

**City of St. Helens**  
*Consent Agenda for Approval*

**CITY COUNCIL MINUTES**

Presented for approval on this 20<sup>th</sup> day of August, 2025 are the following Council minutes:

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2025

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- Work Session, Executive Session, and Regular Session Minutes dated July 16, 2025
- Special Session and Executive Session Minutes dated August 4, 2025

**After Approval of Council Minutes:**

- ☐ Scan as PDF Searchable
- ☐ Make one double-sided, hole-punched copy and send to Library Reference
- ☐ Minutes related to hearings and deliberations get copied to working file
- ☐ Save PDF in Minutes folder
- ☐ Update file name & signature block on Word document & copy Word document into Council minutes folder in Shared Drive
- ☐ Upload & publish in MuniCode
- ☐ Email minutes link to distribution list
- ☐ Add minutes to HPRMS
- ☐ Add packet and exhibits to HPRMS
- ☐ File original in Vault
- ☐ Update minutes spreadsheet



# COUNCIL WORK SESSION

Wednesday, July 16, 2025

## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Jennifer Massey  
Councilor Mark Gundersen  
Councilor Russell Hubbard  
Councilor Brandon Sundeen

### MEMBERS ABSENT

Council President Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Matthew Smith, Acting Police Chief  
Jacob Graichen, City Planner  
Mike De Roia, Building Official  
Crystal King, Communications Officer

Mouhamad Zaher, Public Works Director  
Sharon Darroux, Engineering Manager  
Jamin Coy, Police Officer  
Dylan Gaston, Police Officer  
Everardo Medina, Code Enforcement Officer  
Ashley Wigod, Contracted City Attorney  
Jeff Kapp, Contracted City Attorney

### OTHERS

Brady Preheim      Al Petersen  
Steve Topaz      Adam  
Joe      Michelle

**CALL WORK SESSION TO ORDER** – 3:00 p.m.

### CLEARING CONFUSION AND SETTING THE FACTS STRAIGHT

#### 1. Response to June 18 Visitor Comments

Mayor Massey noted that there were no comments from the June 18th meeting that needed clarification.

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

- ◆ Brady Preheim. Expressed strong opposition to the statement read by Mayor Massey regarding visitor comment procedures, stating that rather than curbing behavior to limit freedom of speech, he opposed it. Preheim criticized the Council for agreeing with her. He argued that the statement read by Mayor Massey served to antagonize rather than achieve its intended purpose. Preheim then shifted his focus to the water taxi discussion, expressing that the water taxi should be under better management. He criticized Treadway for their handling of past events, such as the Sandcastle Competition, which seemed to have disappeared due to organizational issues. He also mentioned the Fourth of July celebration, labeling it a "complete disaster" due to poor communication and mismanagement, which ended the event multiple times, causing confusion and near accidents. Preheim also raised issues about Treadway not having appropriate permits for the building work in the haunted house and highlighted a potential citizen-led initiative

spearheaded by Harvey Bilton to prevent water bill increases, suggesting it would pass easily and create budget problems for the Council.

- ◆ Al Petersen. Expressed opposition to the adoption of an ordinance in the Council packet and had sent an email outlining his concerns. He particularly objected to clauses that made architects and engineers liable for issues beyond their control, citing an example from Philadelphia where similar contractual clauses led to professionals refusing to work with the school district. Petersen described this liability concern as overreaching and problematic. Furthermore, he criticized the current permitting processes, arguing that they are becoming excessively layered with regulations, making it both expensive and difficult for developers to navigate. He illustrated this by recounting his experience involving multiple permits for the CCMH property, where overlapping requirements from the DEQ and other agencies were burdensome. Mr. Petersen stressed that such cumulative regulations discourage developers, as they add unnecessary complexity and cost to projects, using the example of a developer who remarked on the accumulating layers of requirements cities impose without realizing the resultant barriers to growth and development.
- ◆ Steve Topaz. Presented amendments to the previously recorded meeting minutes, focusing on inaccuracies and the usage of certain terminology. He placed a particular emphasis on a past Oregon Supreme Court decision, which had examined cases involving the City of St. Helens. According to Topaz, the Court found the City's actions led to restrictions that were deemed unlawful, particularly emphasizing the restriction of speech. In his view, the City's approach to managing storm drainage issues had led to unconstitutional limitations on freedom of speech, ultimately ruled as such in Federal Court. Topaz pointed out that any restriction placed on speech, even basic ones like a three-minute speaking limit, were a violation of Constitutional rights. He reiterated that First Amendment rights were established to allow citizens to engage freely in discussions about government activities without fear of reprisal or being silenced. Topaz criticized recent Council actions to limit topics or impose specific restrictions as a breach of these freedoms, suggesting it requires the Council and City's attorney to re-evaluate their stance to comply with federal laws.

## **DISCUSSION TOPICS**

### **2. Employee Length of Service Recognition - Jamin Coy for 10 Years**

Acting Police Chief Matthew Smith presented Officer Jamin Coy with a certificate commemorating his 10 years of service to the St. Helens Police Department. Chief Smith praised Officer Coy as one of the hardest-working officers in the Department, highlighting his roles as a field training officer and member of the Columbia County Major Crimes Team. He also commended Officer Coy's willingness to work overtime shifts to ensure 24/7 coverage for the city.

### **3. Quarterly Reports from City Departments/Divisions (Informational)**

Referencing the Planning Division report, Councilor Sundeen asked for a summary of the discrepancy with wetlands on Millard Road. City Planner Jacob Graichen explained the history of the property, referencing the ill-fated hospital project from around 2008, which involved the Columbia Health District applying for hospital development on the southerly third of Millard Road. At that time, the City owned the northern two-thirds of the property. A condition of the County's land use decision for the hospital was to record a document on the deed acknowledging the presence of wetlands, which acts as an additional layer of notice for future property owners.

Graichen noted that the developer selected in June expressed concerns about this recorded document, perceiving it as a potential barrier due to lenders' apprehensions. Additionally, the developer was worried about the document's implications regarding regulatory requirements, although Graichen emphasized

that the document does not create new regulations but simply acts as a form of notice. He clarified that the existing wetlands would remain under current city, state, and federal laws, and indicated that he had already engaged in correspondence to tackle these concerns. Graichen mentioned that he was awaiting further communication from the title company to gain clarity on the developer's issues with the document.

Councilors then asked follow-up questions regarding the exact location of the wetlands within the property and how this might affect future development plans, including any necessary adjustments to comply with land use laws. Additionally, questions were raised about the potential impact on the timeline for the resolution of these issues, particularly considering that development activity could be delayed if the concerns with the recorded document were not satisfactorily addressed. Graichen acknowledged these concerns, alluding to his discussions with the City's real estate contacts to directly address the title company, ensuring that all parties understand the document's role. The discussion reflected the Council's interest in efficiently resolving the discrepancy to avoid hindering ongoing and future development efforts on Millard Road.

Graichen also addressed the impact of Associate Planner/Community Development Project Manager Jenny Dimsho leaving, noting that being the sole planner could be challenging and lead to delayed responses in project development tasks. Current planning work would take priority, but project work might slow down. Fortunately, with development being slower now, the timeline may not be as significantly impacted, though he acknowledged the potential constraints on department resources.

#### **4. Review Updates to Universal Fee Schedule - Finance Director Gloria Butsch**

City Administrator John Walsh presented on behalf of Finance Director Gloria Butsch, who was absent due to emergency dental work. He noted that the proposed changes to the fee schedule were highlighted in the Council packet and were the ones discussed as part of the budget process.

Mayor Massey suggested postponing a detailed discussion until the next work session when Butsch could be present to address specific questions about the impact of various fees. The Council agreed to discuss approving the fee schedule in the general session later that evening, with the possibility of bringing Butsch back to the next work session for further clarification. City Recorder Kathy Payne pointed out that Butsch was hoping to make these fees effective August 1.

#### **5. [Informational Only] Staff Report on Erosion Prevention and Sediment Control Code Revision**

Engineering Manager Sharon Darroux presented information on the proposed erosion control ordinance revision. She addressed concerns raised by Al Petersen in his email, including:

1. The 1,000 square foot threshold for permits and its relation to wetlands and creeks.
2. Clarification that McNulty Creek and Milton Creek are 303(d) listed streams.
3. The liability of engineers and architects in the permit process.
4. The necessity of the ordinance as a requirement of the City's TMDL plan and DEQ requirements.
5. The possibility of adjusting the size threshold for permits.

Darroux emphasized that the City could potentially increase the size threshold for permits but noted that the half-acre minimum was a non-negotiable requirement from DEQ. She also clarified that the ordinance includes best practices for erosion control and that the Engineering team would be responsible for inspections.

Councilors asked questions about emergency work provisions, the impact on homeowners, and the possibility of adjusting the distance requirements from water bodies. Darroux agreed to look into these issues and provide more information at a future meeting.

**6. Discussion regarding Water Taxi - *City Administrator John Walsh***

City Administrator John Walsh presented information on the City-owned water taxi, including its current status and challenges:

- The boat has a valid inspection from 2023 to 2028 but faces issues with its Certificate of Inspection (COI) and a letter of deficiencies.
- The Coast Guard has suggested entering a Jones Act waiver small vessel program, which would limit passenger capacity to 12, down from the current 25-27.
- The City faces liability issues and high insurance costs for operating the boat.
- The boat is used infrequently, mainly for events.

Walsh presented several options for the council to consider:

- Keep the boat and have the city operate it
- Keep the boat and have someone else operate it
- Sell the boat

Council discussed various aspects of these options, including:

- The potential interest from the Sand Island Campground in operating the boat
- The current value of the boat and potential sale price
- The requirements for different passenger capacities and associated Coast Guard regulations
- The lack of public safety capabilities for Sand Island events

Council directed Walsh to gather more information on:

- Potential terms for selling or leasing the boat to the Sand Island Campground
- Current market value of the boat
- Outstanding requirements from the Coast Guard for both 12-passenger and 20-passenger operations
- Options for consignment or surplus property declaration

Walsh is working with a maritime expert and agreed to bring this information back to the next Council meeting.

**7. Review Purchase and Sale Agreement and Ground Lease for 1771 Columbia Blvd. - *City Administrator John Walsh***

Contracted City Attorney Jeff Kapp presented the details of the purchase and sale agreement (PSA) and ground lease for the property at 1771 Columbia Boulevard. Key points included:

- The sale price is \$1,250,000, with potential adjustments based on closing date and consumer price index.
- The closing is triggered by the death of the current owner, Wayne Weigandt.
- The City has a 90-day due diligence period to investigate the property.
- After the due diligence period, the City enters a ground lease allowing it to use the property until the sale closes.
- The ground lease gives the City most aspects of ownership without having the deed.
- The rent for the ground lease is \$6,250 per month, adjusting annually based on CPI.

Councilors asked questions about the timing of tenant removal, the City's obligations under the ground lease, and the condition of the property upon transfer. Kapp clarified these points and emphasized that the agreement protects the City's interests while accommodating the seller's desire to delay the actual sale.

**8. Discussion regarding Operational Levy**

Mayor Massey introduced a proposal for a charter amendment that would require voter approval for imposing, increasing, or modifying fees collected through the City's utility billing system. She presented a draft of the proposed amendment, which included:

- Definitions of fees, utility billing, and majority vote
- Requirements for voter approval of new fees and changes to existing fees
- A sunset provision for any approved fees
- The ability for the City Council to reduce fees without voter approval

Council discussed the benefits of this proposal, including increased transparency and accountability. They also considered the differences between implementing this as an ordinance versus a charter amendment.

Contracted City Attorney Ashley Wigod clarified that a charter amendment would be more restrictive and permanent than an ordinance, requiring voter approval to change in the future. She also noted the timing considerations for getting such a measure on the ballot.

Council expressed general support for the concept and directed staff to prepare a referral text and ballot summary for further discussion at the next Council meeting.

**9. Report from City Administrator John Walsh**

Walsh provided updates on various City activities and events, including:

- Recent community events such as the 13 Nights celebrations, Fourth of July festivities, and the Columbia County Fair
- His attendance at the Oregon City Manager's Conference in Bend
- Progress on performance evaluations for City staff
- Ongoing negotiations with developers for waterfront projects
- Updates on Project Arcadia, including environmental clearances and expected timeline
- Improvements and progress at the Project Arcadia facility

Council asked follow-up questions about the timeline for Project Arcadia's production start and expressed appreciation for Walsh's report.

**ADJOURN** - 4:46 p.m.

**EXECUTIVE SESSION**

- Labor Negotiations, under ORS 192.660(2)(d)
- Real Property Transactions, under ORS 192.660(2)(e)
- Exempt Records/Confidential Attorney-Client Privileged Memo, under ORS 192.660(2)(f)
- Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)

Respectfully transcribed by ClerkMinutes and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Jennifer Massey, Mayor

# City of St. Helens

## CITY COUNCIL

### Executive Session Summary

July 16, 2025

**Members Present:** Jennifer Massey, Mayor  
Mark Gundersen, Councilor  
Brandon Sundeen, Councilor  
Russell Hubbard, Councilor

**Members Absent:** Jessica Chilton, Council President

**Staff Present:** John Walsh, City Administrator  
Kathy Payne, City Recorder

**Others:** Ashley Wigod, City Attorney with Jordan Ramis PC  
Jeff Kapp, City Attorney with Jordan Ramis PC



At 4:50 p.m., Mayor Massey opened the Executive Session pursuant to the ORS numbers listed below and then gave roll call. Other than Labor Negotiations, representatives of the news media, designated staff, and other persons as approved shall be allowed to attend the Executive Session. All other members of the audience are asked to leave the Council Chambers. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

- **Real Property Transactions, under ORS 192.660(2)(e)**
  - Discussion regarding the acquisition of property at 1771 Columbia Blvd. for a new police station.
  - Update on Project Arcadia at the St. Helens Industrial Business Park.
- **Exempt Records/Confidential Attorney-Client Privileged Memo, under ORS 192.660(2)(f)**
  - Discussion regarding privileged and confidential memo from City Attorney Ashley Wigod dated July 15, 2025

Mayor Massey stated that she has an actual conflict of interest but she is able to discuss and have conversations under Senate Bill 983, by declaring that her husband is a St. Helens Police Officer and so it's an actual conflict of interest.

- **Deliberations with persons appointed to carry out Labor Negotiations, under ORS 192.660(2)(d)**
  - Update on negotiations with AFSCME and the St. Helens Police Association.
- **Consult with Legal Counsel & Potential/Pending Litigation, under ORS 192.660(2)(h)**
  - Informed Council of Summons that was just served to the City right before the Work Session.

The Executive Session was adjourned at 5:55 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Jennifer Massey, Mayor

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





# COUNCIL REGULAR SESSION

Wednesday, July 16, 2025

## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Jennifer Massey  
Councilor Mark Gundersen  
Councilor Russell Hubbard  
Councilor Brandon Sundeen

### MEMBERS ABSENT

Council President Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Matthew Smith, Acting Police Chief  
Ashley Wigod, Contracted City Attorney

### OTHERS

Adam St. Pierre	JoAnn Dohn
JMD	Joel Warner
Nick Flory	Nick Hellmich
Brady Preheim	Martha Sherry
Jim Coleman	Shauna Harrison

### CALL REGULAR SESSION TO ORDER – 7:00 P.M.

### PLEDGE OF ALLEGIANCE

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

- ◆ Joel Warner. Expressed concern about the dance floor at the 13 Nights on the River event. He reported that the dance floor had been replaced with a sidewalk, leading to safety issues. He mentioned witnessing multiple people rolling their ankles while dancing and one person tripping and breaking their arm. Warner urged the Council to remove the sidewalk and reinstate the dance floor for safety reasons and to allow people to enjoy dancing at the event.
- ◆ Jim Coleman. Addressed the issue of the City-owned boat discussed in the work session. Drawing from his 30-40 years of experience on the water, he strongly advised selling the boat. He reminded the Council that he had previously testified against buying the boat, citing concerns about Coast Guard approval. Coleman suggested that the boat, while in good condition, does not serve its intended purpose. He warned about potential liability issues, especially if used for ferrying passengers to Sand Island. He recommended selling the boat and getting out of the "boat business" to avoid further complications and liabilities.

- ◆ Brady Preheim. Criticized Mayor Massey's leadership, pointing out several unfulfilled promises and initiatives. He mentioned the failure to move public comments to the end of meetings, the lack of a hometown hero program, delays in the police station groundbreaking, and the cancellation of the sandcastle contest. Preheim also brought up concerns about a lawsuit with Chief Hogue and issues with the City's contractor, Treadway. He urged the Council to consider changing contractors, particularly for events like Spirit of Halloweentown, warning that the projected revenue might not meet expectations. Preheim also commented on the proposed charter amendment, suggesting that the mayor's support came too late and that an alternative amendment might be more beneficial for citizens.
- ◆ Adam St. Pierre. Expressed surprise at agreeing with previous speakers, Walsh and Preheim. He supported the idea of letting the community choose what they can afford and suggested freezing all budget increases until the City reaches a 30% reserve. St. Pierre also voiced support for Harvey's petition to eliminate the public safety fee. He acknowledged the difficulty of creating government budgets but emphasized the importance of making necessary cuts and allowing voters to see the direct consequences of their decisions.
- ◆ Nicholas Hellmich. Informed Council that he had submitted a FOIA request for all communications (including personal and work-related) between Mayor Massey, Councilor Hubbard, Council President Chilton, Councilor Gundersen, and Councilor Sundeen. He expressed concerns about potential violations of open meetings laws. Hellmich also criticized the Mayor's attempt to limit public criticism during Council meetings, comparing it to her own past criticisms of the previous administration. He brought up safety concerns regarding a fire on a barge during the Fourth of July celebration and questioned whether Council members had read the Jim Band investigation before voting on it. Finally, he inquired about potential conflicts of interest regarding riverfront development.
- ◆ Shauna Harrison. Expressed concerns about water and sewer services in the City. She mentioned the ongoing discussions about changing the City charter regarding water fees and the inadequacy of current sewer lines. Harrison acknowledged the complexity of the issue but urged the Council to find a solution that would allow residents to maintain their properties without excessive financial burden. She emphasized the need for a balanced approach that addresses both infrastructure needs and affordability for citizens.
- ◆ Nick Flory. Commented on the water bill and the City's ability to add unrelated fees. He suggested that any proposed fees should be voted on by citizens and supported the idea of lowering fees over time. Flory also praised the recent Community Day in the Park event and expressed appreciation for the hard work of public safety officials. He recommended halting unnecessary spending and implementing budget cuts to address financial concerns.

#### **ORDINANCES – Final Reading**

- 1. Ordinance No. 3311:** An Ordinance to Annex and Designate the Zone of Certain Property at 35262 Fir Street

Mayor Massey read Ordinance No. 3311 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Ordinance No. 3311. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**2. Ordinance No. 3312:** An Ordinance to Annex and Designate the Zone of Certain Property at 58909 Firlok Park Street

Mayor Massey read Ordinance No. 3312 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Ordinance No 3312. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**3. Ordinance No. 3313:** An Ordinance Adding Chapter 12.36 to the St. Helens Municipal Code Establishing a Pavement Cut Moratorium on Newly Constructed or Resurfaced Streets

Mayor Massey read Ordinance No. 3313 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Ordinance No. 3313. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**ORDINANCES – First Reading**

**4. Ordinance No. 3310:** An Ordinance Amending St. Helens Municipal Code Chapter 2.12 "City Administrator"

Mayor Massey read Ordinance No. 3310 by title. The final reading will be held at the next meeting.

**5. Ordinance No. 3314:** An Ordinance Revising Chapter 18.36 of the St. Helens Municipal Code to Meet the City's Requirement as a Designated Management Agency Under the DEQ's Willamette Basin Mercury Total Maximum Daily Load

Mayor Massey read Ordinance No. 3314 by title. The final reading will be held at the next meeting.

**RESOLUTIONS**

**6. PUBLIC COMMENT - Update Universal Fee Schedule**

- ◆ Nick Flory. Commented that any proposed fees should be voted on by citizens. He supported the idea of being able to lower fees over time but felt that no extra fees should be added. Flory suggested that any additional costs should be addressed through budget cuts.

Contracted City Attorney Ashley Wigod clarified that the fee schedule primarily pertained to service-related fees, rather than additional charges on utility bills.

- ◆ Adam St. Pierre. Reiterated his earlier comment, suggesting a freeze on all fees and spending until the City's budget is under control. He proposed letting citizens decide on each fee individually, predicting that essential services like sewer and police would be prioritized while other services might be cut.

**Resolution No. 2048:** A Resolution Adopting a Universal Fee Schedule, and Superseding Resolution No. 2004

Mayor Massey read Resolution No. 2048 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Resolution No. 2048.

Discussion.

Councilor Hubbard raised concerns about certain items in the fee schedule, particularly mentioning erosion permits and business taxes. He worried that increased business taxes might lead to higher rents.

Councilor Sundeen suggested removing the erosion control items from the resolution until they could be discussed further. The Council agreed to this amendment.

**Vote:** Nay: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Resolution No. 2048 with exception of the fees relating to erosion control. **Vote:** Voting Yea: Mayor Massey, Councilor Gundersen, Councilor Sundeen; Nay: Councilor Hubbard

- 7. Resolution No. 2049:** A Resolution Determining that a Nuisance Exists upon Property Located at 1321 Tualatin Street within the City of St. Helens and Directing that Notice to Abate the Nuisance be Posted on Said Premises

Mayor Massey read Resolution No. 2049 by title. **Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to adopt Resolution No. 2049. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

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

8. Amendment No. 4 to OTAK CPM Agreement for Management of Subconsultant Services for Evaluation of Columbia Blvd. Property for Public Safety Building
9. Agreement with Mark Comfort for Services Related to the Clean-up of Various Properties, including Declared Nuisance Properties, within City Limits
10. Agreement with Columbia County Junk Removal for Services Related to the Clean-up of Various Properties, including Declared Nuisance Properties, within City Limits
11. Extension of Agreement with Steve Sharfstein for Legal Defense Services
12. Extension of Agreement with Steven Leskin for Legal Defense Services
13. Intergovernmental Agreement with Oregon Department of Consumer & Business Services - Building Codes Division and other Joining Parties to Provide Mutually Agreed Upon Building Official Services, Plan Review Services, or Inspection Services
14. Fifth Amendment to Sewer Service Agreement with Greg and Amanda McFeron for 35262 Fir Street
15. Amendment No. 13 to Intergovernmental Agreement with Columbia County for Supervised Community Corrections Work Crews General Labor Assistance
16. Purchase and Sale Agreement for 1771 Columbia Blvd. with 1771ColumbiaBlvd, LLC
17. Ground Lease for 1771 Columbia Blvd. with 1771ColumbiaBlvd, LLC
18. Amendment No. 3 to Agreement with Oregon Business Development Department for Sewer Capacity Improvement Project

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '8' through '18' above.

Discussion.

Councilor Hubbard inquired about item eight, specifically the amount already paid to OTAK and the additional fees requested. It was clarified that \$207,000 had been spent, with an additional \$41,800 being requested as part of the remaining budget for the public safety building project.

**Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

#### **APPOINTMENTS TO BOARDS AND COMMISSIONS**

19. Reappoint Members and Appoint New Member to Library Board

None at this time due to Library Board meeting cancellation.

#### **CONSENT AGENDA FOR ACCEPTANCE**

20. Planning Commission Minutes dated May 13, 2025

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '20' above. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**CONSENT AGENDA FOR APPROVAL**

21. City Council Minutes dated June 18, 2025
22. OLCC Licenses
23. Accounts Payable Bill Lists

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '21' through '23' above. **Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**WORK SESSION ACTION ITEMS**

**Motion:** Motion made by Councilor Gundersen and seconded by Councilor Sundeen to direct staff and counsel to draft a referral measure for the ballot that amends the City Charter by requiring voter approval of any new fees on utility bills that are unrelated to utility services and to bring that referral measure text to City Council for further review and discussion.

Discussion.

Councilor Sundeen suggested including a sunset clause for fees when they are no longer needed or when associated loans are paid off. Mayor Massey clarified that the proposed charter language would likely include the purpose of the fee, the initial amount, and a sunset clause. She added that the Council would retain the ability to reduce fees without voter approval if circumstances allowed.

**Vote:** Yea: Mayor Massey, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**COUNCIL MEMBER REPORTS**

Councilor Sundeen reported...

- The summer meeting break has been nice.
- Reported on recent summer events, including the Fourth of July celebration and 13 Nights on the River. Noted positive feedback from the community, as well as pointing out that the tourism contractor had nothing to do the fireworks fire.
- Discussed the recent Parks and Trails Commission meeting, highlighting ongoing discussions about the Milton Creek Woodland Reserve and potential volunteer groups for McCormick Park and the botanical gardens.

Councilor Hubbard reported...

- Planning Commission has had ongoing discussions about improving storefronts in the City. He suggested focusing on celebrating recent improvements throughout the district rather than solely on storefront changes.

Councilor Gundersen reported...

- Expressed satisfaction with the turnout and community enjoyment at 13 Nights on the River events.

**MAYOR MASSEY REPORTS**

- The Library Board appointments have been postponed due to the cancellation of this week's Library Board meeting.
- Praised Library Director Suzanne Bishop for her efforts at the library, noting services such as resume writing assistance and the popular Maker Space.
- Thanked City staff, especially City Recorder Kathy Payne and Deputy City Recorder Lisa Scholl, for their diligence in preparing Council packets and other materials.
- Acknowledged the hard work of all City departments, including Public Works, Police, and Parks.

- Highlighted the City's progress and emphasized the Council's proactive steps to address issues and propel the City forward.
- Happy Birthday to City Administrator John Walsh!

**OTHER BUSINESS**

**ADJOURN – 7:39 p.m.**

Respectfully transcribed by ClerkMinutes and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Jennifer Massey, Mayor



# **COUNCIL SPECIAL SESSION**

Monday, August 04, 2025

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## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Jennifer Massey  
Council President Jessica Chilton  
Councilor Mark Gundersen  
Councilor Russell Hubbard  
Councilor Brandon Sundeen

### **STAFF PRESENT**

John Walsh, City Administrator  
Lisa Scholl, Deputy City Recorder  
Kolten Edwards, Police Detective  
Ashley Wigod, Contracted City Attorney  
Chris Dolan, Contracted City Attorney

### **OTHERS**

Joe  
Brady Preheim  
Adam St. Pierre  
Shober

### **CALL SPECIAL SESSION TO ORDER – 6:01 p.m.**

### **RECESS SPECIAL SESSION**

Prior to entering Executive Session, the Council addressed a request from Brady Preheim to attend as a representative of the news media. City Attorney Wigod advised the Council that she had previously provided a legal memorandum explaining why Preheim did not qualify as a representative of the news media. No new information had been received from him since then.

**Motion:** Motion made by Council President Chilton and seconded by Councilor Gundersen to determine that Brady Preheim is not considered media and not allowed to attend the executive session. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

### **EXECUTIVE SESSION – 6:14 p.m.**

- Consider Information or records that are Exempt by Law from Public Inspections, under ORS 192.660(2)(f); and
- Consult with Counsel Concerning the Legal Rights and Duties of a Public Body with Regard to Current Litigation or Litigation Likely to be Filed, under ORS 192.660(2)(h).

### **RESUME SPECIAL SESSION – 6:58 p.m.**

## 1. Discuss Possible Charter Amendment Requiring Voter Approval Prior to the Establishment of any New Fees on the Utility Bill that are Unrelated to Utility Services

City Administrator Walsh provided a presentation explaining that Mayor Massey had introduced this concept at the July 16 meeting, and that the Budget Committee had also discussed this topic. He explained that to refer a measure to the November 4 ballot, the Council would need to make a decision by August 5.

Walsh explained that the City has three types of fees: full service fees, fees for specific services (such as utility services), and impact fees (associated with development and System Development Charges). He noted that the current Public Safety Fee was established in Chapter 13.30 of the Municipal Code, with approximately \$6 million in financing obtained in 2021 for the police station. The fee generates approximately \$750,000 per year with a rate of \$10.30 per month per unit.

Walsh presented three options for the Council to consider:

1. Do nothing
2. Adopt an ordinance to require voter approval for new utility bill fees
3. Proceed with a charter amendment requiring voter approval

Contracted City Attorney Wigod clarified that the resolution would refer a measure to voters to decide whether to require voter approval of new fees, while an ordinance option would have the same effect but could be implemented more quickly (within 30 days of passage) and could be modified by future councils if needed. She explained that a charter amendment would need voter approval to be modified in the future.

Council President Chilton asked about the difference in timing between the ordinance and resolution approaches. Wigod confirmed that an ordinance could be implemented faster.

Councilor Sundeen expressed concern that a future council could easily repeal an ordinance, whereas a charter amendment would be more permanent.

Mayor Massey acknowledged she was torn between the approaches, noting there was a lack of trust in government that a charter amendment might address, but also that an ordinance approach could be implemented quickly while gauging citizen response.

## 2. Public Comment

No public comment.

The Council discussed the status of a citizen petition that might address similar issues. Wigod explained the process for handling a citizen petition if sufficient signatures were gathered by August 6, including the Council's options to accept it or provide a counter-petition.

**Motion:** Motion made by Council President Chilton and seconded by Councilor Sundeen to direct staff to prepare an ordinance to require voter approval before any new fees are established or increased on the utility bill, unrelated to utility fees. **Vote:** Nay: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**Motion:** Motion made by Council President Chilton and seconded by Councilor Sundeen to direct staff to prepare an ordinance to require voter approval for any new fees, increased fees, or change of purpose as outlined on item number three, exhibit A of the council agenda.

During discussion, Councilor Sundeen stated he believed this was a good starting point. Council President Chilton noted that while she had never been a fan of adding fees to utility bills, the frozen tax rates in Oregon meant cities needed to find ways to fund expected services for a town of 15,000 people.



Mayor Massey expressed she was still torn about whether an ordinance would be sufficient to address citizens' trust concerns, but hoped this approach would show good faith while allowing for potential future action if needed. She also wants to use this opportunity to improve communication with the public.

**Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**3. ~~Resolution No. 2050:~~ A Resolution of the St. Helens City Council to Submit a Proposed Charter Amendment to the Registered Voters of the City of St. Helens at the November 4, 2025, Election to Require Voter Approval Before the Establishment Of New Fees on Utility Bills Unrelated to Utility Services**

**4. Discuss Adding a Sunset Provision for the Public Safety Fee**

City Administrator Walsh explained that the Public Safety Fee, established in Chapter 13.30 of the Municipal Code, was used to secure a 30-year bond for the new police station. The fee generates approximately \$750,000 per year, which covers debt service for the bond through 2052. He noted that once the debt service is paid off, the fee would no longer be needed.

Mayor Massey clarified for the record that the City's reserves were at approximately 7% of what the policy guideline recommended (20%), with approximately \$700,000 in reserves.

The Council discussed adding a sunset provision to make it clear when the fee would end. Walsh presented proposed text for a sunset clause that would establish a specific end date of December 31, 2052, when the bond financing matures.

Council President Chilton asked for clarification that the date was firm, wondering if anything could cause the date to change. Walsh confirmed that early payoff could shorten the timeline but would not extend it.

Councilor Sundeen expressed preference for including a specific date rather than language about "until paid off," as it would be clearer for citizens to understand.

No public comments were received on this item.

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to direct staff to prepare an ordinance to add a sunset clause to the public safety fee. **Vote:** Yea: Mayor Massey, Council President Chilton, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

**OTHER BUSINESS**

Mayor Massey requested the following items be added to the August 20 meeting agenda:

1. Discussion on Budget Committee recommendations regarding event permits and associated fees
2. Update on human resource assistance for the City Recorder and Deputy City Recorder
3. Status of evaluations for department heads
4. Update on the water taxi

**ADJOURN** – 7:41 p.m.

Respectfully transcribed by ClerkMinutes and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Lisa Scholl, Deputy City Recorder

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Jennifer Massey, Mayor

# City of St. Helens

## CITY COUNCIL

### Executive Session Summary

August 4, 2025

**Members Present:** Jennifer Massey, Mayor  
Jessica Chilton, Council President  
Mark Gundersen, Councilor  
Brandon Sundeen, Councilor  
Russell Hubbard, Councilor

**Members Absent:** None

**Staff Present:** John Walsh, City Administrator  
Lisa Scholl, Deputy City Recorder

**Others:** Ashley Wigod, City Attorney with Wigod Law Office, under contract with Jordan Ramis  
Chris Dolan, City Attorney with Jordan Ramis PC



At 6:14 p.m., Mayor Massey opened the Executive Session pursuant to the ORS numbers listed below and then gave roll call. Other than Labor Negotiations, representatives of the news media, designated staff, and other persons as approved shall be allowed to attend the Executive Session. All other members of the audience are asked to leave the Council Chambers. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

- **Exempt Records/Confidential Attorney-Client Privileged Memo, under ORS 192.660(2)(f)**
  - No discussion under this topic occurred.
- **Consult with Legal Counsel & Potential/Pending Litigation, under ORS 192.660(2)(h)**
  - Update on the status of the litigation with Jennifer Myrick.
  - Update on the status of the litigation with Steven Toschi.
    - Mayor Massey abstained from discussion due to a conflict of interest.
  - Update on the status of the litigation with Joe Hogue.
  - Update on the status of the litigation with E2C, Corp.

The Executive Session was adjourned at 6:58 p.m.



ATTEST:

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Lisa Scholl, Deputy City Recorder

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Jennifer Massey, Mayor

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