the past. Malinda recently learned about that process and plans to follow that next year.

Councilor Birkle appreciates the cause. Pointing out the new donation request process, he suggested they partner to help promote the program.

Councilor Chilton asked how much was given to them in the past. Malinda said the City donated \$500 in the past. Walmart donates as well.

Councilor Topaz said we can't do it this year because of the new program but asked if the City can help promote the program. City Administrator Walsh explained that in the past the Council addressed the requests as they came up. The new process doesn't mean Council can't award funds as they come in. It would just take away from the next round.

Mayor Scholl talked about how they didn't know about the process. He recommends making the donation and allowing the use of the Recreation Center for the bike build.

**Motion:** Council President Morten moved, and Councilor Topaz seconded to donate \$500 to Waste Connections from Council funds.

Discussion.

Motion tabled until the regular session. Mayor Scholl recommended Malinda work with Parks & Recreation Manager Shanna Duggan to use the Recreation Center.

**2. Review of Sewer & Stormwater Master Plans - *Peter Olsen & Emily Flock, Keller Associates***

Peter Olsen and Emily Flock reviewed the plans. A copy is included in the archive packet for this meeting.

Stormwater Master Plan review:

- Need and purpose
- Planning criteria
  - Target a 25-year storm event
- Existing system
- Model development
- Existing capacity evaluation
- Identified potential pipes under structures
  - Recommend moving them during the next repair cycle
- Current design standards do not include clear triggers and requirements for water quality
- Priority areas
- Operations and maintenance recommendations
  - Clean and CCTV every two years
  - Clean catch basins and manholes every two years

- Clean/inspect ditches and inlets annually
- Sweep roadways twice per year
- Perform detention facility maintenance annually
- Continue in-house storm line replacement and repair
- Complete construction inspection
- Comply with new Mercury TMDL plan and reporting
- Annual cost estimate for replacement is \$900,000
- Recommendations
  - 4.25 - 4.5 FTE to meet operations and maintenance goals
  - Additional Engineering FTE for GIS and CIP projects
  - Implement Stormwater CCTV programs
  - Implement Mercury TMDL plan and annual report

Councilor Topaz said that between 1990-2000, the EPA wanted the City to change all of their combined sewer to sanitary sewer and decided to put in storm sewer. It was not done completely but a lot of work was done with the volumes of water in the basins. Engineering Project Manager I Sharon Darroux clarified that it was not a combined system. They were having overflows, so EPA mandated that they stop the overflows. That's why they started upgrading the sanitary lines and put in a storm sewer at the same time.

Councilor Topaz said one of the original systems from 1914 was a combined system that dumped into the river. They had to stop dumping into the river in the 1960's. They put a pump station in and closed off a number of catch basins because a rainstorm would overwhelm the system. After that, there was a mandate that they had to have separate sanitary and storm systems. They've been changing the road levels, so the water distribution is different. When they were doing the systems, they found out people had installed pipes prior to the 1900's. He talked about Dillard Lake that once was a quarry. There were private neighborhood drains dumping water there. That was redone in 1913. When the pump system came in the 1960's, a lot of the lines were severed. Unfortunately, with the basalt the water flow fills in the basalt ditch. Because of the road changes, there are some places that just flood. In one location, they added four catch basins where there were none. One of the catch basins stays dry because it's higher than the water level. The water goes into the sewer. He doesn't see any effort in the process to highlight those problems areas. There are people with water in their basements on Pittsburg Road below where there used to be a swamp. How is their project...are they going to look at the local...? It can rain all over but ends up in one place with the basalt. Mayor Scholl pointed out that he doesn't see the same problems Councilor Topaz sees. The consultants are here to talk about the current infrastructure and not the system from 1913, 1920, 1960, or 1990. He doesn't appreciate that they are being sent down a rabbit hole. These are professionals here.

Councilor Topaz declared that he is an engineer. He has been watching the water. A lot of the original systems are incorporated in this system. It's not gone. Have they indexed the 1990 study for how much water is in the basins? Mayor Scholl said that is what they are here for. It's up to the developer to take care of issues on private property. Darroux informed Councilor Topaz that they referenced all the previous historical data and the old master plans in this process.

Councilor Chilton talked about the new Public Safety Facility. One of the issues is that it's in the 100-year flood plain. Do they have any comments about the location? Peter responded that he would have to look at the map and get back to her. The flood plain will be considered with the development.

Councilor Topaz asked what the federal government is going to mandate in the next 20 years about dumping into natural streams. Peter said that will likely change over the next 20 years with lawsuits. It will become more stringent.

Councilor Topaz asked about properties on basalt. Peter responded that is part of the process with soils and absorption. They will use flow monitoring equipment to predict and model the system. Councilor Birkle pointed out that basalt is not impermeable. There's a lot of water that soaks in there. Just because it's on basalt, does not mean it will accumulate, run off the surface, and flood. Soil types are taken into consideration. Peter agreed that basalt is very conducive to transmitting water.

Wastewater Master Plan review:

- Need and purpose
- Planning criteria
- Inflow and infiltration (I&I) - definitely a bigger issue in western Oregon; not specific to just St. Helens
- Existing system
- Model development
- Existing capacity evaluation
- Inadequate slopes and identified pipes under structures
- Pump stations - risk of failure analysis
- 20-year growth areas
- Priorities
- Operations and maintenance recommendations
  - Clean the collection system every three years
  - CCTV every six years
  - Coordinate manhole inspections and cleaning with pipeline cleaning and CCTV
  - Prioritize I&I projects and sump pump efforts as part of the annual replacement program
- Recommendations
  - \$500,000 annually in 20-year CIP. City should aim to increase to \$790,000 over the 20-year period.
  - 3.5 - 4 FTE to meet operations and maintenance and level of service goals
  - Additional engineering FTE for GIS and CIP projects
  - Implement wastewater CCTV program

Councilor Topaz asked where they would move the sewer treatment plan to if they wanted to combine with Scappoose. Peter responded that it would take an entire study on its own. They would need to start with a feasibility study. He suggested inviting Scappoose to partner. Mayor Scholl added that they have spoken with Scappoose, and it was not feasible for them at the time. He agreed with Councilor Topaz that it's a good idea. Councilor Topaz went on to talk about his experience in the past with sewer lines. What would it take to do it if they were forced? Peter said it's typically driven by violations. It would be a big project.

Brown asked how often the plans should be updated? When you rate priorities 1-3, what is the timeline? Emily responded that master plans are typically updated every 5-10 years. Depending on how active they are with I&I, it would benefit the City to update the Wastewater Master Plan sooner rather than later. The Stormwater Master Plan is not as urgent.

Mayor Scholl asked about the FTE's. They would be able to get a lot more projects done in-house rather than hiring out. They need to review the budget and determine what is the most feasible.

In response to the question about the timeline, Emily explained that priority one for sewer is typically looked at within the first six years. All three would be completed within the 20-year planning period. A lot of it depends on how they have addressed I&I.

Councilor Chilton asked what they have been budgeting for stormwater. Brown said they have held off on projects so it would not be accurate. To get to their suggested numbers, it needs to go into the rate

model. Mayor Scholl asked if they could bring the numbers down if they do the work in-house. Emily said the cost estimates are for a contractor to do open trench.

Councilor Topaz talked about the history of St. Helens. There's a lot of strange groundwater here.

Brown reviewed the current Public Works budget for staffing.

- Storm 3.45 FTEs
- Sewer 3.25 FTEs
- Water is 5.1 FTEs
- Those numbers do not include all Public Works staff.

### **3. Review Proposed Equivalent Dwelling Unit (EDU) Code Changes – *Matt Brown & Steve Donovan***

Steve Donovan reviewed his report. A copy is included in the archive packet for this meeting. He is here to talk about how they bill for services. What is the \$3 Public Safety Facility (PSF) fee based on? They will barely be able to build the new PSF at \$3 fee per EDU. A method needs to be created to bill users who are not a single-family dwelling. An EDU is a measure of demand based on the service you are receiving. 85-90% of users are residential. Brown reported that the biggest users of police are Walmart, an apartment complex, and a hotel/motel on Highway 30. Steve talked about ordinance amendments needing to be made before the fee is added.

Next steps:

- Make modifications to the Incode utility billing system to accept EDU assignments to active utility accounts
- Prepare draft ordinances to modify the Municipal Code Section 13.02.010 to define EDUs for water and sewer
- Prepare draft resolutions to establish and implement the PSF fee on January 1, 2022
- Report back to Council with progress/status at the next Council meeting

The \$2 Recreation fee will be removed at the same time the \$3 PSF will be added. The fee is only added to in-City customer accounts.

Councilor Topaz asked if other cities do this. Steve said a lot do. Gresham charges \$15/month for public safety.

Councilor Chilton pointed out that financial assistance is available for families in need.

### **4. Strategic Action Plan Updates**

No updates.

### **5. City Administrator Report - *John Walsh***

- Tonight's agenda includes the Infrastructure Design Work Order #1 with Mackenzie for St. Helens Industrial Business Park. Some of it includes stormwater issues, as discussed earlier.
- The November 17<sup>th</sup> Urban Renewal Plan and Funding Overview meeting has been switched to January 5<sup>th</sup> to accommodate staff schedules.
- Council will hold a retreat November 17<sup>th</sup>.
- Christmas decorations will be going up soon.
- Spirit of Halloweentown is over. They will have a debrief.
- The Dock Use Committee is coordinating meeting dates. The kiosk is already here, and the vendor is ready to program it.
- Displayed drawings of the proposed signage for the Recreation Center and Community Center.
  - A former local student designed the logo.
  - The Recreation Center will be a leasable space.
  - The Community Center will be used for staff and programs.

- The last Mainstreet meeting went very well.
- The Community Survey is still taking place.
- The Riverwalk design is progressing. The technical advisory committee will be meeting on November 10<sup>th</sup>, 10 a.m. – 3 p.m.
- 1<sup>st</sup> Street and Strand Street project is progressing.
- Central Waterfront project is progressing.
- City Engineer Sue Nelson retiring tomorrow. There is a card in the Copy Room to sign.
- Library Director Margaret Jeffries announced her retirement. They will need to coordinate the process to fill her position.

**ADJOURN – 3:02 p.m.**

**EXECUTIVE SESSION**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor

**City of St. Helens**  
**CITY COUNCIL**

**Executive Session Summary**

**November 3, 2021**

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**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  
Kathy Payne, City Recorder  
Matt Brown, Assistant City Administrator  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner/Community Development Project Manager

**Others:** Jim Atkins, Atkins and Dame  
Lemoine Eiler, Lemoine Eiler Architecture Planning LLC  
Patrick Kessi, PHK Development



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.

- **Real Property Transactions**, under **ORS 192.660(2)(e)**
  - Update on City-owned Millard Road property.
  - Update on Masonic Building property.
- **Consult with Counsel/Potential Litigation**, under **ORS 192.660(2)(h)**
  - Nothing was discussed under this item.

The Executive Session was adjourned at 4:22 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



## COUNCIL PUBLIC HEARING

Wednesday, November 03, 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, Deputy City Administrator  
Kathy Payne, City Recorder  
Jenny Dimsho, Associate Planner/Community Development Project Manager  
Tina Curry, Event Coordinator

### OTHERS

Paul Vogel  
Angela Wayman  
Brady Preheim  
Stephanie Patterson

### OPEN PUBLIC HEARING – 6:45 p.m.

### TOPIC

#### 1. Annexation of 58241 S. Division Road (McPherson)

Associate Planner/Community Development Project Manager Dimsho covered preliminary matters and presented the staff report, a copy of which is included in the archive packet for this meeting. There were no ex parte contacts, conflicts of interest, or bias in this matter. There were no objections from the audience for the Council to make a fair decision.

Planning Commission and staff both recommend approval and recommend the property have a Comprehensive Plan designation of Suburban Residential, be zoned Moderate Residential, and designated as "developing."

Council President Morten asked if she looked up the agreement with McNulty Water. He recalls that the agreement requires the user to connect to City water and sewer upon annexation. Dimsho responded that the water service is over 2,500 feet away. There is an exemption in the agreement that allows users to not connect to City water if it's not physically available. City Administrator Walsh agreed with the exemption due to distance. Council President Morten asked if they would be required to connect when City water becomes available. Dimsho will investigate that question.

Councilor Topaz asked if this is a mute discussion if the City buys out McNulty Water. Walsh has experience with that and does not recommend doing it. As urban densities develop in that area that may be a decision McNulty Water needs to make.

**TESTIMONY IN FAVOR – None**

**TESTIMONY IN OPPOSITION – None**

**CLOSE PUBLIC HEARING – 6:56 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



## COUNCIL PUBLIC HEARING

Wednesday, November 03, 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, Deputy City Administrator  
Kathy Payne, City Recorder  
Jenny Dimsho, Associate Planner/Community Development Project Manager  
Tina Curry, Event Coordinator

### OTHERS

Paul Vogel  
Angela Wayman  
Brady Preheim  
Stephanie Patterson

### OPEN PUBLIC HEARING – 6:56 p.m.

### TOPIC

#### 1. Annexation of 35285 Millard Road (Columbia Soil & Water Conservation District)

Associate Planner/Community Development Project Manager Dimsho covered preliminary matters and presented the staff report, a copy of which is included in the archive packet for this meeting. There were no ex parte contacts, conflicts of interest, or bias in this matter. There were no objections from the audience for the Council to make a fair decision.

Planning Commission and staff both recommend approval and recommend the property have a Comprehensive Plan designation of Suburban Residential, be zoned Moderate Residential, and designated as "established" with the condition that this annexation shall only be processed if Annexation A.4.21 at 58241 S. Division Road is also approved.

The use of the building is a conditionally allowed use in the R7 and R10 zoning districts, so it would not create a nonconforming use upon annexation.

Council President Morten clarified the history of the building. Prior to Columbia Soil & Water Conservation District it was Warren Grange, prior to that it was the McNulty Grade School for years and years.

**TESTIMONY IN FAVOR** – None

**TESTIMONY IN OPPOSITION** – None

**CLOSE PUBLIC HEARING – 7:02 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



## COUNCIL REGULAR SESSION

Wednesday, November 03, 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, Deputy City Administrator  
Kathy Payne, City Recorder  
Jenny Dimsho, Associate Planner/Community Development Project Manager  
Mouhamad Zaher, Public Works Director  
Tina Curry, Event Coordinator

#### OTHERS

Paul Vogel                   Stephanie Patterson  
Angela Wayman           Bob Brawand  
Brady Preheim

#### CALL REGULAR SESSION TO ORDER – 7:03 p.m.

#### PLEDGE OF ALLEGIANCE

Mayor Scholl led the Pledge of Allegiance.

Councilor Topaz read the Council Mantra.

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

- ◆ Angela Wayman. She is organizing the Spirit of Christmas parade for St. Helens and Scappoose. She started it last year due to Covid. The parade travels through neighborhoods and collects donations for Columbia Pacific Food Bank. They collected about 4,000 pounds of food last year. She is requesting the City sponsor the event by including an informational flyer in the next utility bill that is mailed.

Assistant City Administrator Brown reported that the next utility bills go out around November 20. Council adopted a fee for including information in utility bills to cover the costs of printing and mailing. It is \$500 for a standard black and white and \$1,500 for color two-sided. The service is only available to nonprofits. Angela said they are working on getting sponsors.

Council President Morten asked if it could be included in the City's e-newsletter. City Administrator Walsh agreed that it would be much more affordable.

Councilor Chilton asked if Angela is having them printed. Angela responded that Paulson's Printing is printing 2,000 for them in black and white. Brown clarified that an outside printing company prints and stuffs them. There have been cases where they physically delivered about 4,000 copies for stuffing.

◆ Tina Curry.

- The Columbia County Public Information Officer contacted them about attending the AOC meeting, which includes elected officials and County staff from all of Oregon. They want their display table to be exclusively Spirit of Halloweentown. They have asked the City for things to display on the table.
- Received a call from the Main Street program in Tennessee. They heard how successful Spirit of Halloweentown is and wanted specifics of what they are doing and how they are doing it.
- The Price is Right held a Halloween episode and one of the prizes was a completely paid for trip to Spirit of Halloweentown.
- Christmas Ships is December 11
  - Begins around 6:00 p.m. with Santa and his elves handing out candy on the Courthouse steps. It will be a walk-through instead of a drive-through this year.
  - Closing the Plaza and a portion of S. 1<sup>st</sup> Street to keep everyone safe.
  - Music will be performed.
  - There will be friendly, festive alpacas on site.
  - Last year, they provided to-go dinner boxes for the ship captains and their mates. She is waiting to hear if they want to do that again or try to eat together like in the past.
  - They did not have an official tree lighting with Santa last year. The tree was just lit when it was put up. She suggests doing the same thing.
  - They will be decorating the week before Thanksgiving this year.

Council President Morten heard a rumor of choirs or groups of people wanting to sing. Tina responded that she sent an email to all the churches in Columbia County, and no one responded.

Mayor Scholl agreed with lighting the tree as soon as it is up. Councilor Chilton would prefer to have an official tree lighting when everyone was there. It was decided to turn the lights off on the tree that day and then have an official tree lighting that evening. Council President Morten suggested bringing Santa in with the taxi.

◆ Brady Preheim.

- He hates the Council mantra.
- He is opposed to giving a tax break to Cascades Tissue. They had record profits, made over \$625 million, and they want the City to give them a \$225,000 tax credit because they failed to create 21 jobs. Paul Vogel will not be able to tell you how many jobs they did or did not create because he does not have that information and has been asked several times. They need to provide the jobs, or they shouldn't get the tax break.
- Spirit of Halloweentown was fantastic.
  - It's number three on Martha Stewart's list.
  - It is offered as a prize on a game show.
  - Now the County wants to take credit for what St. Helens is doing. At least they are recognizing that it is an event that affects the entire county.
  - He encouraged the Council to thank the Tourism Director for the fantastic event that she organized.
- He does not understand why they can't move the pirate ships. The rules need to be enforced.
- He thanked Councilor Chilton for the comment she made last week in response to Councilor Topaz saying he has a developer coming but won't provide it unless he's not censured. Councilor Chilton said something about that sounding like blackmail, which he agrees with. Why is Councilor Topaz not being held accountable for that?

Councilor Chilton read a letter into the record from Calli Ross who asked to have her letter read into the record.

*"Hello, St. Helens City Council. We had a really awful time today at Halloweentown. Which is disappointing because today was supposed to mean a lot. I called last week and spoke with someone who assured me you were both handicap accessible and enforcing the indoor mask mandate.*

*I spent nearly \$200 purchasing 5 tickets for my family online following that reassurance. I drove my 6yo son who has end stage heart and lung disease, dependent on a ventilator and is non mobile following a prolonged heart attack an hour and a half to come to your event.*

*When we got there...we quickly realized there was no designated handicap parking spaces for the crowd...and it was purely first come first serve. We dragged him through mud and puddles across a field to even begin. We got our punch cards and started with the alien exhibit. After waiting in the rain for 20 mins we got to the front of the line and see the only way up is a steep, narrow staircase. He and his nurse waited outside while the rest of us went in. Neither of the people working at that attraction were wearing masks inside, only half of the families were and the young girl out front wasn't enforcing the mandate- or wearing one herself.*

*We attempted your haunted house next, but the 3rd curve is too narrow to negotiate his medical stroller (smaller width than a standard wheelchair) and had to turn back.*

*We went down to the whispering woods and found that the shuttle wasn't equipped to handle a wheelchair. With the help of the shuttle driver we were able to get my son in...where we just held onto him in the aisle. We pulled up to....Stairs. And an impossible gravel and mud path.*

*At that point we gave up. I returned and asked the person where punch cards were being handed out for a refund for my son and his nurse. I didn't request one for myself, my mother in law or my older son. I was respectful yet firm but treated with disdain. One person sent me to another. One told me "well just leave then and email someone" while trying to ignore me and speak to other guests.*

*And one finally reached out to someone on the phone who took my information and told me I would receive a refund .... When I started crying at the other's statement.*

*I reached out about our experience on some of the larger Portland area moms groups and the posts have kind of blown up. I was contacted by a local news reporter that wants to interview us and do a story on our experience Tuesday. I would like to hear The Spirit of Halloweentown's response before I do.*

*Why is there no designated handicap parking in a paid lot? Why are your props not even accessible to get to via wheelchair? What attractions do you offer for kids that are non mobile? What are you going to do to ensure your volunteers and staff are following the mask mandate? Being an old town is not an excuse to not attempt any inclusion. We visit Aurora on a regular basis and my son is able to be a participant. Small things can be done. The haunted house isles can be widened, the photo props can be placed next to foot paths or have paths built to them for easier access, you could easily add an arts and craft booth or pumpkin carving booth that kids of all abilities can participate. ADA designated handicap parking in the overflow lot, the amount of ADA parking is not proportional to the influx of people during your event (all spots were full when we visited on Sunday). The rudeness from your employee when I requested a refund because my handicapped child was stuck out in the rain instead of able to participate in anything, is just really not okay.*

*I hope that you all will take my letter as a learning experience, as to some of the changes that need to be made so that ALL children and adults can enjoy Halloweentown.*

*Thank you,*

*Calli Ross"*

Mayor Scholl apologized that she was confused about the event being handicap/ADA accessible. It clearly states on the website that the attractions she referred to are not ADA accessible or even stroller friendly. Councilor Chilton responded that they need to change that and make it accessible. Mayor Scholl pointed out other activities that are not ADA accessible. He would like to continue this discussion later. He is concerned about Calli. Councilor Chilton said she is also concerned about her and the way she was treated. Mayor Scholl apologized to Calli that she was misled and misinformed.

## **DELIBERATIONS**

### **1. Annexation of 58241 S. Division Road (McPherson)**

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve the annexation of 58241 S. Division Road. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

### **2. Annexation of 35285 Millard Road (Columbia Soil & Water Conservation District)**

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve the annexation of 35285 Millard Road as recommended. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

## **RESOLUTIONS**

### **3. Resolution No. 1938:** A Resolution of the City of St. Helens Waiving Standard Enterprise Zone Tax Abatement's Employee Requirements Under Section 3, HB 2343 (2021) for Cascades Tissue Group-Oregon Converting, a Division of Cascades Holding U.S. Inc. (Cascades), Located in the South Columbia County Enterprise Zone

Mayor Scholl read Resolution No. 1938 by title.

Paul Vogel, Executive Director of Columbia Economic Team and Enterprise Zone Manager for South Columbia County, was in attendance and explained what the resolution is for. He is here to advocate for their request as a business partner. The temporary employment waiver is time sensitive due to the legislative mandate. There is only a brief window to act. The employment waiver is an acknowledgement of the economic realities and the impact to the economic corruption the pandemic is having on businesses. The legislature did agree that this statutory opportunity will help enterprise zones help companies. Investments still have to be made, higher wages will have to be paid, and Business Oregon reports more than 30 businesses statewide are similarly impacted. The resolution is to provide a good faith acknowledgement of the circumstances and a temporary two-year opportunity for Cascades Tissue to achieve one of three of the required elements in order to retain the tax abatement approved by all six South Columbia County Enterprise Zones sponsors in late 2020, early 2021. Cascades has already made the \$14 million investment in equipment and is paying 150% of annual covered wages to employees. They are acting in good faith. They are falling short with the required 10% increase in zone-wide employment level in the first 10 months of this year. HB 2343 statutorily allows for more time to reach that level without the company losing the authorized abatement approved by the zone sponsors. Cascades could have requested a construction in process deferment, but they chose not to do that. The economy and market for their products has not been ambitious or helpful. The two new lines manufacture commercial grade towels, napkins, etc. Their primary customers are office buildings and workplaces where employees have not returned to work. Restaurants have closed, limited reopening, starved for workers, and have adjusted to using sanitizer as much as napkins. Cascades stated, "Covid-19 has significantly impacted Cascades sales as well as its production, due in large part to limited demand for Cascades products in the away from home market. In 2020, Cascades sales for its US away from home business underperformed its projections by \$19 million. In addition, Cascades current production levels

have been impacted by the diminished demand. Cascades Scappoose facility produced 521,000 cases less than projected figures for the first two quarters of 2021. It represents a 22% reduction in anticipated production. Cascades has made a good faith investment in Columbia County. The total amount of investment today is more than \$121 million and more than \$60 million in St. Helens. They pay 150% of annual averages wages and employ close to 200 people in local plant operations and management. The company purchased an extra 15 acres at the Scappoose site for a future Phase II. With these previous investments, the Enterprise Zone investors have approved multiple two-year extended abatements that have worked as intended. Over the next three years, approximately more than \$1 million will begin rolling back into tax rolls, taxing districts, urban renewals, etc." Paul went on to review the request. Cascades needs more time, which this two-year extension would allow.

Mayor Scholl agreed with Brady's statement. He is disappointed. The 21 jobs were going to benefit St. Helens and they failed to meet that. Councilor Chilton agreed. There are plenty of other businesses in the same boat.

Councilor Topaz talked about the number of "help wanted" signs on businesses. The employment picture on the street is very different than a normal year.

Discussion of exemption. Due to Covid-19, the need for products from this facility has decreased and they have not been able to fill the 21 positions. They will lose the exemption if they don't meet the requirements in 2022.

**Motion:** Motion made by Councilor Birkle and seconded by Councilor Topaz to adopt Resolution No. 1938. **Vote:** Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz; Nay: Council President Morten, Councilor Chilton

#### **AWARD BID/CONTRACT**

4. Little Street, Tualatin Street, & N. 7th Street Waterline Improvements to Clark & Sons Excavating for \$295,778

**Motion:** Motion made by Councilor Birkle and seconded by Councilor Chilton to approve '4' above.

Discussion.

Councilor Birkle pointed out the significant range of bids. Walsh confirmed that they met and reviewed the bid closely. Their biggest number was on mobilization. Associate Planner/Community Development Project Manager Dimsho added that she spoke to Engineering Project Manager I Darroux briefly about this. Darroux has seen this before when a company really wants to get into public bidding so they bid low on mobilization or things they can control. Walsh said there are a lot of contractors who are hungry and trying to fill their schedules.

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

#### **APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

5. Second Amendment to Agreement with Pacific Northern Environmental DBA Advanced Electrical Technologies for Water Filtration Facility SCADA Update
6. Contract Payments
7. Infrastructure Design Work Order #1 with Mackenzie for St. Helens Industrial Business Park

**Motion:** Motion made by Councilor Birkle and seconded by Councilor Chilton to approve '5' through '7' above.

Discussion.

Councilor Topaz reported that number seven was just added, and he has not had enough time to review it. Walsh explained that it is the third draft, and they are trying to move things forward. It's a work order

that will get them to another work order. It generally lays out the water, sewer, understanding the storm conditions on the site, and addressing environmental issues. There is a limited window with the ARPA funds to complete the project.

Councilor Topaz repeated that he wants more time to study it before making a decision. Councilor Birkle would also like more time to review it.

**Vote:** Yea: Mayor Scholl and Council President Morten; Nay: Councilor Birkle, Councilor Topaz, Councilor Chilton; motion fails

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

Walsh encouraged Council to reach out to him or Dimsho if they have questions when they review the document prior to the next meeting.

### **CONSENT AGENDA FOR APPROVAL**

8. Council Work Session, Executive Session, Hearing, and Regular Session Minutes dated October 20, 2021
9. Accounts Payable Bill Lists

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve '8' and '9' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

### **WORK SESSION ACTION ITEMS**

#### Waste Connections (Hudson Garbage) Bike Build

Mayor Scholl reported that they reviewed the bike build during the work session. A motion was made, seconded, and tabled until tonight to approve donating \$500 to the bike build and the coordination with Recreation Manager Duggan to use the Recreation Center.

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

#### Spirit of Christmas Parade

Discussion of Angela Wayman's request. Councilor Birkle had the impression that Angela is seeking sponsors to pay for the cost of flyers to be added to the utility bills.

Mayor Scholl agreed with Councilor President Morten's suggestion to share the information in the City's newsletter and on social media. Walsh pointed out that the City's social media policy says they will support nonprofits. He is not aware that this organization is a nonprofit. Discussion ensued about it being a community event. The parade could partner with a nonprofit.

### **MAYOR SCHOLL REPORTS**

- Spirit of Halloweentown had a lot going on. The last weekend was beautiful.
- He is looking forward to Christmas.
- There is a lot of good things going on in our community.
- They are doing well with master plan updates.

### **COUNCIL MEMBER REPORTS**

Council President Morten reported...

- Dimsho authored the Parks Master Plan update when she first started, which was a huge undertaking. They are beginning to review it for updates again.
- There is no Parks & Trails Commission meeting this month.
- Unfortunately, the Veterans Day ceremony at the McCormick Veterans Plaza has been cancelled.

- Thanked Tina for thanking the service-based groups who helped with Spirit of Halloweentown. His fellow Kiwanis service members embraced the opportunity and made it happen.

Councilor Topaz reported...

- Has received a number of concerns about Spirit of Halloweentown
  - Why is the Houlton area not involved in the action as well?
  - There are not enough garbage cans. People are throwing garbage on private property.
  - There was no transportation for people wanting to go to the Highway for a cheap meal.
- Library Director Jeffries is going to retire earlier than planned. She will leave a big hole. She has built an incredibly good crew.
- He would like to request as many federal dollars as possible for the Sewer and Stormwater Master Plans. The infrastructure has been patchworked since the 1900s. He recommends painting as bad a picture as possible to get money.

Councilor Chilton reported...

- She read a statement into the record. "I just want to take a moment to talk about a goal of mine as our City grows. I would like to see a more inclusive City for all people, including our parks, riverfront, and community events. My hopes are that all people who live here and travel here feel included and able to participate and enjoy the beauty of St. Helens. We have a job. A job to provide this and improve quality of life through access and design that is inclusive to all abilities. It is my hope that we will continue to move in this direction as we look towards the future."

Councilor Birkle reported...

- He had the opportunity to visit Spirit of Halloweentown a couple more times.
  - Participated in the Halloween celebration at the Klondike.
  - It really is fun to talk with people who enjoy visiting our town.
  - For a majority of people, it seems to be a worthwhile experience.
  - With all good work, there are things they can continue to work on and improve. He was not aware of the letter beforehand. It is important to be aware of these concerns as they plan for the future.
- He was excited to attend the Main Street Alliance meeting. There was a lot of positive energy. They are headed in the right direction.

## **OTHER BUSINESS**

### **ADJOURN – 8:24 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor