

City of St. Helens

Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 2nd day of February, 2022 are the following Council minutes:

2021

- Work Session, Executive Session, and Regular Session Minutes dated January 5, 2022
- Special Session Minutes dated January 12, 2022
- Work Session, Executive Session, Public Forum, Public Hearings, and Regular Session Minutes dated January 19, 2022

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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- Save PDF in Minutes folder
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COUNCIL WORK SESSION

Wednesday, January 05, 2022

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, Finance Director
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Jenny Dimsho, Associate Planner/Community Development Project Manager
Mouhamad Zaher, Public Works Director
Peter Hicks, City Attorney
Tina Curry, Event Coordinator

OTHERS

Stephanie Patterson
Brady Preheim
Jane Garcia
Jennifer Pugsley
Chris Cannard
Bill Eagle
Claudia Eagle
Scott
Amy Bynum
Adam, Arciform

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

Council President Morten read the Council Mantra.

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

- ◆ Brady Preheim. Bill Eagle is a great guy. He hates the Council Mantra. The tourism meeting was very good until Michael Sykes left. Submitted a public records request for more information from the Tourism Executive Summary. Most of the things listed have already been done. Tourism netted a revenue of over \$1 million, and they're worried about \$27,000 being repaid? When Council President Morten asked Finance Director Brown what the current balance is of tourism, he refused to answer. That is insubordination. A professional would have responded that it has not been audited, so it's subject to change. He has clearly lost that ability. He was proud of Brown when he bravely came forward to talk about the abuse by Councilor Topaz. But now he seems to have PTSD. His job should not be political. The profit was over \$700,000. What other department does that? It's ridiculous. She's now here without a contract. She has proven her worth. The Council continues to abuse her. What other departments are scrutinized this much? What about the Recreation Division? That spends and wastes money. Event Coordinator Curry generates money. She does coordinate other events. It would be crazy for her to supply her passwords.
- ◆ Jennifer Pugsley. Michael Sykes was great leading the tourism discussion. She was concerned that no one discussed the National Historic District that can draw people here. It's a way to

engage local people. They want to know what the district looked like. She requested they include it in the conversation. "Heritage tourism is a community story that is curated and showcased in a way that brings people back to Main Street."

DISCUSSION TOPICS - *The Council will take a break around 3:00 p.m.*

1. Presentation of Plaque to Bill Eagle in Appreciation for his Service on City Commissions

Mayor Scholl presented Bill Eagle with a plaque for 21 years of service. His insight has been very valuable.

- Budget Committee, May 2007 – December 2021
- Parks Commission, December 2008 – December 2010
- Parks Commission, March 1994 – December 2000

Council President Morten acknowledged Bill's community involvement, such as his work with the Soil & Water Conservation District and Kiwanis. His wife, Claudia, has been a constant advocate and supporter.

Councilor Birkle talked about his history with Bill and Claudia. It has been a pleasure serving with him. He appreciates that he was willing to serve for so long. He looks to him as a mentor and role model.

Bill Eagle said he loves democracy. We grow and become stronger seeing things differently. He was critical of the City when he served on the Parks Commission, but saw it much differently when he joined the Budget committee. He developed appreciation and respect for the Council and staff. No matter what you do, it's going to be wrong in someone's eyes. Council members are sincere people who care about their city, which is why they serve. He thanked them for the opportunity to serve and learn.

2. Building Division Semi-Annual Report - Mike

Postponed until a later date.

3. Tourism Year-End Report

City Administrator Walsh reported that they are in a place where they should be celebrating the successes of tourism. Unfortunately, there seems to be a lack of trust. He talked about the growth and changes in tourism over the years. They should be proud of how far it's come. St. Helens is one of the top destinations for Halloween.

Event Coordinator Curry reviewed her report. A copy of the handout she distributed to Council is included in the archive packet for this meeting.

- Developed tourism as they could afford it
- E2C loaned props in the beginning
- Have acquired a large inventory over time
- Inventory list was emailed to Council last week
- Since November, spent another \$50,000 procuring things needed for 2022
- Around \$800,000 remaining in the tourism account
- Used ticket revenues to direct pay for expenses
- Fine with having an audit done. The auditor will just need to compare spreadsheets.
- Drastic programs to increase ticket revenue to afford the following:
 - Tram
 - Boat to take people to Sand Island
 - Improvements on Sand Island
 - Disc golf course
 - Sandcastle competition
 - Improvements to Nob Hill Nature Park
 - Improvements to Rose Garden
- Need things to keep downtown active
- Add items to the alien exhibit because it's popular

- Have the haunted house open year-round. Building improvements are needed first.
- Get people involved in town to create popup events
- Parking will be an issue in the future. Need to consider renting space at area fields and transporting visitors here.
- Biggest issue is always money. Need to be able to purchase things as needed.
- Create evening tours on a tram to visit residential Halloween displays in town.
- Parking is always included in ticket prices, in an effort to take the pressure off the community.
- There is turbulence in town. She found other jurisdictions are going through the same. A group conducted a tourism survey in small, rural towns. What makes tourism die? All five challenges have happened here. Thankfully, it has not stopped them from holding fantastic events. It takes cooperation from everyone to do this for the community and businesses. When tourism doesn't happen, it's impactful. Top survey responses:
 - Lack of cooperation and negativity among local leaders
 - Lack of cooperation among local businesses
 - Marketing issues for small businesses
 - Finding and keeping volunteers
 - Common business weaknesses
- These issues can be resolved, starting with help from the Council
- The Main Street Alliance is great. What else can be done to increase people's cashflow without burdening the local neighborhoods?
- Give people her phone number and email address when they have questions. It does not help when they make assumptions or give the wrong information.
- Various City departments sign off on permits months in advance of the event. They are aware of events and street closures.
- Ordered multiple signage stations

Council President Morten suggested spending tourism money to improve areas in the city. For example, the Veteran's Plaza was created in McCormick Park to offer a safe, clean place to honor veterans and service members. The Plaza in front of the Courthouse, which is owned by the County, becomes a muddy mess during Halloweentown and Christmas. He recommends collaborating with the County to make the Plaza more usable in the fall and spring. Curry has thought about that a lot and agreed that tourism dollars could help start the project. One idea is to purchase a brick with someone's name on it. They could lay sections of bricks in the Plaza as funding is available. Maybe Main Street could do it as a partnership with businesses? Walsh added that the County has expressed interest and support of projects in the Plaza and Rose Garden. The Urban Renewal Plan also includes those areas as projects. If they do it, they should have it designed professionally to include finish and electrical.

Walsh referred to the Tourism Executive Committee recommendation. There is a lot of accounting work involved. He is requesting the City receive all the revenue and expense information. There are reasons government has a lot of processes and controls. Trust first needs to be established with an audit and reporting.

Tina asked the Council what their expectations are for the money they are paying.

Mayor Scholl is in favor of including St. Helens history in events. Tina responded that the blue card distributed to ticket holders included an interactive historical walking tour of the downtown area. More can be added to the card. It's cloud-based and can be changed instantly. If they had a tram, they could do city-wide tours next year that includes more historic sites.

Walsh explained that revenues collected by the City are public funds. Those public funds are subject to public processes. If they want to buy a tram, they are required to publish notice and conduct a public hearing. Curry was not aware of that process. She has just been purchasing items needed when the

funds are available. Walsh added that the tram is a big purchase. He is uncomfortable giving approval for it and wants the Council to move the revenue to the City for the purchase.

Councilor Birkle talked about public money and usual processes. If the model is changed, then they need to make sure they are following their procedures. Whatever the amount is coming in should be part of the budget process with Finance Director Brown. Curry responded that she should have just purchased the tram on her own credit card, making it an asset of tourism, without going through that process. Councilor Birkle pointed out that it's public money now and they need a process. Staffing is one of the shortfalls of the City. He recommends they look at filling the Community Development Director position with someone who can coordinate with tourism, the Chamber, Main Street, etc. How do they ensure this vision goes forward so that everyone feels included? The current contract talks about event plans. The City hasn't overseen the contract closely due to staffing. What if Curry is not available? Are there logistical master plans that someone can grab and go? Curry said yes. There are a lot of volunteers at events who know what is going on. Councilor Birkle is not recommending volunteers, but a staff member like Stephanie Patterson. He would also like a year-end written report following each event. Council President Morten said Curry already reports after each event. Councilor Birkle clarified that he is requesting a written summary. Curry confirmed that she could create a written summary.

Councilor Topaz agreed with Councilor Birkle. They do not have a master plan. There is no detail in the contract. Mayor Scholl said that was the purpose of the tourism meeting last month. Councilor Topaz went on to say that the current contract is not good. It was created before they were as big as they are now. They need to lay it out accurately in writing. Mayor Scholl said the Council is already moving forward with the new contract. Curry can apply for permits like anyone else.

Councilor Chilton expressed that the confusion seems to come from not understanding the role of an independent contractor. They don't understand what they are supposed to do, and Tina doesn't understand what the City is supposed to tell her to do. Council President Morten said he has gotten clarification for it in the past. It would be hard to bring in reports for all independent contractors.

City Attorney Hicks pointed out that the nature of the agreement will dictate responsibilities. What you are asking for is reporting is in the contract. The City is essentially outsourcing the events. The contractor puts on the event, but the Council can monitor how it's going. It is all dictated by the contract. They need to be careful of exercising too much direction and control over what the contractor is doing. They are retaining the contractor to do the job for them, not for them to manage every piece of it. There is some degree of trust. They can ask for periodic reporting.

Councilor Chilton wants to make sure they are doing things correctly. Hicks said the City needs to make sure the contractor is doing what is asked. They need to have enough information to cover the City's obligation of monitoring what is happening, where the money is going, and how the events are working. They don't want to exercise so much control over the contractor that she becomes an employee.

Councilor Birkle acknowledged the stellar work done by the Tourism Executive Committee. They know a lot about what is going on and need to be recognized for the work they did.

Walsh confirmed that they are not going to renew the existing contract. It's not terminated. Tourism is not going to stop. They are working on a new contract. It will take time to get an audit. Hicks added that the contract language includes that it continues unless it's terminated. The only way that it would be terminated is if there is a substantial failure to perform by the contractor or the City abandons the project. Neither of those things have happened. The existing agreement will continue while you work on the new one. Councilor Topaz asked if there is a good definition for performance met. Hicks responded that you would look at the overall performance of the contract and determine if there was a substantial failure to perform. It does not appear that has happened yet. It makes sense to have a more formalized evaluation process at the end of each contract term.

Mayor Scholl asked what would need to be done to proceed with the purchase of a tram now that the funds have been submitted to the City? Hicks said a public hearing would be required with a seven-day notice. Mayor Scholl asked how they can let the public know that it's revenue generated from tourism and not general fund money. Hicks said they can explain that at the meeting.

Councilor Topaz asked if a dollar limit of what the contractor can spend without City approval should be added to the contract. Hicks said they could always put a limit in there.

Council directed staff to begin the public hearing process to purchase the tram.

4. Bennett Building Phase 2 Work Order with Arciform - *John/Matt/Jenny*

Associate Planner/Community Development Project Manager Dimsho reviewed the work order submitted by Arciform. A copy is included in the archive packet for this meeting. They worked with Arciform on Phase I for replacement of the windows on the Bennett Building. They budgeted \$24,000 for Phase II. However, the bid came back at \$51,000. Adam with Arciform is here to provide more details. \$12,000 of the budgeted funds are from the Certified Local Government Grant Program, which requires a 1:1 match. Arciform has done great obtaining contractors to bid on the project. The specialized work and travel is challenging. There are two components:

1. Roof. Membrane covers the roof and keeps rainwater out. The membrane was not put on properly and birds are getting in and nesting.
2. Cornice above store-front windows. It is rotting and coming away from the building.

Walsh pointed out that this opportunity gets them the most benefit for the funds.

Adam explained when they first gave an estimate, they hadn't vetted it fully with subcontractors. There were a lot of hidden costs outside of what they were going to do. Arciform had to put a lot more labor into the project. They didn't realize how much was wrong until they start uncovering it. It was not investigated thorough enough during the first visit. Mayor Scholl asked if it's the entire roof or just at the wall. Adam responded that the membrane was not installed at the parapet correctly. You can see crumpled in membrane. The tiles need to be removed and repaired, pull the membrane back and remove the rotted parts, and re-mortar the top portion. All the voids will be filled, and the top will be weatherproofed. Mayor Scholl asked how long membranes last. Adam said it's about 20-25 years. Dimsho thinks it was replaced about 10 years ago. Adam said they probably have another 15 years.

Council President Morten asked about the warranty. Adam said he doesn't have that information right now and would need to get that to Dimsho for tonight's meeting.

Councilor Topaz asked if it's due to old age or bad workmanship. Adam said the metal cornice is old and rotten. The parapet is a combination of old age and how the membrane was installed.

Mayor Scholl asked Finance Director Brown where the money will come from. Brown cautioned Council on how they approach nonbudgeted expenses. He's working on the half yearly report right now and seeing an indication of additional expenses from some departments and lower revenue. Money could come from the Enterprise Funds and General Fund. They are not going to have a fun time going through the Enterprise Funds in March. In the next three to five years, they will be using a lot of resources for larger developments, capital projects, and potential investments. Mayor Scholl acknowledged the need to protect our historic building. Brown said all the buildings have needs. They can't do much more at City Hall until the floors are leveled upstairs. The next Strategic Plan includes a facilities master plan for the entire City. That may help identify the future use of that building and City Hall. Is there a process to do a little every year? It's in the historic district but not on the historic registry.

Councilor Chilton pointed out that the building will change uses after Municipal Court moves to the new Public Safety Facility. Brown said they have discussed putting Community Development in that building.

Dimsho clarified that the building is within the historic district. It's not a designated local landmark.

Council President Morten asked what it takes to adopt a building into historic landmarks? Dimsho said they recently did it with a building down the street. Two public hearings are conducted for an amendment to the Comprehensive Plan. It's about a three-month process. The criteria is in the Development Code. Council President Morten suggested that may be an option to utilize funds. Dimsho explained that designating it as a local landmark doesn't make it eligible for any funds. It's already eligible for CLG funding, just like any other building in the historic district. There is \$24,000 budgeted for the project. There is a way to separate the project into two distinct parts. The priority would be the roof. If Council is interested in breaking the scope into two parts, they could approve just that part.

Mayor Scholl wants to recognize the culture and heritage of the building. Council President Morten emphasized getting that building on the historical registry.

5. Review Request for Proposal for Parks & Recreation Master Plan - *Matt*

Brown reviewed the revised RFP. A copy is included in the archive packet for this meeting. It is on tonight's agenda for approval.

Council President Morten expressed his appreciation of the work done.

6. Review Proposed Amendments to SHMC Title 2 Administration and Personnel - *John*

Walsh reviewed the proposed amendments. A copy is included in the archive packet for this meeting.

Councilor Topaz reviewed his concerns:

- Finance director is no longer under the Council
- Changes them from a council form of government to a city manager
- None of the comments he previously sent were removed from the document
- Need to review the document line by line

Mayor Scholl disagreed with Councilor Topaz's request to have a purchasing agent. The Council oversees every aspect of the City. The entire Council has access to Administration through the City Administrator. He sees where the dollar amounts might be concerning, but it should be allowed within their budget. Increases need to be made with inflation.

Councilor Topaz argued that there needs to be double-checks for purchasing. Council President Morten said it's triple checked. Councilor Topaz disagreed. He wants someone who is independent of the system. A single purchasing agent is a double-checker. They are not a small operation anymore. Council President Morten disagreed. A purchasing agent would need a warehouse. He is asking for a lot of money to come out of the General Fund. They don't have a facility for a purchasing agent. The system is working effectively now. Councilor Topaz disagreed. They can designate the location of deliveries. The system needs to be updated. Councilor Birkle interpreted that it could be someone they already have. Even adding that task to a current employee would be burdensome. He doesn't believe there's a need to hire a person for that task. He is not aware of issues with purchasing. Has the system been working? Councilor Topaz said they got into trouble with Curry because they didn't look into the future as tourism grew. Right now, they're not having problems, but they need to consider future changes. Mayor Scholl reminded him that audits are conducted. He pleaded for them not to consider making Walsh the City purchaser. He already has too much on his plate. Walsh pointed out that it is in his job description. Councilor Birkle said he had three weeks to review it. He doesn't see anything fatal to accept. Councilor Topaz does not want it all red-lined. There's courtesy to being professional. Councilor Chilton prefers the red-lined document to view what is being changed. Councilor Topaz asked who would take over if something were to happen to Walsh. Mayor Scholl said it goes to the City Recorder.

Break - 3:07 p.m.

7. Discussion regarding Councilor Topaz Censure

Walsh reported that an email was sent to all City employees asking if there were violations of the censure. He received about a dozen responses. Four of those had interactions with Councilor Topaz. None of them were hostile in nature. There was limited interaction. Walsh has seen Councilor Topaz coming in and out of City Hall and interacting with staff, but there didn't seem to be any harassment.

Mayor Scholl had one incident regarding a resolution. There was a follow-up email after that, which he appreciated.

Council President Morten has not had any concerns. He saw him come into City Hall, but he could be checking his box. He would like to hear from Councilor Topaz about this experience. Has he grown from it?

Councilor Topaz reviewed the things stated that he did wrong:

- Used the 'n' word. That was done during a court case against the City. The City was negligent in not putting a storm drain line in his neighborhood. He complained about it in court. It was reported that a number of people heard him use the 'n' word. It was way beyond the legal time of expiration. Most of the current staff wasn't even hired yet.
- A report was made about the problem with the Engineering Licensing Board. They said they had no authority of the Administrative Court ruling that said Topaz was an Engineer and didn't do anything wrong. The Appeals Court said they're not supposed to talk about it. The State Supreme Court talked about the findings and found the City was damaging property in Topaz's area and ruled that he wasn't supposed to talk about it. They never brought up those other properties were being hurt.
- There was a red-light problem in Hillsboro where another engineer, not licensed by the State of Oregon, brought up a problem. He was fined for interfering with a public process. It went to Federal Court and was to be thrown out. The Federal Court said because of Topaz...from then on in the hearings the Topaz case of his right for public speech... They also said it was a violation of the definition of engineer. They also pointed out that the towns violated their own laws.
- There was an out-of-town meeting that he self-reported to the Ethics Board on. There were several violations. But in the hearing, it was made to sound like he threw everyone under the bus.
- They questioned expenses on the water reservoir and at the next Council meeting, Brown read a four-page letter of all the problems caused by Topaz, including that none of this would have happened if he had contacted him privately on the phone or in person. There was a question about money and received a response that he'll only tell him in private. That seems unethical. That was taken to the Ethics Board and they didn't hear it.
- There was another problem when Brown reported Topaz to the Ethics Board for asking if they were ever going to do any work to clean up the storm system. Topaz was found innocent of any violations.
- All these things are documented in court on paper. He was contacted by an engineer in Alabama who read about it in the Civil Engineering journal. Each time Topaz did something legal, he was criticized by the Council. St. Helens is trying to grow in industry. There is documentation that an outsider following the law is being censured by the Council. You don't like me...I still did my job. They have cast a shadow on the town by accusing someone of doing things according to the law. 17 people said he was a bad guy. He was not able to face any of them. Federal law says he should be able to face his accusers. You can't reduce someone's ability to congregate and talk to people. He's been doing his job. When they do things wrong, he is going to tell them about it.

Hicks explained that the issue before Council is whether they are going to remove the restrictions and allow him to contact staff without going through Walsh. He reminded the Council that Councilor Topaz did not speak with the investigator during the entire process.

Mayor Scholl said those were unrelated issues that Councilor Topaz brought up. He addressed the executive session ethics complaint and a long history of Councilor Topaz trying to sue the City. The only thing that related to this current investigation was his request for a dollar amount from Brown. Scholl is very upset with Topaz's responses.

Councilor Chilton is also. It's clear that she likes to overturn stones and Councilor Topaz does as well. The difference is that she would never treat staff like he has. She was hoping that he would have at least learned that from the censure. Councilor Topaz responded that he has not talked to that many staff members badly. Councilor Chilton believes the staff that have made reports. Mayor Scholl did not hear any acceptance from Councilor Topaz regarding the validity of the investigation. Instead, he threw out irrelevant issues.

Councilor Birkle has not wanted to silence Councilor Topaz. Seeing what was in the investigation report brought concerns, and he believes the censure was appropriate. Topaz was still allowed to attend meetings and communicate with staff. The issues he brought up today were not specific to the basis of the censure. With the information from Walsh, there doesn't seem to be any ongoing issues. It bothers him that he takes no responsibility for his actions. However, he is not certain that continuing the censure is merited based on; 1) the report from Walsh; 2) enforceability. Even though they had restrictions, they really had no means to enforce or follow-through with them. To continue without effectively reacting isn't helpful. He still has concerns about interactions with staff and encourages them to report incidents.

Councilor Topaz asked if Councilor Birkle has seen the investigation report. Councilor Birkle said yes. Councilor Topaz said his attorney asked for a copy and was denied. He doesn't even know what he was charged with.

Hicks explained that the investigation was completed some time ago. Councilor Topaz elected not to participate in it. The issue today is whether or not the restrictions in the censure should stay in place. If there are ongoing concerns that Topaz is engaging in similar conduct, then the restrictions could continue. If there are no ongoing concerns, then there may not be a need for the restrictions to continue. The comments made have been helpful. The issue before them is not the validity of the investigation, not what Topaz could or couldn't have said, and not the evidence he could have presented. None of that is relevant. The question before them is, should the restrictions continue?

Councilor Chilton asked if there were clear violations that would allow them to continue the censorship. Hicks said the City is obligated to protect their employees and allow Council members to do their jobs. The restrictions were designed to allow Councilor Topaz the ability to obtain information to do his work. Mayor Scholl agreed that the censorship still allows him to do his job. There have been three incidents; 1) coming in and chatting with staff; 2) demanding someone add an item to the agenda; 3) pulled over and showed the officer his City Councilor card. He pleaded for Topaz to acknowledge the validity of the complaints.

Councilor Topaz said the Charter allows a Council member to add something to the agenda. It doesn't say that you need three or four people, which is what the Council tried to put on him. When Deputy City Recorder Scholl did not put that on the agenda, she broke the law. She may have been given instructions not to do it, but the Charter says a Council member can put it on the agenda. Mayor Scholl responded that she did not break the law. Councilor Chilton added that Topaz should have gone to Walsh with the request. None of that even matters.

Mayor Scholl called point of order. He would like to discuss this further and vote on it tonight.

Hicks clarified that Councilor Topaz has already been censured. This is whether or not the restrictions on the censorship continue.

Council President Morten explained that they are acting like a parole board. They are giving Councilor Topaz an opportunity to say what he could possibly do in the future, what kind of behavior modifications there would be, but he has not heard anything positive to that.

Hicks said there is latitude with the censure. It said the restrictions would be in place for six months and then would be re-evaluated. They can vote to continue the restrictions, discontinue the restrictions, or evaluate it further. There are a lot of feelings and emotions, but this is a relatively narrow issue.

8. City Administrator Report - John

- Happy New Year! Looking forward to the year ahead and projects.
- The streets and riverwalk projects on the Waterfront property are moving forward.
- Two of the three City properties are closed or pending. Thank you to the Jane Garcia Team.
- Approved a resolution at the last meeting about the opioid settlement agreement. It will bring funding to cities to address opioid issues in the community. He has engaged with the County and State to bring in resources.
- Dock Use Committee meeting changed to January 25
 - The Prosecutor is making progress on Code changes
 - Columbia River Yachting Association has offered a lot of good feedback
 - The kiosk is waiting to be programmed
- There has been a lot of interest in the Library Director position
 - Zoom interviews will be held on January 21
 - In-person interviews will be held on February 11
- Grey Cliffs Park will be adding dredge spoils for a non-motorized boat launch and ADA accessible fishing dock. There is a similar one near Westport, which was very nicely done. The project will need Council support. There is a 25% match from the City. It takes time.
- Industrial Park is moving along. They have invited Cascades Tissue to be part of the conversation.
- Main Street progress has been slow, but steady.

Councilor Chilton asked how the Grey Cliffs Park project works with the Parks Master Plan. Walsh said that is on their minds. Council President Morten said there is language in the Master Plan regarding that. It will be added to the new Master Plan as well.

Councilor Topaz asked if Dalton Lake is also in the Master Plan. Council President Morten explained that they don't own Dalton Lake, but it is a nature reserve overseen by the Parks & Trails Commission. They are working with Columbia River Estuary System (CRES) on a study. The Master Plan doesn't include all the studies, but they're still moving forward. ODOT owns the property and there is a management agreement.

Dimsho pointed out that a fishing pier and in-water facility at Grey Cliffs Park is in the Master Plan.

ADJOURN – 4:07 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor

City of St. Helens
CITY COUNCIL

Executive Session Summary

January 5, 2022

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
Peter Hicks, City Attorney

Others: None



At 4:09 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.

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

The Executive Session was adjourned at 4:29 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, January 05, 2022

DRAFT MINUTES

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Tina Curry, Event Coordinator

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Art Leskowich
Brady Preheim
Chris Cannard
Claire Catt
Erin Salisbury
Scott

CALL REGULAR SESSION TO ORDER – 7:07 p.m.

PLEDGE OF ALLEGIANCE

Councilor Chilton read the Council Mantra.

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

- ◆ Brady Preheim. A piece of his soul dies every time they read their mantra. Number 10 talks about courtesy being a rule, but they do not follow that. Although he often disagrees with them on topics, he does believe most of them are there to serve the city and have the city's best interest at heart. He does not believe that's Councilor Topaz's purpose. Topaz has stated that he's there to disrupt the City and he's done an effective job. It needs to stop. Council is not defending staff. The censure needs to continue and be stronger. Staff would probably all tell you they continue to feel threatened by Topaz. It's Council's responsibility to make sure that doesn't happen. Brady's job is to be an a**hole and hold them accountable, but it's not their job. Once they are elected, they need to follow their mantra. Council needs to send Topaz the message that it's not okay.
- ◆ Art Leskowich. Commended everyone on the Council for the work they do and all the information they must read and understand. He attended the December 15 meeting in-person, where he referred to Shauna Stroup-Harrison's question asked at the December 1 meeting. Shauna requested an update on the lagoon and received no response. He asked the same on December 15 and did not get a response. There was an approval at the regular session for a lease agreement with DSL for log storage. There is no marine or environmentally liability associated with renting that property from the State. He understands they're maintaining their sovereign rights to the shoreline of that property. Today's work session packet included a Planning Activity Report dated

12/29/2021. He referred to the paragraph under Development Code Enforcement. ACSP, who they sold the property to for a marijuana grow operation, has constructed 10 small sheds as their strategy to obtain a producer's license. Despite being informed that permits were needed, they were installed without approvals. The buildings are placed on top of the landfill. There are prohibitions that prevent placing buildings on top of a landfill. City Planner Graichen notified OLCC of this, this month. It was recommended by OLCC's marijuana inspector in January. ACSP failed to respond to a letter sent to them last February. Why did it take 11 months for Graichen to send them a letter? There are pictures showing trenches. Concerns were also indicated about potential easement encroachment and trenching into the landfill. None of these issues have been addressed. There is no environmental oversight. The December 1 executive session meeting minutes refer to a real estate agreement. Is the City planning on selling the lagoon? They are not addressing the issue of the disposal site they are proposing the lagoon for. Now it's being discussed in executive session for potential sale. Are they trying to pull the same thing they did with the marijuana property sale and not have any environmental oversight?

Mayor Scholl said they can't answer a lot of those questions. He talked to Art after the last meeting and shared as much information as he could about the lagoon. They are not considering selling the property.

ORDINANCES – Final Reading

- 1. Ordinance No. 3276:** An Ordinance Amending St. Helens Municipal Code Title 2 Relating to Administration and Personnel

Mayor Scholl read Ordinance No. 3276 by title. **Motion:** Motion made by Councilor Birkle and seconded by Council President Morten to adopt Resolution No. 3276. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Chilton; Voting Nay: Councilor Topaz

- 2. Ordinance No. 3277:** An Ordinance to Annex and Designate the Zone of Certain Property at 35480 East Division Road

Mayor Scholl read Ordinance No. 3277 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Chilton to adopt Resolution No. 3277. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Chilton, Councilor Topaz

- 3. Ordinance No. 3278:** An Ordinance to Annex and Designate the Zone of Certain Property at 58471 Columbia River Highway

Mayor Scholl read Ordinance No. 3278 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Birkle to adopt Resolution No. 3278. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 4. Ordinance No. 3279:** An Ordinance to Annex and Designate the Zone of Certain Property at 58284 Old Portland Road

Mayor Scholl read Ordinance No. 3279 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Chilton to adopt Resolution NO. 3279. **Vote:** Yea: Mayor Scholl, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

5. Amendment No. 2 to Edge Development Agreement for Campbell Park Sport Courts
6. Extension of Agreement with Steven Wabschall for Direct Responsible Charge at Water Filtration Facility
7. Second Amendment to Agreement with Keller Associates, Inc. for Sewer and Stormwater Master Plans Updates
8. Bennett Building Phase 2 Work Order with Arciform
9. [RATIFY] Amendment No 1 to CDBG Agreement with ODBB for Food Bank Design & Construction
10. Amendment No 2 to CDBG Agreement with ODBB for Food Bank Design & Construction

11. Contract Payments

Motion: Motion made by Council President Morten and seconded by Councilor Chilton to approve '5' through '11,' except for '8,' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '8' above.

Discussion.

Associate Planner/Community Development Project Manager Dimsho reported that she spoke with Adam again. The roof alone, which would fix water intrusion and nesting birds, would be between \$24,000 – 30,000. The overage would only be about \$6,000, if at all. There was a question about the warranty during the work session. Adam will need to talk to his contractor about that, but it can be included in a future contract. She would prefer to do both at the same time but relies on City Administrator Walsh and Finance Director Brown regarding budget concerns about the project cost. If Council wants to approve the full scope, they can approve it tonight, with the addition of the warranty language. If they prefer to cut the project in half, she will come back to the next Council meeting with a revised scope and the warranty.

Councilor Chilton prefers approving what was already approved, which would just be the roof cost. Then they can review it during the budget cycle. Council President Morten agreed.

Vote: Nay: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton
All opposed

It will be added to the next meeting agenda.

CONSENT AGENDA FOR ACCEPTANCE

12. Parks and Trails Commission Minutes dated October 11, 2021
13. Library Board Minutes dated November 8, 2021
14. Planning Commission Minutes dated November 9, 2021

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '12' through '14' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

15. Council Work Session, Executive Session, Public Hearings, and Regular Session Minutes dated December 1, 2021
16. Request for Proposal for Parks & Recreation Master Plan
17. New Engineer I Job Description
18. New Engineer II Job Description
19. New Engineering Technician II Job Description
20. New Engineering Technician III Job Description
21. New Engineering Division Intern Job Description
22. New Water Quality Division Intern Job Description
23. Accounts Payable Bill Lists

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '15' through '23' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS**Councilor Topaz Censure**

Motion: Motion made by Councilor Birkle and seconded by Councilor Chilton to extend the restrictions another six months.

Councilor Birkle explained that the motion reflects additional thought since the work session. There was further concern raised in an email that leads him to believe it needs to be done. It's not enforceable, but they don't have any other sanctions. This is not to silence him or keep him from bringing concerns to staff or council.

Councilor Chilton recognized that Councilor Topaz hasn't gone above and beyond breaking rules. However, his lack of insight is scary. She hopes that he spends time reflecting on how he treats staff and does his job.

Council President Morten said he was serious about being in a position of a parole board. He tried to give Councilor Topaz an opportunity during the work session to address the people who felt intimidated or bullied, and he passed on the opportunity. He gave him another opportunity to apologize before tonight's meeting and he didn't do it. Morten knows what it's like to be a person who intimidates and is scary. He was that person when he came out of Vietnam and was in a classroom with students and athletes. He was confronted and learned a lot from it. Topaz needs to listen and accept some of the things the women are saying about him. Council just wants an acknowledgement that he has learned from it, and it won't continue.

Mayor Scholl agreed with what was said. Council has an authority that comes with the job title, which can be intimidating to staff. The lack of acknowledgment of feelings is appalling. It's not okay. No one is safe from a 3-5 vote. He doesn't want anyone to feel like they are unliked and afraid to do their job. He believes in the mantra and is here for the citizens.

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

The censure restrictions were continued. He can still do his job but needs to check with City Administrator Walsh and City Recorder Payne first. He can continue going to the library. It's unfortunate there were issues today, which occurred during a public meeting and documented.

MAYOR SCHOLL REPORTS

- It was a good Main Street meeting last night. They received a grant from CCET to help retain a part-time employee. He thanked Sheri Stuart for her help. Main Street is vitally important to the community.
- There is a lot of rain. Sandbags are available at the City Shops.
- He thanked staff for the Urban Renewal update. It was very informative.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- He is very excited about the positive financial impacts of the Urban Renewal.
- He is also excited about the Parks Master Plan. There was pushback from Nob Hill Nature Park when people were using the trails during Halloweentown. The City does not have any standards for trails. He looked at other agencies that have design standards and submitted the information to Parks & Recreation Manager Duggan. She was impressed and will report on it.

Councilor Topaz reported...

- Library Director applications are currently being reviewed.
- Thanked the Council for the censure and the process up to that. They have shown that if Topaz follows the law he will be censured, which includes reporting illegal executive session meetings;

bringing up stormwater projects that were not done right; and if a City staff member is not doing their job and has indicated it has not been done, it's considered humiliating to the person. All of this is documented. For people looking to relocate their company here, this investigation has shown that outsiders are not wanted in this town. Talking to construction companies, he's found that they have had problems with staff. Brady says he is always causing problems. Topaz confirmed that is something he has tried to do. Following the law is not the way of St. Helens. He appreciates that they didn't back away from standard procedure.

Councilor Chilton reported...

- Happy new year! Hopefully this year will be better.
- She learned a lot about Urban Renewal today. She understands more and can share that with the community.
- She is excited about the Parks Master Plan. Her passion is softball fields and increasing parks.
- There are a lot of projects coming up.
- There is a retreat in a couple weeks to review goals. She hopes they can work together to become a better team.

Councilor Birkle reported...

- People ask if he's having fun, and he says no. But there are no regrets. It's been more challenging than he anticipated. Having this position has given him the opportunity to engage with people in the community and learn a lot from consultants and staff.
- He attended the Main Street meeting last night and had an opportunity to talk with someone about Urban Renewal.
- He has been talking with Government Affairs Specialist Barry about having a coffee conversation, like a town hall, with community members. They represent different constituents. It's important to get out of their circle and talk to other people.
- He still wants to look at bringing back the Youth Council to have a representative with them at the dais. It would build on the work being done by Duggan.
- The Recreation Program is going well according to the 4th graders in his class.

OTHER BUSINESS

Mayor Scholl agreed with Councilor Birkle. The more you give, the more you get.

City Recorder Payne reported that the timeframe to open the Community Grant applications is this month. She requested permission to open it and send out a press release.

Motion: Motion made by Mayor Scholl and seconded by Councilor Topaz to direct Payne to open the Community Grant application process and send a press release. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Mayor Scholl acknowledged Bill Eagle and what he said during the work session. Scholl tries his best to follow the mantra.

ADJOURN – 8:01 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL SPECIAL SESSION

Wednesday, January 12, 2022

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
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Rachael Barry, Government Affairs Specialist

CALL TO ORDER - COUNCIL RETREAT PART 2 – 1:00 p.m.

Showed the draft Riverfront Project video. It will go live next week with the State of the City presentation.

MISSION

Government Affairs Specialist Barry reviewed the PowerPoint Presentation. A copy is included in the archive packet for this meeting.

Vision:

To provide quality, effective and efficient services to our citizens.

Mission:

- Develop and preserve the highest quality of life for our residents, business, and visitors.
- Provide a safe and healthy environment within a sound economic framework.
- Provide leadership which is open and responsive to the needs of the community and works for the benefit of all.

STRATEGIC PLANNING OVERVIEW

- Reviewed Roles in Plan Development
- Reviewed Strategic Planning Cycle
- Reviewed Goals
 - Effective Organizational Structure
 - Community Engagement
 - Safe and Livable Environment
 - Economic Development
 - Long-Term Planning

ENVIRONMENTAL SCAN RESULTS

1. Community Survey

- Reviewed Community Input Survey key takeaways

- Purpose: Helps them to better understand what residents think of services, what they expect, and if they think we are heading in the right direction.
- Received 678 responses
- Key takeaways – core services
 - St. Helens does a solid job of delivering core services.
 - 75% positive and neutral rankings for street maintenance, sewer, stormwater management, and communications.
 - Almost 90% were satisfied with the quality of police services, 86% were satisfied with the quality of customer service from City employees, and 82% were satisfied with the value of utility services.
 - Residents were least satisfied with city economic development efforts (57%), including the value of tourism events (61%).
 - A note on “Neutral Responses” a rating of “3” on a 5-point scale indicates that residents are, for the most part, satisfied with City services. They may believe improvements could be made, but they do not have strong feelings of dissatisfaction.
- Satisfaction ratings were generally high for core services.
- Satisfaction ratings were high for public safety services.
- Satisfaction ratings were not as high for the library this year, which is due to the pandemic and reduction in services.
- Satisfaction ratings were high for the Parks & Trails.
- The Recreation Program pivoted with COVID to move primarily outside.
- Elected and staff leadership received positive responses.
- Reviewed how people are getting City information. Discussion of the need to continually find ways to communicate with the public.
- Reviewed the greatest challenges facing the city.

A survey report will be posted on the website. Council requested a copy of the comments submitted.

Discussion of additional ways to engage community members.

- Social media
- Town halls
- Service groups
- Involvement in the parade

2. Strength, Weakness, Opportunity, Challenge (SWOC) Exercises

Barry presented the SWOT exercises conducted by Council and staff.

Council Retreat 2021-22 Part 1: 11/17/21

| Strengths | Opportunities |
|--|--|
| <ul style="list-style-type: none"> • Different modes of transportation • Connection to water – 2 • Planning • Safe city – 3 • Passion • Access to nature – 1 • Dedicated staff – 2 • Visioning – 2 • Commission volunteers and friends | <ul style="list-style-type: none"> • Master plans working together – 1 • General connectivity – 1 • Industrial past – 1 • Passion • Relationship with railroad • Regional meetings - 1 • Regionalism in genera. • Culture change -2 • Job creation – 4 • Ferry • Build in flexibility for staff & Council to make decisions/ take opportunity |

| Weaknesses | Threats |
|---|--|
| <ul style="list-style-type: none"> Hwy 30/Gable Rd Intersection – 2 Industrial past – 1 Fragments of town – 2 Council communications (internal) -5 Serial meetings Surface transportation Lack of local jobs | <ul style="list-style-type: none"> Natural disaster -1 Passion Overextended - 3 Mis-information – 4 Perception of Portland - 1 Out commute (time availability) - 1 |

Management Team Organizational Development 10/26/21

| Strengths | Opportunities |
|---|---|
| <ul style="list-style-type: none"> Team Oriented – 2 Leadership Team -4 Communication Flexible Visionary Action-oriented/mission Partners/relationships – 7 Customer service – 3 Transparency/trust/credibility Employee Compensation/benefits/valued | <ul style="list-style-type: none"> Communications (internal & external) – 3 Efficiencies Job creation Technology/Intranet – 6 Economy/revenue/grants/funding Inclusive CIP/Strategic Plan Community priority setting Training Relationship building Internal vs. contracting talent URA Growth Community trust/buy in - 4 |
| Weaknesses | Threats/Challenges |
| <ul style="list-style-type: none"> Communication Technology Facilities – 5 Revenue/economy Form of Gov't (liaisons, Admin vs. City Manager)- 4 Staffing plans long term Tone at the top with Council – 7 Employee lack of trust in management | <ul style="list-style-type: none"> Economy/recession - 7 Council dynamics – 6 District reps/political changes Natural disasters/pandemic Out-commuting Low civic engagement - 3 |

BREAK – 6:23 p.m.

GOAL 1 - Effective and Efficient Organization Focus

Barry reviewed the Goal 1 handout. A copy is included in the archive packet for this meeting.

- COUNCIL: Improve Council Dynamics/Council working relationship improvement
 - Attend Professional Development trainings/opportunities
 - Workshops and legal briefing on Council function
 - Review governing policy to include behavior expectations and consequences
- STAFF: Recruit and retain talented staff
 - Support professional development and certifications
 - Team building retreats
 - Develop intranet for improved staff support, business functions

Council core values to practice:

- Single target/vision
- Long range time horizon

- Peer support in role
- Honor each other
- Listen to each other
- Respect professional staff
- Questions in advance
- Respect each person's time and input

Walsh talked about the need for improvements with how Council communicates with each other. They can bring in facilitators but there has to be a willingness to participate. Mayor Scholl agreed and is willing. They need to feel comfortable communicating outside of meetings. It would help them from blowing up in a meeting. They can discuss ideas and concerns prior to a meeting, they just can't make decisions. He knows he can improve in that area.

Barry said targeted workshops and trainings could be helpful. A few of them recently attended the PSU new councilor training. One point was, "Try for no surprises. Never surprise your fellow councilors. Be prepared for surprises, but always try to give a heads up if you're aware of something that will come up."

Councilor Topaz expressed that they have a habit of not allowing people to speak. This Council does not have a master plan with an end goal. All the master plans need to connect. He came from a background of "mud meetings" in New England where you were able to interrupt with ideas. The formality of having everything on agendas kills a good meeting. He has tried to add items to agendas and was cut off, so he gave up. Mayor Scholl responded that they should not yell at each other in meetings. Barry is trying to help with solutions and should be respected. Councilor Topaz disagrees with her solution.

Councilor Chilton talked about the lack of communications with each other. They can't get through a meeting without someone getting offended and yelling. She would like to hear from other cities and governments to find out how they operate.

Mayor Scholl said there's one councilor who came in on an agenda and continues to trash anything staff and Council is doing. It's frustrating and he wants to move on. Councilor Topaz said he's wrong. Mayor Scholl addressed what Councilor Topaz brought up at the last meeting. It was all about himself and not about the staff members. Council President Morten tried to give him opportunities to apologize, and he didn't take it. Councilor Topaz argued that it was a bribe. Mayor Scholl pointed out that Topaz always has a problem. They have an opportunity to do great things, but Topaz doesn't want to. He continues to disrespect the citizens by not showing up and getting involved.

Councilor Topaz said they are planning too small. He wants to enlarge the waterfront by five times. He's been in long-range planning with medical and federal government agencies for a long time. He's giving advice with what he has experience with, but they are always undercutting what they can do and yelling at him. He's not going to change. He's had presidents of companies that he's had to tell they were wrong. Those presidents may have been upset, but they hired him back because he had the correct data. If someone doesn't agree here, it's an obstruction. He has people who want him to do this. Free discussion should be allowed. Mayor Scholl pointed out the staff SWOT. Is he not affected by that? Councilor Topaz said he would have fired some of those people he upset because they did things wrong. Mayor Scholl said that Topaz is disruptive and gets in the way of running a professional meeting. Councilor Chilton pointed out that it just continues when their leader responds in a frustrated manner. Mayor Scholl asked for their input of how it should be handled. Councilor Birkle also feels frustrated when comments take them off track. He's very bothered by staff being undermined. That deserves intervention. Even though it wastes their time, he suggests letting Topaz ramble on. Is Topaz presenting his questions and information to Walsh or Zaher prior to the meeting? It frustrates him when they are moving forward, and Topaz holds up the process. This isn't New England. He has an issue with the right and wrong. He doesn't have experience working with doctors and the federal government. Birkle works with children.

His work and opinion is just as important. Topaz makes statements that discredit staff in public meetings. That's a line that should not be crossed and needs to be stopped.

Mayor Scholl apologized for his comments. They need to honor and respect each other, even when they disagree. He doesn't dislike Topaz. He dislikes when he discredits staff and the work done.

Councilor Topaz said long before he was on the Council, he told Walsh about engineering problems and they never got fixed. Some of the personnel allowed it to happen and it cost the City a lot of money. He didn't just dump it onto the Council. It was communicated a long time ago. Sometimes they have to junk the work they have put a lot of time and effort into. Mayor Scholl said they need to consider they may not have the capacity or finances for something five times bigger. Councilor Topaz argued with that. Money has never been a problem. He knows they can find financing.

Council President Morten sees the need for respect. They need to allocate their time. If one person takes up 50% of the time, there's not much left for others. This is the mayor's meeting. He runs the meeting and approves the agenda. They get sidetracked every time. What the mayor says should be respected and they should move forward. They should not be squabbling. Unfortunately, they don't have good federal and state role models. This isn't a two-party system at the table. There are no allegiances to anyone. They need to allocate time and respect each other's time.

Councilor Topaz pointed out that not all questions can be asked in advance. Discussion of tabling items that come up during meetings to have the opportunity to get more information. Mayor Scholl reminded them that they have hired professional staff. They are not working against the Council and citizens. Councilor Topaz argued that some of the staff are not as good as Scholl says they are. Mayor Scholl does not want staff to feel that council thinks they are incompetent. The comments made by council members have followed staff members. Councilor Chilton pointed out that the people hired represent the Council. If Topaz says they are doing a bad job, he's doing a bad job as well. Councilor Topaz agreed. Councilor Birkle talked about Topaz bringing up historical lines during a meeting, which should have been brought up to staff in advance of the meeting. Councilor Topaz said he has done that several times.

Mayor Scholl is thinking about running with an iron fist. It's his meeting to run and he can call point of order immediately. He doesn't want to do that. Council President Morten agreed. He's heard that our meetings look like a filibuster. The meetings go on and on about nothing. It needs to end.

Mayor Scholl wants a solution before the next meeting. How can they be better team players in serving the community? It's "give and take" just like a friendship. You can give criticism but always give positive comments. He asked for Council to help watch if the meeting is swaying from the agenda and call for point of order. Councilor Birkle acknowledged that they need to practice and live it. Councilor Chilton said Councilor Topaz has to be willing. Councilor Topaz wants them to listen to him. If they don't understand him, they need to ask.

Barry encouraged everyone to build relationships with each other. Do not deliberate and do not make any decisions. She will coordinate a legal briefing regarding serial meetings. Practice the bullets listed above and build relationships.

Discussion of the need for a Charter review. It is a two-year process and would rely heavily on public engagement. The annexation section needs to be amended to reflect current practice.

Discussion of the low tax base. To increase the rate would take a vote of citizens. They have to look at other revenue opportunities.

Councilor Chilton requested a list of reasons why a Charter review is needed. Is it needed now and why? Councilor Birkle does not believe it's a high priority. Council President Morten explained that the last Charter review changed language from Council overseeing departments to being a liaison. He visits Public Works Director Zaher to get updates. There were times in the past that Council had to fire staff members.

That's not a good feeling. Mayor Scholl clarified that the department head, liaison, and Walsh would all need to agree upon termination of a staff member. Otherwise, it would need full Council vote.

GOAL 2 - Community Engagement Focus

Barry reviewed the Goal 2 handout. A copy is included in the archive packet for this meeting.

- Encourage and build collaboration with organizations in the community
 - Main Street partnership
 - Explore issue-focused stakeholder conversations
 - Cultivate and sustain program level partnerships
- Expand Civic participation
 - Explore town halls
 - Youth Council advising City
 - Refocus and restart Arts & Cultural Commission (ACC)

Council President Morten said Youth Council wasn't set up to be sustainable. He suggested the Civics teacher at the high school coordinate it, rather than two councilors advising them. Mayor Scholl likes that idea but encouraged a councilor to get involved if they want.

Councilor Chilton pointed out that Parks & Recreation Manager Duggan has an active Parks and Recreation Youth Leaders Club. It's important to include her in that conversation. Councilor Birkle pointed out the differences between a Youth Council and Youth Leaders Club. Youth Council would have a seat at the dais with Council. Barry acknowledged that it's about including more voices.

Discussion of ACC. It can be brought back. They may have taken on too much and burned themselves out. The leadership may have fallen apart because they didn't have the time to deal with all of it. Councilor Topaz said the "freeloaders" overwhelmed the "good guys," and the "good guys" left. They didn't understand what they were supposed to do. They need to bring it back and include something to do.

Discussion of ways to engage community:

- Fireside meeting on the Waterfront
- Booth at 13 Nights on the River

Council President Morten talked about the hybrid form of government. The oversight of commissions and committees would be overseen by the councilor. Those individuals are not elected. He let the leadership of Parks & Trails Commission fall to the members. It's important for the Council to roll up their sleeves and show leadership in the community.

Barry thanked Council for their input. They have commitment to ground rules and practice. This has been a very active time for the Council and City Recorder team. It's the council's job to allocate priorities.

Mayor Scholl talked about investigating the possibility of hiring a dedicated grant writer. Walsh pointed out the significant amount of work behind obtaining and overseeing grants. Councilor Topaz asked how they can add more staff. Walsh said they've slowly been able to add more. Councilor Chilton mentioned that some grant writers are paid based on how much they bring in. Walsh said compared to peers, they are doing very well. Mayor Scholl wants to make sure they never get rid of the Watershed property.

Walsh pointed out that the Charter establishes the authority to create rules and policies. Council rules and governing policy are all adopted by resolution. They are subject to change with Council approval, as long as it's consistent with the Charter. Councilor Topaz said they have been close with some resolutions conflicting with the Charter. Walsh went on to talk about different forms of government.

Mayor Scholl said this has been a good meeting.

- Need to build better relationships

- Strengths in partnerships will help build relationships

Will discuss Citizens Day in the Park at the next meeting.

ADJOURN – 8:32 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL WORK SESSION

Wednesday, January 19, 2022

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Patrick Birkle – 1:06 p.m.
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

| | |
|-----------------------------------|--|
| John Walsh, City Administrator | Rachael Barry, Government Affairs Specialist |
| Kathy Payne, City Recorder | Crystal King, Communications Officer |
| Lisa Scholl, Deputy City Recorder | Amy Lindgren, Municipal Court Judge |
| Matt Brown, Finance Director | Bill Monahan, City Attorney |
| Brian Greenway, Police Chief | Tina Curry, Event Coordinator |
| Mike De Roia, Building Official | |

OTHERS

| | |
|-----------------|---------------------|
| Sarah Lu Heath | Ben Tiscareno |
| Ayreann Colombo | Art Leskowich |
| Lydia Ivanovic | Stephanie Patterson |

CALL WORK SESSION TO ORDER – 1:03 p.m.

VISITOR COMMENTS - *Limited to five (5) minutes per speaker*
No visitor comments.

DISCUSSION TOPICS - *The Council will take a break around 3:00 p.m.*

1. **Presentation by Columbia-Pacific Economic Development District (Col-Pac) - Sarah Lu Heath**

Executive Director Ayreann Colombo, Programs Manager Sarah Lu Heath, and Lydia Ivanovic introduced themselves and reviewed their presentation. A copy is included in the archive packet for this meeting.

- Regional role
 - Facilitate regional partnerships and collaboration
 - Maintain strong federal relationships
 - Provide tailored, on the ground services
- Region coverage
 - Clatsop County
 - Columbia County
 - Tillamook County
 - Western part of Washington County
- Support offered
 - Grant administration
 - Funding strategies

- Research and forecasting
- Low interest business loans
- Strategic planning
- Community Development Block Grants
 - St. Helens Food Bank
 - Astoria Covid Relief
 - Vernonia Sewer System
 - Clatskanie Wastewater
- Northwest Oregon Transit Alliance
 - Working on additional bus stops for people in need
- USDA Regional Food Partnership Grant
 - Increase availability of local food
 - How to purchase
 - How to price
- Bringing Broadband to rural communities
 - Different than the City's Broadband project
 - Pointed out areas on a map that it would bring service to
- Loan program for business start-up or expansion
- Upcoming initiatives
 - EPA Brownfield Cleanup RLF application
 - EDA Revolving Loan Fund application
- 2022-2027 Comprehensive Economic Development Strategy
 - Requesting feedback for priorities and strategies

Councilor Chilton asked if the City is partnering with COLPAC for the Broadband project. City Administrator Walsh responded that there is a county-wide Broadband Committee that is working to make sure the projects align. Council President Morten asked if broadband is close to the airport. Does it include 5G? Ayreann said they are not looking at 5G specifically, although some of their project may enable 5G away from airports. Councilor Birkle appreciates them focusing on rural areas that lack services. There are students in rural areas who have no access when virtual learning is being held.

Councilor Birkle asked how they are established as a District? Ayreann explained that they are designated through the Economic Development Administration. It's a federal designation. There are 12 in Oregon, which covers the State. Birkle talked about a book he read last night called, "How to Make Your Community's Economy Sizzle." It's not just about supporting current businesses, but also about developing entrepreneurs and additional sources.

Councilor Topaz asked what they are doing to have the impact of the Oregon Manufacturing Innovation Center (OMIC) spread to St. Helens. Ayreann responded that their influence is minimal. They have not done a lot of work in work force development. However, they are starting to do that by connecting relationships with OMIC and community colleges. Community colleges are starting to work more closely with high schools on CTE and STEM programs. Councilor Topaz asked if they have an inventory of technical skills in the County. Ayreann said that is something Workforce or PCC does. They are both working to expand that programing in Columbia County. PCC's campus officially opened last spring. She hopes to see improvements in the next year or two.

Mayor Scholl asked how a small business would obtain a loan. Ayreann said they would need to contact them, and they would walk them through the process. Scholl talked about Opportunity Zones and using those to entice businesses here. Paul Vogel is doing more research on them as well.

Walsh talked about the information, resources, and services that COL-PAC provides. He appreciates their support, especially with grant writing.

Councilor Chilton is a counselor in her other job. Transportation is very lacking. It's a constant struggle to connect people to resources. People rely on neighbors and family for transportation. Mayor Scholl added that employees get taxed for transit, one-third is for CCRider, and two-thirds is for Tri-Met. It should be the opposite. Sarah will investigate that more.

Councilor Topaz asked how they are involved with improving the Waterfront. Ayreann talked about other jurisdictions that they are partnering with for grant funding and staff support.

Councilor Topaz said the State does not typically advertise in magazines and journals promoting businesses relocate to Oregon. Are they allowed to advertise in magazines and journals promoting Oregon? Ayreann said that would typically be Business Oregon, Columbia Economic Team, or Port of Columbia County.

Council President Morten asked if there is anything they are working on to encourage tourism? Ayreann responded that they track tourism in the region, although it's not a focus. They have a very small staff and stay focused on infrastructure, which supports tourism, and work force.

Councilor Topaz talked about the railroad that used to get you to Astoria. The railroad lines in Portland have increased in crime. As they look at tourism transportation, do they include increased security? Sarah can't speak for how rail yards are being abused in the Portland-metro area. She loves the idea of reinstating the rail line between the Metro and Astoria. However, the last estimate she received for that was \$1 million per mile.

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

Building Official Mike De Roia reviewed his report. A copy is included in the archive packet for this meeting.

- Customer service
 - Provides resources and education
 - Appreciates staff and their commitment
- E-Plan Review project
 - Goes live next month
 - Will significantly reduce staff turnaround time
 - Appreciate collaboration from other departments
- Coordination with Fire Marshal to create a partnership agreement
- Updates to Operational Plan
- Training and continued education completed
- 298 permits issued since July
- 166 plan reviews since July
- 3,038 inspections since July
- Reviewed building projects in town

Council President Morten thanked De Roia for the report. He really appreciates the great news about permitting time being cut in half.

Councilor Chilton appreciates the thorough update.

Councilor Topaz talked about contractors needing the ability to apply for permits during the lunch hour. What would it take for the front desk to stay open during lunch? De Roia said they would have to alternate lunches. They handle more than just the Building Department. There may be other staff gone during that time as well. He and his inspector are available any time for consultation. With the new E-Plan Review, there will be fewer reasons for customers to come in.

Mayor Scholl acknowledged De Roia's work. He has worked hard and is a good leader.

Walsh talked about the efficiency improvements being put in place. Going digital will add a technology fee to permits. De Roia confirmed that there will be a 3% fee added to each permit, which was added to the fee schedule in 2020. That fee will fund the digital services.

Councilor Topaz said that some as-builts are only kept for one year. De Roia confirmed that they follow the State's retention schedule for building plans; residential is two years, commercial is 10 years, and public buildings are kept for the life of the building. Topaz said that is inadequate. He wants to see a secondary storage location in case of damages to the building. Does the fire department have a copy of resident and commercial records? De Roia said they have access to all building records. He does not know if they carry copies on their truck.

Wash said that the building department is part of the General Fund but operates out of something like an Enterprise Zone. The fees are based on covering the department expenses.

3. Semi-Annual Finance and Municipal Court Report - Matt

Finance Director Brown reviewed the presentation. A copy is included in the archive packet for this meeting.

- Reviewed Municipal Court accomplishments and upcoming projects
- Judge Lindgren reported
 - Testing with DMV for similar dispositions with traffic cases
 - Transitioning to e-tickets with Police, reducing manual entries for PD and Court
 - Hired new bailiff
 - Will be attending Judicial Conference in March. It's been on pause for two years.
 - Talked about truancy court quite a bit in the past. Legislature eliminated all penalties or fees associated with not sending your children to school, which basically eliminated all truancy courts in the state. It was part of a juvenile reform. It was disappointing for courts that had an established program.
 - Recently only had two failures to appear and issued two warrants. In Oregon City and Gladstone, where she also works, she gets about 30 per court day. She believes that is because of the jail and their willingness to hold people right now. Although, they are not able to right now with the Omicron surge.
 - Everything is going well. The staff is very dedicated and committed.

Mayor Scholl acknowledged Lindgren's good work. There was quite a backlog when she first started. She and staff helped catch up. How are they financially now? Brown responded that they are doing well.

Councilor Chilton appreciates Lindgren's comment about the jail.

Mayor Scholl thanked Prosecuting Attorney Erskine for his work as well.

- Reviewed Utility Billing and Business License accomplishments and upcoming projects
- Reviewed Finance Department accomplishments and upcoming projects
- Reviewed IT accomplishments and upcoming projects

Councilor Topaz asked how secure electronic timecards are. Brown responded that they are more secure than the past and have been addressed. Councilor Chilton added that most big employers handle them electronically. Councilor Birkle is glad to hear they are on top of it.

4. Review Update of Main Street Memorandum of Understanding

Walsh reviewed the updated Main Street MOU. A copy is included in the archive packet for this meeting.

- Removing SHEDCO and replacing with new name of St. Helens Main Street Alliance
- Amending language for the staff member to not be a City employee

Councilor Chilton asked about office space. Mayor Scholl responded that they no longer want to utilize City space. They are looking at moving to a space in the Houlton area.

Council will authorize Walsh to sign at tonight's meeting.

5. Columbia View Park Expansion Commencement of Permitting

City Planner Graichen reviewed his report. A copy is included in the archive packet for this meeting. This is the first project for this property. He is requesting consent for the land use application to go to Planning Commission (PC). If approved, they can get notice out in time for next month's PC meeting.

Council President Morten talked about the Parks & Trails Commission wanting to see the park go all the way down to Plymouth Street. He is happy to see this coming to fruition. Graichen confirmed there will be public access along the entire river. They're just not certain about the definite width. Dimsho added that this is only 30% design. Further revisions will be made.

Graichen said it will be very important for the Planning Commission to know their parameters. Their objective is not to design the park. The City is the applicant and property owner.

Councilor Birkle recently visited Independence. It helped him visualize this plan.

Dimsho reviewed what needs to be done at tonight's meeting:

- Motion to sign the land use application on behalf of the property owner
- Two amendments to Mayer-Reed's scope of work

Walsh talked about a playground design that would not use wood chips, works well with the splash pad, and includes all-abilities equipment. Council President Morten wants to keep in mind the possibility of working with Michael Curry to bring in cultural aspects. He was willing to construct a Loo Witt statue. Loo Witt is an ethnic myth, regarding Mt. Hood, Mt. St. Helens, and Mt. Adams as sisters and their collaboration of giving to the tribes.

6. City Administrator Report - John

- State of the City report tonight at 5:30 p.m.
- Main Street is moving along well.
- Loan documents from Business Oregon for the Special Public Works Opportunity Fund that are going to divide the funding for the first stages of the road extensions and riverwalk are in legal review. It is \$14.7 million. The repayment of that will be the Urban Renewal Agency (UGA).
- Dock Use Committee meeting on Tuesday. Working on regulations that change the way they look at docks and waterways. Columbia River Yacht Club (CRYA) sees a lot of value in the project.
- Library Director interviews on Friday. It will be a Zoom screening first.
- Street and utilities design is at 90%.
- Working on the RFP to reengage with the development community. There will be direct targeted outreach.
- The Masonic Building lease is ready.
- Our auditors recommended another company for the tourism audit. It is estimated to take about four weeks.
- Public hearing for acquisition of the tram tonight. They are following the same procedures used to sell a piece of property.
- Port Westward hearing this afternoon. It is potentially a \$2 billion investment in the community.
- Rail Safety Committee proposal for a pedestrian overpass in St. Helens or Scappoose. Based on responses, they have abandoned a pedestrian overpass. There is little benefit with a high expense. They are going to proceed with a rendering at Gable Road.

Councilor Topaz distributed a document that he wants on tonight's agenda. A copy is included in the archive packet for this meeting.

ADJOURN – 3:03 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor

City of St. Helens
CITY COUNCIL

Executive Session Summary

January 19, 2022

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
William Monahan, City Attorney with Jordan Ramis PC
David Rabbino, City Attorney with Jordan Ramis PC



At 3:16 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, under ORS 192.660(2)(h)**
 - Discussion with counsel regarding legitimacy of this Executive Session and the topic being discussed.
 - Discussion regarding potential liability associated with City’s ownership of the lagoon.

At 4:43 p.m., Mayor Scholl recessed the Executive Session until after the Regular Session later in the evening.

At 7:57 p.m., Mayor Scholl reconvened the Executive Session.

- **Real Property Transactions, under ORS 192.660(2)(e)**
 - Update on potential sale of City-owned Millard Road property.
- **Consult with Counsel, under ORS 192.660(2)(h)**
 - Update on Cascades Tissue active and pending litigation.

The Executive Session was adjourned at 8:50 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL PUBLIC FORUM

Wednesday, January 19, 2022

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
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Rachael Barry, Government Affairs Specialist

Jenny Dimsho, Associate Planner
Margaret Jeffries, Library Director
Tina Curry, Event Coordinator

OTHERS

| | | |
|------------------|---------------|----------------|
| Jeanette Nelson | Steve Toschi | Judy Thompson |
| Jane Garcia | Brady Preheim | Erin Salisbury |
| Jennifer Pugsley | Ben Tiscareno | Shauna Stroup |
| Russ Hubbard | Art Leskowich | Mary Hubbard |

OPEN PUBLIC FORUM – 5:31 p.m.

TOPIC

1. State of the City - Mayor Scholl

Introductions of Council members and City Administrator Walsh

Mayor Scholl presented the State of the City report.

Accomplishments

- Waterfront redevelopment
- Riverwalk project
- Sand Island partnership with St. Helens Marina
 - Now accessible to the non-boating community
- Central Waterfront
 - 39-acre lagoon
- St. Helens Industrial Park
- McCormick Park
 - All-abilities playground partnership with MODA
 - Story walk
- Campbell Park
 - Seven pickleball courts
 - Basketball court
 - Stormwater project
 - Asphalt

- Grey Cliff Waterfront Park
 - ODF&W grant for a handicap fishing dock and kayak launch
- Parks & Recreation Programs
 - Nature Buddies
- New Community Center
- Library
 - Partnership with Recreation Program
 - Makerspace
 - Library director Jeffries is retiring this month. Recruiting to fill her position.
- Chief Greenway keeps the Council informed on policing needs
- Implemented the \$3 Public Safety Facility fee to construct a new police station
 - 2200 sq. ft.
 - Across from the Recreation Center
- Boards, Commissions, and service groups are a big asset to the City
- Administering the grant for the new Columbia Pacific Food Bank facility
- View the City's YouTube page for past meetings
- Partnership with School District

Looking to the Future

- Waterfront redevelopment
 - A lot of support from partnering agencies
 - City Administrator Walsh has been the driving force to move them forward
 - Recognize the values of having public access to the waterfront, heritage, and culture
 - Dedicated staff
- New Public Safety Facility
- Riverfront Corridor
- Committed and honored to serve
- Central Waterfront
- Industrial Business Park
- Pedestrian trail connectivity
- Council is available to talk
- Tourism events and revenue
 - Halloweentown has put St. Helens on the map

2. "St. Helens Riverfront Return" Video

Video can be viewed at <https://www.sthelensoregon.gov/waterfront>.

CLOSE PUBLIC FORUM – 6:10 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL PUBLIC HEARING

Wednesday, January 19, 2022

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
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Rachael Barry, Government Affairs Specialist

Jenny Dimsho, Associate Planner
Bill Monahan, City Attorney
Tina Curry, Event Coordinator

OTHERS

| | |
|------------------|---------------|
| Jeanette Nelson | Steve Toschi |
| Jane Garcia | Brady Preheim |
| Jennifer Pugsley | Ben Tiscareno |
| Russ Hubbard | Art Leskowich |
| Mary Hubbard | Shauna Stroup |

OPEN PUBLIC HEARING – 6:15 p.m.

TOPIC

1. Purchase of Used Equipment described as a Dotto Brand 120 Passenger Tram

City Administrator Walsh explained that the purchase is part of the tourism efforts to connect downtown and uptown. We've done a good job of getting people here but also need to move them around. It will improve a circulation pattern. They haven't been able to afford something like this in the past. Thanks to E2C, they can afford one this year.

Displayed a photo of the tram. A copy is included in the archive packet for this meeting. A mechanic has looked at it and says it's a good purchase. It is funded from tourism. This will help further events. It will be City-owned.

PUBLIC COMMENTS

6:20pm

- ◆ Brady Preheim. Why haven't you already done it? Tourism generated the money. How can you not give it to her?
- ◆ Steve Toschi. It's a great idea. Moving people around in town will help them enjoy more amenities. This will allow them to add more parking off-site. Looks great. Looks like fun.

- ◆ Jeanette Nelson. Looks fantastic. She just visited Charleston, North Carolina, where they offer historic tours on horses and buggies. It gives a small-town feel.

Councilor Chilton reported that they did receive cost, maintenance, and a usage plan.

- ◆ Shauna Stroup. Where will people park to access the tram?

Mayor Scholl said there will probably be multiple locations to be picked up and transported. Shauna said it would be a great opportunity to move parking and get people down here.

- ◆ Ben Tiscareno. Thanked the Council for this process. The tram is a great idea. It's definitely a need. Tina has done a great job. He appreciates the support of the contractor and tourism advocates.

- ◆ Art Leskowich. Gave a thumbs up.

CLOSE PUBLIC HEARING – 6:26 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL PUBLIC HEARING

Wednesday, January 19, 2022

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 | Jenny Dimsho, Associate Planner |
| Kathy Payne, City Recorder | Jacob Graichen, City Planner |
| Lisa Scholl, Deputy City Recorder | Tina Curry, Event Coordinator |

OTHERS

| | | |
|------------------|---------------|---------------|
| Jeanette Nelson | Steve Toschi | Shauna Stroup |
| Jane Garcia | Brady Preheim | Art Leskowich |
| Jennifer Pugsley | Ben Tiscareno | Gina Sisco |
| Russ Hubbard | Mary Hubbard | |

OPEN PUBLIC HEARING – 6:30 p.m.

TOPIC

1. Extinguish Storm Sewer Easement and Water Easement at Proposed Public Safety Facility Site (4N1W-9AB-1400)

City Planner Graichen reviewed the easements proposed for extinguishment. A copy of the proposal is included in the archive packet for this meeting. The easements are not needed. With Council's approval, there are a couple deeds to eliminate the easements on the regular session agenda.

No public comments.

CLOSE PUBLIC HEARING – 6:34 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL PUBLIC HEARING

Wednesday, January 19, 2022

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 | Jenny Dimsho, Associate Planner |
| Kathy Payne, City Recorder | Jacob Graichen, City Planner |
| Lisa Scholl, Deputy City Recorder | Tina Curry, Event Coordinator |

OTHERS

| | | |
|------------------|---------------|---------------|
| Jane Garcia | Brady Preheim | Art Leskowich |
| Jennifer Pugsley | Ben Tiscareno | Steve Toschi |
| Russ Hubbard | Ali Hasenkamp | Shauna Stroup |
| Mary Hubbard | Molly Matchak | |

OPEN PUBLIC HEARING – 6:45 p.m.

TOPIC

1. Annexation of 58389 Columbia River Hwy. (Eggers)

Associate Planner 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. The applicant wants to connect to City sewer and water. They have expressed interest in developing a coffee drive-thru in that location.

Planning Commission and staff both recommend approval and recommend the property have a Comprehensive Plan designation of Highway Commercial (Incorporated) HC and be zoned Highway Commercial (HC).

Councilor Topaz referred to the large lumber company next door. Would the annexation help them or hurt them if they want to expand? Dimsho said it remains neutral. Dahlgren's can annex in whether this property does or does not.

TESTIMONY IN FAVOR – None

TESTIMONY IN OPPOSITION – None

CLOSE PUBLIC HEARING – 6:53 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, January 19, 2022

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 | Jenny Dimsho, Associate Planner |
| Kathy Payne, City Recorder | Jacob Graichen, City Planner |
| Lisa Scholl, Deputy City Recorder | Tina Curry, Event Coordinator |
| Brian Greenway, Police Chief | |

OTHERS

| | | |
|------------------|---------------|---------------|
| Jane Garcia | Brady Preheim | Art Leskowich |
| Jennifer Pugsley | Ben Tiscareno | Steve Toschi |
| Russ Hubbard | Ali Hasenkamp | Shauna Stroup |
| Mary Hubbard | Molly Matchak | |

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

PLEDGE OF ALLEGIANCE

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

- ◆ Molly Matchak, Molly's Market. She applied for a permit in November to repair the walkway from Molly's Market to Cowlitz Street. She was told there was no fee when she submitted it but when she came to pick it up, she was told there was a \$100 fee. She paid for the repairs, she owns the business, and owns part of the building. She is requesting the \$100 fee waived, which she paid on January 10.

There was no objection from Council to refund the fee.

Molly said that it would encourage other businesses to repair their walkways.

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to waive the fee to allow people to do the repairs.

Discussion.

Councilor Chilton clarified that it's only for the work that was already done. It would be waived for anyone else wanting to fix additional sections.

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

- ◆ Shauna Stroup-Harrison.
 - Requested a lagoon update
 - Will there be a tram schedule?

- Only traveling 15mph will slow traffic and locals could take alternative routes
- What will the fee be?

City Administrator Walsh reported that the City has been investigating filling in the lagoon and repurposing it. They need to know that it's a permissible facility with DEQ and what funding is available. They are working with partners to advance it. There is the technical and community acceptance aspect of filling it, including if it can be done safely. It's a slow process. As they get closer, he recommends creating a community advisory group.

◆ Tina Curry.

- Tram
 - Primarily used for tourism events
 - May be used for historic tours during the summer
 - Thanked Council for moving it forward
- Spirit of Halloweentown
 - Already getting questions about Halloween and what's happening
 - Once they establish a schedule and locations, needed improvements can be paid for with tourism funds.
 - Tourism pays for all repairs and damages. Most people are respectful.
 - Adding character actors along pathways and trails
 - Adding greeters
 - Would love to see improvements in the Rose Garden and Plaza before the fall
 - First Halloween meeting will be held the last week of January
- 13 Nights on the River is moving along
- Met with Judy Thompson about summer activities and collaborating on events
- People are excited about what they can do here

◆ Brady Preheim.

- What is the status of the tourism contract? Did you ever find the balance of the tourism account? Tourism should not be in limbo. They're lucky that they have someone who is competent.
- Council should accept it and do the fireworks, but they should find a different way to fund it. It's not a tourism event.
- Council is going to sign an MOU for Main Street. He is concerned about the program and the Columbia Theater not spending the grant money. The ADA bathrooms are needed. He doesn't want to see them fail again. It could be a great program. However, he is concerned about the leadership. He doesn't know what can be done to give them leadership and guidance. It would be nice if the money could be used and not lost.

◆ Amy Bynum, Port of Columbia County. She is here to introduce herself as the new Real Estate and Business Development Manager. She will be working on recruiting new companies to Port properties.

Mayor Scholl welcomed Amy and thanked her for reaching out.

◆ Ben Tiscareno. He loved the Waterfront video. He is encouraged by the process moving forward and appreciates their work. He agreed with Brady's comments about moving forward with the tourism contract. He hopes they move forward to establish trust.

Mayor Scholl announced that they will be going back into executive session following this meeting.

DELIBERATIONS**1. Deliberations - Extinguish Storm Sewer Easement and Water Easement at Proposed Public Safety Facility Site (4N1W-9AB-1400)**

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to extinguish the storm sewer easement and water easement at the proposed Public Safety Facility site. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

2. Deliberations - Annexation of 58389 Columbia River Hwy. (Eggers)

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve the annexation of 58389 Columbia River Hwy. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

3. Intergovernmental Agreement with Columbia County for Columbia Blvd. Sidewalk Project
4. [Ratify] Amendment No. 3 to Mayer/Reed, Inc. Agreement for Design, Construction, & Permits for Riverwalk Project Phase I and Columbia View Park Amphitheater
5. Amendment No. 4 to Mayer/Reed, Inc. Agreement for Design, Construction, & Permits for Riverwalk Project Phase I and Columbia View Park Amphitheater
6. Amendment to Arciform Agreement for Bennett Building
7. Quitclaim Deed to Extinguish Storm Sewer Easement and Water Easement at Proposed Public Safety Facility Site (4N1W-9AB-1400)
8. Agreement with GeoTerra, Inc. for New Imagery and Data for Use with GIS and AutoCAD
9. Amended Joint Memorandum of Understanding with St. Helens Main Street Alliance
10. Contract Payments

Motion: Motion made by Councilor Chilton and seconded by Council President Morten to approve '3' through '10' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR ACCEPTANCE

11. Parks and Trails Commission Minutes dated December 13, 2021
12. Planning Commission Minutes dated December 14, 2021

Motion: Motion made by Councilor Birkle and seconded by Councilor Topaz to approve '11' and '12' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

13. Council Work Session, Executive Session, Open House, and Regular Session Minutes dated December 15, 2021 and Council Special Session and Public Hearing Minutes dated December 29, 2021
14. Animal Facility Licenses
15. Accounts Payable Bill Lists

Motion: Motion made by Councilor Birkle and seconded by Councilor Chilton to approve '13' through '15' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS**Site Development Review Application for Columbia View Park Expansion**

Motion: Motion made by Mayor Scholl and seconded by Councilor Topaz to authorize signing of the land use application for a Site Development Review for expansion of Columbia View Park. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Tram Purchase

Motion: Motion made by Council President Morten and seconded by Councilor Chilton to approve the acquisition of a 120-passenger Dotto Brand tram, based upon the following findings: 1) the acquisition complies with the City's Municipal Code section 2.04.120(6)(q) Used Property; 2) the cost is substantially lower than new property; 3) the life-cycle cost was considered in the acquisition.

Discussion.

Council President Morten talked about the discontent between the Houlton District and downtown. This is a goal they've always had to bring the two business communities together. He is elated to see it move forward. Future concerns can be solved.

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

MAYOR SCHOLL REPORTS

- It's a busy time at the City
- Citizens Day in the Park is June 25. Vendor fees were waived last year. Is Council okay with waiving them again? Council concurred.
- Moving forward with the tourism contract. They are waiting on legal recommendations. It should be available by the next Council meeting. He encouraged Council members to contact Walsh with questions about the contract prior to the meeting.
- It was good to hear all the accomplishments during the State of the City. He serves as mayor to serve his community. Walsh implements everything they ask for. It may seem slow but is going quickly.
- Council is working well together today
- Thanked Brad Witt for visiting. He will introduce the City at the State with a request for funding to move the Industrial Park forward.
- The new senator, Rachel Armitage, will be here on Monday at 5 p.m.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- Thanked Mayor Scholl for recognizing Walsh. It was very timely that they changed their governing policy for Walsh to take on city manager duties. A lot of what has been accomplished is because of him, all the staff working together, and community support.
- Thanked Tina for her report. He appreciates it.
- The Parks & Trails Commission made a recommendation for reimbursement of harm done to parks during tourism events. He suggested it be added to an agenda for discussion. Tina has already stepped forward to do that on her own.

Councilor Topaz reported...

- The doors at the library were redone to increase security and improved ventilation.
- He was at the Food Bank recently and a citizen came in with a large donation. They represent a group that collects cans to raise money. They don't want their name out there. He applauds the people who support the Food Bank in silence.
- He distributed a request to Council during the work session listing legal fees that he would like to be reimbursed for.

Motion: Motion made by Councilor Topaz to get reimbursed for legal fees in the amount of \$9,115.

Motion died due to lack of second.

Mayor Scholl would like the City Attorney to review it first.

Councilor Chilton reported...

- Visited the library last week with her five-year-old and was able to participate in lots of activities. It was a great experience.
- Police Department update
 - The Public Safety Facility is in the planning stages. They are focusing on flood zones.
 - Acknowledged Officer McKenzie McClure. She has begun training other law enforcement agencies in the County in DUI detection. It's good to see training and ongoing education.
 - She will advocate for the Police Department during the budget review. Population continues to increase and impact public safety resources. The safety needs of citizens need to be put first by providing increased staffing.
 - Need to address policing needs on Sand Island and create a plan of action.

Councilor Birkle reported...

- Talked about Public Works recently doing work down the street from his house. The work impacted his house, and they were quick to resolve the problem.
- It was a good Planning Commission meeting last week. He was moved by citizen participation. It gave them an opportunity to feel heard.
- He took a trip to Independence to visit their waterfront and stay at their hotel. He was able to visualize what our Riverfront will look like.
- He read a book about how to make your community's economy sizzle. St. Helens is in a great position right now with the revitalization of the Main Street program and new energy at the Chamber of Commerce. It provides them an opportunity to look for ways to attract entrepreneurs to invest and build their businesses here. The investment in St. Helens Industrial Business Park shows that St. Helens is open for business.

OTHER BUSINESS

EXECUTIVE SESSION

ADJOURN – 7:56 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor