

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

**CITY COUNCIL MINUTES**

Presented for approval on this 18<sup>th</sup> day of November, 2020 are the following Council minutes:

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2020

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- Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated October 21, 2020
- Special Session and Executive Session Minutes dated October 26, 2020
- Work Session, Executive Session, and Regular Session Minutes dated November 4, 2020

**After Approval of Council Minutes:**

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# COUNCIL WORK SESSION

Wednesday, October 21, 2020

## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Keith Locke  
Councilor Ginny Carlson  
Councilor Stephen R. Topaz

### STAFF PRESENT

John Walsh, City Administrator	Margaret Jeffries, Library Director
Matt Brown, Assistant City Administrator	Mike De Roia, Building Official
Kathy Payne, City Recorder	Jacob Graichen, City Planner
Sue Nelson, Interim Public Works Director	Jenny Dimsho, Associate Planner
Bill Monahan, City Attorney	Tina Curry, Event Coordinator
Rachael Barry, Government Affairs & Project Support Specialist	

### OTHERS

Lynne Pettit  
Jason Smith

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

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

No visitor comments were received.

### DISCUSSION TOPICS

#### 1. Planning Department Semi-Annual Report - *Jacob*

1:01 p.m.

City Planner Jacob Graichen and Associate Planner Jenny Dimsho were in attendance to give the semi-annual Planning report. A copy of the report is included in the archive packet for this meeting. They reviewed some of the current, past, and upcoming projects:

- St. Helens Industrial Business Park
- Flood plain and accessory structure Code amendments
- State mandated code amendments for duplexes
- Urban Renewal revenue projections update and major amendment
- Riverwalk Phase I design/construction
- Bennett Building front façade design
- Community Development Block Grant for Columbia Pacific Food Bank relocation
- Millard Road property
- Proposed RV park
- Proposed apartments
- Veterinarian building on Columbia Blvd.

- Partition on Belton Road has been appealed to LUBA
- Subdivision near middle school
- Middle school project is complete
- Commercial building at the corner of McNulty Way and Industrial Way
- Potential subdivision at the end of N. 8<sup>th</sup> Street
- Grey Stone Estates Subdivision adjacent to DMV
- Armstrong World Industries property line adjustments
- Grocery Outlet adjacent to Legacy Clinic
- Apartments on Matzen Street
- Apartments on Gable Road
- Three annexations
- Police station analysis
- Staff training
- Connection of S. River Street to N. 2<sup>nd</sup> Street
- Cottage cluster Code amendments
- Created temporary parklet applications
- Capital project grant funding
- Planning feasibility for trail from Scappoose to St. Helens
- Office remodel upstairs
- Building Division e-Permitting begins on Monday
- It has been a very busy October!

Mayor Scholl expressed excitement about upcoming projects.

Councilor Carlson thanked them for their hard work creating parklets.

Councilor Topaz has concerns about the boardwalk and conceptual plans of the Vener plant. The boardwalk does not have handicap access. He asked the Engineering Division for a list of permits needed for a kayak launch at Grey Cliffs Park. Many of those same permits will be needed for the boardwalk. He has not received a list yet. His big concern is that the boardwalk will be closed off by the condos and there will be no easy access for handicap. Dimsho responded that the RFQ is asking for design services for the permit processes and expertise in water permitting. They are very aware of the permits needed for work in water. The grant requires that the boardwalks be completely ADA accessible. They are aware that people want access to the water, and it will be provided. Mayor Scholl assured Councilor Topaz that the Waterfront will have complete public access the entire length and will be ADA accessible.

Councilor Topaz talked about the partition on the St. Helens Industrial Park property, where the marijuana facility is located. The partition has not been approved by the Council. Will that interfere with the Urban Renewal process since some of the work began earlier? He went on to talk about the lack of rent being paid. Mayor Scholl responded that Councilor Topaz appears to be overreaching by requesting information from entities.

Council President Morten asked where Councilor Topaz is getting his information about condos. They are proposed to be apartments. Councilor Topaz said the proposed site plan looks like condos.

Mayor Scholl clarified that there will be complete ADA access to the river front. He has no idea what Councilor Topaz is talking about the mill, Urban Renewal, and agreements that he is trying to dig up without talking to the rest of the Council. Everything has been done through attorneys and Planning. Experts are used to move the City forward.

Discussion ensued. There was emphasis on the river being accessible to all abilities.

## **2. Presentation by Columbia River Estuary regarding Dalton Lake Restoration - *Jason Smith, CREST Project Manager***

1:44 p.m.

Jason Smith reviewed his presentation. A copy is included in the archive meeting packet. He reviewed background information and projects done by CREST.

Dalton Lake Nature Preserve:

Goals

- improve/restore/maintain ecosystem processes
- promote multi-species benefits
- maintain public access

Competitive bidding process

- Put out an RFP to hire an engineering and design consultant to investigate the feasibility of restoration at the Dalton Lake site

Received proposals from six highly qualified consulting forms

- Inter-Fluve Inc.
- Lower Columbia Engineering
- Otak
- Wolf Water Resources
- R2 Resource Constants Inc.
- Stillwater Sciences

Process/Timeline

- Proponent selection, NOA/contracting
- Data collection, background research
- Modeling
- Alternative analysis
- Bring selected alternative to the 30% design level

Councilor Carlson asked about the cost and how it will be covered. Jason explained that Bonneville Power is contributing all the feasibility funds. CREST will go back to them after that to score the project based on the benefits to salmon, which will determine what Bonneville funds. Bonneville could potentially fund it in full. CREST also has other resources for funding.

Councilor Carlson asked where the public can get more information and if there will be opportunity for public involvement. Jason said there will be information on the CREST website. They would appreciate any input from the community.

Council President Morten asked about the effectiveness of Dalton Lake as it sits with the Columbia River and salmon smolts. Jason responded that the area was focused on because it is critical for salmon and their migration. This provides an opportunity for off-channel habitats, which is lacking.

Mayor Scholl said that area was not accessible to fish prior to the pipeline being put in. Will it dry up the lake in the summer? Jason responded that this project is very similar to a project being done in Scappoose. There will be an extensive modeling review. They do not want to drain the wetlands. Discussion ensued.

Councilor Topaz asked if they plan to investigate logging that was done there in the late 1800s. There was nearby ship building that may have affected it. Jason said their data normally only includes information from 1930s and forward.

**3. Review Proposed Technology & Telework Policies & Procedures Handbook - Matt**

2:08 p.m.

Assistant City Administrator Brown reviewed the proposed policy. A copy is included in the archive packet for this meeting. It is on tonight's agenda for approval. It will need to be signed by all employees.

**4. Review Proposed Athletic Field Rental Process - Matt**

2:09 p.m.

Assistant City Administrator Brown reviewed the proposed changes. A copy is included the archive packet for this meeting. This is on tonight's agenda for approval. They are currently not accepting athletic field reservations due to COVID. This proposal changes who handles the athletic field reservations, which is proposed to be done by Recreation Program staff. It creates three tiers for reservations; 1) the City and School District; 2) returning tournaments and in-city organizations; 3) new tournaments and out-of-city organizations. If organizations have concerns or input, they can contact Recreation Manager Shanna Duggan. Parks and Trails Commission recommended approval. There were no concerns from the School District. Members from softball organizations were notified but they did not provide input.

**5. Review Proposed Memorandum of Understanding with St. Helens Police Association Regarding Police Uniforms - Matt**

2:17 p.m.

Assistant City Administrator Brown reviewed the proposal. A copy is included in the archive packet for this meeting. It is on tonight's agenda for approval.

**6. Review Proposed Building Inspector Job Description - John**

2:19 p.m.

City Administrator Walsh reviewed the draft job description. A copy is included in the archive packet for this meeting. Building has been very busy. This will really help the Building Official.

Mayor Scholl congratulated Building Official Mike De Roia on receiving the Silver Sparky Award!

**7. Review Proposed RFQ for St. Helens Riverwalk Project - John**

2:22 p.m.

City Administrator Walsh reviewed the proposed RFQ. A copy is included in the archive packet for this meeting. They plan to release as early as tomorrow. The deadline for submittals is December 8 and they hope to award the contract in February. The project is scheduled to last about a year. This is a design bid building; it is not for construction. The firm will be responsible for all permits.

Walsh talked about the improvements that will be made to the amphitheater and Columbia View Park. It is more than just the Riverwalk. He thanked Associate Planner Dimsho and Interim Public Works Director Nelson for their help with this project.

**8. Review Proposed RFQ for S. 1st & Strand Streets, Road & Utility Extensions Project - Sue**

2:28 p.m.

Interim Public Works Director Nelson reviewed the proposed RFQ. A copy is included in the archive packet for this meeting. She explained that this project works in concert with the Riverwalk RFP. It is the connection from S. 1<sup>st</sup> Street to Plymouth Street, through the Waterfront Property. There will be opportunities for community and staff input.

Councilor Topaz asked if rock will be removed on the Waterfront Property to straighten the street. Nelson responded that some may. Discussion ensued about straightening the road to allow for clear vision at the corner for safety of pedestrians and bicyclists.

**9. Review Proposed Library Policies - Margaret**

2:34 p.m.

Library Director Jeffries reviewed the proposed policies. A copy is included in the archive packet for this meeting. These are on tonight's agenda for approval. These will be made available on the Library webpage, which is required per State Legislation. The policies determine how they gather materials, protect confidentiality, and what is included in their collection.

**10. Strategic Action Plan Updates**

2:38 p.m.

Assistant City Administrator Brown reviewed the updates:

- The City is moving ahead with refinancing the bonds. They are planning to enter into an accelerated payment plan that should save the City over one million dollars and will pay off the debt services in 2029 instead of 2037. Walsh pointed out that the City's bond rating is very high.
- The Business License Code language has been revised and reviewed by the City's attorneys. A proposal has been sent to the Chamber of Commerce for their members to review.

**11. City Administrator Report**

2:41 p.m.

- The State Fire Marshal awarded Mike DeRoia and the other building officials in the County. The relationship among all of them is stronger than it has ever been. This is the first time this award was given to building officials. Congratulations to them!
- The Health Department visited Spirit of Halloweentown last weekend. They left very pleased and gave us a certificate of compliance. Most people who visit are very compliant. It has been a challenge to control the number of people who to come visit. People are encouraged to attend the virtual party on October 31. It is a COVID-friendly Halloween party.

**OTHER BUSINESS**

2:44 p.m.

Councilor Topaz acknowledged the school nurses who are working on how to keep students safe when they return.

Councilor Topaz reported that a filter system has been installed in the Library.

**ADJOURNMENT – 2:55 p.m.****EXECUTIVE SESSION**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor

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

**Executive Session Summary**

**October 21, 2020**

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*This meeting was held electronically via Zoom.*

**Members Present:** Rick Scholl, Mayor  
Doug Morten, Council President  
Keith Locke, Councilor  
Ginny Carlson, Councilor  
Stephen R. Topaz, Councilor

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Bill Monahan, City Attorney with Jordan Ramis PC

**Others:** None



At 3:00 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call.

- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
  - Receipt of a letter concerning a real property transaction the City made.
  
- **Real Property Transactions, under ORS 192.660(2)(e)**
  - Potential acquisition of the Dalton Lake property owned by ODOT.
  - Potential acquisition of the Sykes Road property owned by Boise.
  - Discussion regarding the potential future of the Millard Road property.
  - Potential acquisition of the Masonic Building.
  - Discussion regarding property off of Gable Road that is for sale.

The Executive Session was adjourned at 4:05 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# COUNCIL PUBLIC HEARING

Wednesday, October 21, 2020

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## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Ginny Carlson  
Councilor Stephen R. Topaz

### MEMBERS ABSENT

Councilor Keith Locke

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Sue Nelson, Interim Public Works Director  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner

### OTHERS

Brady Preheim  
Elaine Howard

### OPEN PUBLIC HEARING – 5:45 p.m.

#### TOPIC

#### 1. Request to Extinguish Public Sanitary Sewer Easement at 205 Brayden Street

City Planner Jacob Graichen presented the staff report. A copy is included in the archive packet for this meeting. The purpose of the request is for an easement extinguishment. The property is located on Brayden Street off of Matzen Street, where the new apartments are built. The sewer easement is located between two originally platted lots. The property for Grocery Outlet merged those two properties but the easement still exists. Graichen showed the location of the new sewer easement. He recommends the easement be vacated but only after the sanitary sewer line is rerouted and a new easement area is established for the relocated line. He requests Council make this conditional to help with construction timelines, as opposed to delay the decision until the reroute and new easements are done.

Interim Public Works Director Nelson added that the new sewer line is in the ground and has been tested. The only thing left to do is abandon the old line by filling it with grout, so it does not collapse.

PUBLIC COMMENT – No comments received.

**Motion:** Motion made by Councilor Topaz and seconded by Councilor Carlson to approve the easement extinguishment as recommended. Voting Yea: Mayor Scholl, Council President Morten, Councilor Carlson, Councilor Topaz

### CLOSE PUBLIC HEARING – 5:57 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# COUNCIL PUBLIC HEARING

Wednesday, October 21, 2020

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## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Keith Locke (arrived at 6:08 p.m.)  
Councilor Ginny Carlson  
Councilor Stephen R. Topaz

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Sue Nelson, Interim Public Works Director  
Jenny Dimsho, Associate Planner

### OTHERS

Brady Preheim  
Elaine Howard  
Lynne Pettit

### OPEN PUBLIC HEARING – 6:00 p.m.

### TOPIC

#### 1. Consider an Ordinance for the Adoption of the Proposed St. Helens Urban Renewal Plan Amendment

City Administrator Walsh reviewed Ordinance No. 3257 to amend the Urban Renewal Plan. A copy is included in the archive packet for this meeting. Consultant Elaine Howard is here if there are any questions. Walsh displayed the map of parcels that are proposed to be added and deleted and gave a brief history.

Associate Planner Dimsho reviewed the community involvement that has taken place for the amendment:

- Planning Commission recommended approval.
- Columbia County Board of County Commissioners recommended approval.
- Physical notices were sent to all of the affected taxing districts.
  - A comment was received from Columbia River Fire & Rescue. Marit Nelson requested a copy of the original 2017 plan to compare the financial impact then and proposed. The amendment will lessen the impact to taxing districts due to revenue projections being less than anticipated. They were satisfied with that response. Marit also pointed out that the letter included an explanation of the impact to taxing districts. It said that the Columbia River Fire & Rescue was not one of the most impacted. However, that is not true and was corrected in the narrative of the final report and the letter they received. It did not change anything financially.

- Notices were sent to all utility billing customers, which is why she scheduled the hearing for 6:00 p.m., in case there was a large attendance with public comment. She did receive a few phone calls with questions and was able to explain to them that it does not affect the taxes they pay.

PUBLIC COMMENT - No comments received.

Councilor Locke arrived at 6:08 p.m.

Mayor Scholl expressed his appreciation of the support from taxing districts.

Discussion of the process.

Dimsho thanked Government Affairs & Project Support Specialist Rachael Barry for her assistance.

**CLOSE PUBLIC HEARING – 6:15 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# COUNCIL REGULAR SESSION

Wednesday, October 21, 2020

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## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Keith Locke  
Councilor Ginny Carlson  
Councilor Stephen R. Topaz

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Sue Nelson, Interim Public Works Director  
Margaret Jeffries, Library Director  
Jose Castilleja, Police Sergeant  
Tina Curry, Event Coordinator

### OTHERS

None

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

### PLEDGE OF ALLEGIANCE

Mayor Scholl led the Pledge of Allegiance.

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

- ◆ Jose Castilleja, Police Sergeant. He is humbly requesting partial funds for the annual Police Awards Banquet. The total is about \$1,500. They would be grateful for any contribution.

Councilor Locke added that this is an awards ceremony for the officers. It is a great way to show recognition for their hard work. Castilleja has done a great job organizing it.

Council expressed their support of the Police Department.

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to donate \$500 from Community Support Funds. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

Councilor Topaz asked if they plan to bring back First Thursdays. Castilleja confirmed they plan to when it can be done safely.

**DELIBERATIONS** - Easement Extinguishment at 205 Brayden Street

**Motion:** Motion made by Councilor Topaz and seconded by Councilor Carlson to approve the easement extinguishment as recommended by staff. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**DELIBERATIONS** - Amendments to St. Helens Urban Renewal Plan

**Motion:** Motion made by Councilor Carlson and seconded by Council President Morten to approve the amendments as recommended by staff. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**ORDINANCES** – *First Reading*

1. **Ordinance No. 3257:** An Ordinance Making Certain Determinations and Findings Relating to and Approving the St. Helens Urban Renewal Plan Amendment 2 and Directing that Notice of Approval be Published

Mayor Scholl read Ordinance No. 3257 by title for the first time. The final reading will be held at the next regular session.

**RESOLUTIONS**

2. **Resolution No. 1901:** A Resolution Adopting a City of St. Helens Technology & Telework Policies & Procedures Handbook

Mayor Scholl read Resolution No. 1901 by title. Motion made by Councilor Locke and seconded by Councilor Topaz to adopt Resolution No. 1901. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

3. **Resolution No. 1902:** A Resolution to Adopt the St. Helens Public Library Collection Development, Circulation, and Confidentiality Policies

Mayor Scholl read Resolution No. 1902 by title. Motion made by Councilor Topaz and seconded by Councilor Carlson to adopt Resolution No. 1902. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

4. Memorandum of Understanding with St. Helens Police Association regarding Uniforms

**Motion:** Motion made by Councilor Carlson and seconded by Councilor Topaz to approve '4' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**CONSENT AGENDA FOR ACCEPTANCE**

5. Planning Commission Minutes dated September 8, 2020
6. Parks & Trails Commission Minutes dated September 14, 2020
7. Library Board Minutes dated September 14, 2020

Motion made by Councilor Carlson and seconded by Councilor Topaz to approve '5' through '7' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**CONSENT AGENDA FOR APPROVAL**

8. Request for Qualifications for St. Helens Riverwalk Project
9. Request for Qualifications for S. 1st & Strand Streets, Road & Utility Extensions Project
10. Athletic Field Use Process
11. Amendment to Building Inspector Job Description

## 12. Accounts Payable Bill Lists

Councilor Locke asked if electricity will be underground on the Waterfront Property. City Administrator Walsh confirmed that it will be. All of the private utilities will be underground.

**Motion:** Motion made by Councilor Carlson and seconded by Councilor Topaz to approve '8' through '12' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**WORK SESSION ACTION ITEMS**

None

**MAYOR SCHOLL REPORTS**

- Looking forward to the elections being over. They will have results by the next meeting.
- Columbia County continues to do really well keeping COVID numbers down. He continues to wash his hands, not touch his face, and wear a mask when needed.
- There is a lot of stuff going on with the City. He recommends people watch the work session to stay updated.
- The Waterfront is moving forward with a boardwalk that will be ADA accessible. He is looking forward to seeing the results they receive from the RFQs.

**COUNCIL MEMBER REPORTS**

Council President Morten reported...

- Attended the League of Oregon Cities (LOC) virtual conference.
  - Congratulations to Walsh! He was selected to be on the LOC Board.
  - City of Scappoose City Manager Mike Sykes received an outstanding award from LOC.
- The Parks & Trails Commission recommended staff move forward with a plan for an urban trail map design. He is requesting support from Council for staff to proceed.

Discussion ensued on an urban trail map. Consensus of Council to add this to the November 18 work session and invite someone from Parks & Trails Commission to discuss it further.

Councilor Locke reported...

- Requested adding an agenda item to the next work session to discuss some of the issues at Cascade, including the two and a half years of stuff that was dumped in the City's lagoon and how that will be handled. He suggested Wastewater Treatment Plant Superintendent Aaron Kunders give a presentation on what happened. Consensus of Council for Walsh to consult with legal counsel and then report at the November 18 Council work session if it is appropriate.

Councilor Carlson reported...

- Thank you to the Recreation Program and Library Department for creating activities on wheels. They have become mobile and are visiting different areas in the community.
- A Drive-Through Boo will be held at the Recreation Center on Halloween. It replaces the Trunk-or-Treat at the Police Station. She appreciates staff working with community partners to make it happen.
- Congratulations to Building Official Mike De Roia for his Silver Sparky award.
- Planning Commission has two terms expiring at the end of this year. People interested in serving their community and have an interest in Planning, should apply. Applications are online.
- Veterans' Day is November 11. Is there something we can do virtually to appreciate and celebrate veterans?

Councilor Topaz reported...

- The kayak meeting in downtown Portland had three presentations.

- He is going to make a motion to have a three-year audit of the Tourism Halloween affair, including time, effort, and storage contributed by Public Works. People want to see an outside audit.

Councilor Carlson pointed out that he has brought this up three times and it has been discussed.

Council President Morten suggested including it in the regular audit. Assistant City Administrator Brown reported that the City is audited every year. Council receives a report, and it is on the website. The audit includes the Tourism Fund. Councilor Topaz seems to be insinuating that our current report does go deep enough into individual transactions of the Tourism Fund. An audit of the Tourism Fund done in greater detail would be a separate audit and would not be included in our annual audit. Councilor Topaz confirmed that is correct. This is what he is being asked by the citizens of St. Helens. There is a lot of anger over Spirit of Halloweentown.

Mayor Scholl does not want to comment too much on it because he has seen the comments on Facebook from the mother and daughter. This year is unique. He is appalled that people would say they are getting kickbacks. Last year, Council agreed to audit Tourism but then COVID happened. Tax dollars are not being used for these events. Tourism funds come from hotel taxes. If an audit is going to be done, that will be paid for by tax dollars.

Discussion ensued about Councilor Topaz's request. This will be added to a work session agenda in December for further discussion.

- Three presentations were made at the Portland Harbor meeting.
  - Have to re-dredge the channel that was dredged 10 years ago. They are required to sample the spoil areas. It is the first time they are able to dig dirt out and clear the channel in four and a half years, due to the bureaucracy. Someone suggested closing the Portland Harbor and not dredge it at all since they are getting rid of fossil fuels.
  - Cleaning the tar and oil from the old gas plant that was getting into the river. Someone commented on contaminating the water at Cathedral Park. It was explained that none of the gunk on the east side never gets to the west side, it goes down the Multnomah Channel. He pointed out that it is all coming to St. Helens. The stuff dug out needs to be certified that it will never go back.

### **OTHER BUSINESS**

Councilor Carlson gave a frost warning. It is supposed to freeze over the weekend.

### **ADJOURN – 8:15 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor

# City of St. Helens CITY COUNCIL

Special Session Minutes

October 26, 2020

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**Members Present:** Rick Scholl, Mayor  
Doug Morten, Council President  
Keith Locke, Councilor  
Ginny Carlson, Councilor  
Stephen R. Topaz, Councilor

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Assistant City Administrator (until approx. 11:26 a.m.)  
Kathy Payne, City Recorder  
Ed Trompke, City Attorney (until approx. 11:26 a.m.)  
Matt Kahl, City Attorney (until approx. 11:26 a.m.)

**Interviewees:** Mouhamad Zaher (from approx. 11:00 a.m. – 12:00 p.m.)  
Ty Barger (from approx. 1:00 p.m. – 2:00 p.m.)  
Sue Nelson (from approx. 2:00 p.m. – 3:00 p.m.)



At 10:05 a.m., Mayor Scholl called the Special Session to order.

At 10:06 a.m., Mayor Scholl moved into Executive Session pursuant to the ORS 192.660(2)(h) Consult with Counsel/Potential Litigation and under ORS 192.660(2)(a) Consider Employment of Public Officer/Employee to conduct interviews for a Public Works Director.

At 11:03 a.m., Mayor Scholl returned to Special Session.

**Motion:** Upon Carlson's motion and Morten's second, the Council unanimously approved moving Sue Nelson's interview from 10:00 a.m. to 2:00 p.m.

**Motion:** Carlson moved to add three staff members to the interview panel including their scores in the assessment process: City Administrator John Walsh, Asst. City Administrator Matt Brown, and City Recorder Kathy Payne. Morten seconded.

Discussion ensued and Matt Brown removed himself from the panel due to the fact that Councilor Topaz is not going to recuse himself from the interviews.

**Amended Motion:** Carlson amended her motion to just have John Walsh and Kathy Payne added to the interview panel. Morten seconded the motion. Motion passes with four in favor and one opposed (Councilor Topaz).

There was discussion regarding the potential conflict of interest with Councilor Topaz interviewing one of the candidates. There was continued discussion about Councilor Topaz not recusing himself from the process. The Council asked Topaz to recuse himself and he refused. Topaz said that he believed that Mayor Scholl said he could not make a fair decision and got upset. Mayor

Scholl stated for the record that there is a potential conflict of interest with Topaz participating in the interviews but Topaz refused to recuse himself.

Mayor Scholl said that there was a motion made and seconded to add two staff members to the panel.

City Attorney Ed Trompke said that there are two items up for discussion: 1) put together a committee to interview the candidates to include the City Council and two staff members; and 2) take the high and low scores off each candidate's scores.

**Motion:** Mayor Scholl moved to form a committee including the City Council and two staff members (Walsh and Payne); and to throw out the high and low scores of each candidate. Morten seconded the motion. All in favor. Motion passes.

**Motion:** Mayor Scholl moved and Morten seconded to have Payne read the interview questions and disclose to each interviewee the potential conflict of interest with Councilor Topaz. All in favor. Motion passes.

Councilor Carlson commented that this is a difficult process but we were elected so we do our best.

The Council returned to Executive Session at 11:26 a.m.

At 4:01 p.m., the Council moved back into Special Session.

**Motion:** Upon Topaz's motion and Carlson's second, the Council unanimously directed staff to make the offer to the top candidate contingent upon them passing the background investigation.

The Special Session was adjourned at 4:03 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor

# City of St. Helens CITY COUNCIL

Executive Session Summary

October 26, 2020

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**Members Present:** Rick Scholl, Mayor  
Doug Morten, Council President  
Keith Locke, Councilor  
Ginny Carlson, Councilor  
Stephen R. Topaz, Councilor

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Assistant City Administrator (until approx. 11:26 a.m.)  
Kathy Payne, City Recorder  
Ed Trompke, City Attorney (until approx. 11:26 a.m.)  
Matt Kahl, City Attorney (until approx. 11:26 a.m.)

**Interviewees:** Mouhamad Zaher (from approx. 11:00 a.m. – 12:00 p.m.)  
Ty Barger (from approx. 1:00 p.m. – 2:00 p.m.)  
Sue Nelson (from approx. 2:00 p.m. – 3:00 p.m.)



At 10:06 a.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call.

- **Consult with Counsel/Potential Litigation**, under **ORS 192.660(2)(h)**
  - Discussion with City Attorney regarding compliance with Government Ethics Law and Potential Litigation
- **Consider Employment of a Public Officer/Employee**, under **ORS 192.660(2)(a)**
  - Conduct interviews for the position of Public Works Director

The Executive Session was recessed at 11:03 a.m.

The Executive Session resumed at 11:26 a.m.

The Executive Session recessed for lunch at 12:15 p.m.

The Executive Session resumed at 1:02 p.m.

The Executive Session recessed for a break at 3:06 p.m.

The Executive Session resumed at 3:20 p.m.

The Executive Session was adjourned at 4:01 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# COUNCIL WORK SESSION

Wednesday, November 04, 2020

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## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Keith Locke  
Councilor Stephen R. Topaz

### MEMBERS ABSENT

Councilor Ginny Carlson

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Sue Nelson, Interim Public Works Director  
Jacob Graichen, City Planner  
Bill Monahan, City Attorney  
Rachael Barry, Government Affairs & Project Support Specialist

### OTHERS

Lynne Pettit

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

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

No visitor comments were received.

### DISCUSSION TOPICS

#### 1. Review HB 2001 and Proposed Duplexes Code Changes - *Jacob*

City Planner Jacob Graichen reviewed his report. A copy is included in the archive packet for this meeting. HB 2001 was adopted on July 2, 2019:

- It effects medium cities outside the Portland Metro boundary with a population between 10,000 and 25,000.
- Allows duplexes on every lot or parcel that allows a detached single-family home.
- Amendments must be made by June 30, 2021.

Graichen reviewed how the requirements affect zoning. The main changes are with R10, R7, and MHR. HB 2001 allows permitted duplexes in those zones now.

Discussion of attached and detached duplexes. Planning Commission recommends attached duplexes.

- Council President – the quality of life is better for detached duplexes.
- Councilor Topaz – interprets a duplex as being attached side-by-side. Vertical would be an apartment. They need to be constructed at the same time and need to look alike.

- Mayor Scholl – detached should be allowed if they meet setbacks and have sufficient parking, especially on properties that are a lot and a half.

Council President Morten asked if owners could add on to their existing home to make it a duplex. Graichen responded that they can. Mayor Scholl asked if it could be considered as an ADU as well. Graichen confirmed it can. Existing buildings could be converted to duplexes as well, as long as they meet Building Code.

Mayor Scholl, Council President Morten, and Councilor Locke were in favor of allowing detached duplexes. Councilor Topaz was opposed.

Discussion of parking requirements. HB 2001 says you cannot require more than two spaces per duplex. Planning Commission recommends two. Consensus of Council to require two spaces, at least 9x18 each.

Discussion of driveways, skinny streets, and private streets. Graichen recommends allowing two driveways along streets with no on-street parking. Council concurred.

Graichen reviewed street classifications and standards. Planning Commission recommends eliminating skinny streets that prohibit parking on both sides and requiring skinny streets to have parking on both sides. Council concurred with eliminating skinny streets that prohibit parking on both sides. Consensus of Council to allow on-street parking to some capacity.

Council President Morten expressed safety concerns where sidewalks do not exist on private streets. Discussion ensued. Consensus of Council to use the recommendations listed on page 24.

Discussion of setbacks. No concerns from Council.

Discussion of lot coverage. It is currently 35%. Consensus of Council to allow 40% coverage for new construction and additional 5% if they come back to add an accessory structure. This amendment will be included.

Discussion of design standards. Councilor Topaz suggests that front doors need to face the street. Council President Morten agreed. Mayor Scholl disagreed. Front doors do not face the street on mobile units. Graichen agreed it would be a problem for manufactured homes. Council President Morten suggested making exceptions for mobile home parks that are reviewed by the Planning Commission. He would like the door to front the street where addressed. There was no clear consensus. Due to time constraints for duplex amendments, Graichen will address the design standards during the review of ADUs.

Graichen reviewed the timeline. Consensus of Council for Graichen to proceed with the amendments and return to Council with the refinements for Council to discuss prior to the public hearings.

Discussion of street vacations. There is no requirement that they go to Planning Commission for recommendation.

### **Break 3:01 p.m.**

#### **2. Discuss Final Plat for Hanna Place Subdivision - *Jacob***

3:09 p.m.

City Planner Graichen reviewed the Hanna Place Subdivision Final Plat memo. A copy is included in the archive packet for this meeting. This is on tonight's agenda for approval.

Councilor Topaz pointed out that there is no fire access to the rear of the property. Graichen confirmed that rear access is limited to emergency response. It is designed to Code.

Mayor Scholl has no concerns with the final plat.

Council President Morten asked if there were comments received from the Fire District. Graichen responded that no comments were received from the Fire Marshal.

**3. Discuss Final Plat for Graystone Estates Subdivision - *Jacob***

3:19 p.m.

City Planner Graichen reviewed the Graystone Estates Subdivision final plat memo. A copy is included in the archive packet for this meeting. This is included in tonight's agenda for approval.

No concerns from Council.

**4. Review Proposed Business License Amendments - *Matt***

3:21 p.m.

Assistant City Administrator Matt Brown reviewed the proposed amendments. A copy is included in the archive meeting packet. It is on tonight's agenda for the first reading. Staff, the City's attorney, and Chamber members have been given an opportunity to review the amendments.

Brown pointed out a few changes:

- Only general contractors will be required to obtain a business license. Currently, both general contractors and subcontractors are required. They hope to see this expedite the building process. They will still be required to obtain a State license.
- This is a complete revision of the Code.
- Seven-day licenses are being eliminated and replaced with a 60-day license.
- Reviewed the proposed fees. It does reduce fees for resident businesses with multiple employees.

**5. Strategic Action Plan Updates**

3:32 p.m.

Assistant City Administrator Brown talked about the Public Safety Facility Ad-hoc meetings. Polling needs to take place to find out if there is community support of a Bond in May 2021. The polling needs to take place in late November. He is requesting Council authorize Walsh to conduct polling. No objection from Council. It will be on tonight's agenda for approval.

**6. City Administrator Report**

3:35 p.m.

- Walsh welcomed the two new councilor elects, Patrick Birkle and Jessica Chilton. Orientations, trainings, and tours will be conducted soon.
- The Riverwalk, First Street, and Strand Street Design RFQs are open. There has been interest.
- Made it through Spirit of Halloweentown! Safety protocols worked well. There were fewer visitors, but they spent more money at local businesses.
- Working with Event Coordinator Tina Curry on Christmas Ships and Santa.
  - Working to make the Christmas Ship dinner COVID compliant.
  - Participation depends on weather.
  - Possibility of fireworks.
  - No tree lighting event. The tree will go up and be turned on.

Mayor Scholl was in favor of fireworks. There is room on the Waterfront Property to physically distance.

Walsh said they need to discuss what they want to do and how it will be paid for.

Councilor Locke is in favor of Christmas Ships. He is not sure about the dinner and fireworks.

Council President Morten said they should not bring the ship crews into the Council Chambers. Walsh said they are looking at doing boxed meals to send with them. He wants to continue honoring the tradition and show appreciation of them coming.

- The Building Inspector position has been announced. Building Official Mike De Roia has been very busy. Thanked the County for their help with residential inspections to allow De Roia to catch up on plan review.
- The top Public Works Director candidate has accepted the position. He is excited to begin. His first day is November 16.
- Veterans Day is next Wednesday. Unfortunately, the regular events have been cancelled. There is an event at the middle school. There was a request to hang a banner on Columbia Blvd.
- Submitted an \$840,000 multi-purpose grant request to EPA for the in-water portion around the lagoon and Waterfront Property.
- The Urban Renewal Plan Amendment is complete.
- The funding for the Waterfront utilities is coming soon.
- He attended a SHEDCO meeting. They are very interested in City support of a Mainstreet Program. Staff is working on a proposal.
- Government Affairs & Project Support Specialist Rachael Barry has been nominated to the Governor's Board for Regional Equity and Recovery Counsel. They are continuing to keep diversity, equity, and inclusion on the forefront.
- He has been appointed to the Broadband Advisory Committee for the County.

Council President Morten asked if LOC still has a Broadband Committee. Walsh will check on that.

#### **OTHER BUSINESS**

3:49 p.m.

Councilor Topaz asked about numbers at the last meeting and was cut off. He is going to re-ask them. As of November, the marijuana production facility owed the City \$605,000. Has that been paid yet? Also, there should be insurance on product liability and workers compensation. Has the City seen those documents? If anything goes wrong, the City could be held liable.

Walsh will work on getting answers to those questions. Mayor Scholl encouraged Councilor Topaz to ask those questions prior to the Council meeting to give staff time to find out the information in advance.

#### **ADJOURNMENT – 3:54 p.m.**

#### **EXECUTIVE SESSION**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor

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

**Executive Session Summary**

**November 4, 2020**

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*This meeting was held electronically via Zoom.*

**Members Present:** Rick Scholl, Mayor  
Doug Morten, Council President  
Keith Locke, Councilor  
Stephen R. Topaz, Councilor

**Members Absent:** Ginny Carlson, Councilor

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Bill Monahan, City Attorney with Jordan Ramis PC

**Others:** None



At 3:54 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call.

- **Real Property Transactions, under ORS 192.660(2)(e)**
  - Potential purchase of property off of Gable Road.
  
- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
  - Potential litigation regarding discrimination/harassment complaint.
  - Potential litigation regarding particular lease with City.

The Executive Session was adjourned at 4:16 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# COUNCIL REGULAR SESSION

Wednesday, November 04, 2020

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## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten (arrived at 7:13 p.m.)  
Councilor Keith Locke  
Councilor Ginny Carlson  
Councilor Stephen R. Topaz

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Sue Nelson, Interim Public Works Director

### OTHERS

Shauna Stroup  
Patrick Birkle

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

### PLEDGE OF ALLEGIANCE

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

- ◆ Shauna Stroup. She has a concern about tenants having a hard time paying their water bill. She understands that water is not being shut off. She encouraged the Council to create a solution for people who only deal with cash and are not computer savvy. She is super concerned about people getting behind.

Mayor Scholl suggested paying with a money order in the drop box.

Assistant City Administrator Brown reported that people can pay by cash with an appointment. He confirmed that water shutoffs are not happening, but they are sending late notices to inform users of the growing balance. They are also encouraged to contact Community Action Team (CAT) for utility payment assistant.

Shauna said the trees in front of her house have been taken down. She appreciates the work they are doing. She wished everyone peace, love, and health. She asked if there is an update on the lagoon.

City Administrator Walsh reported that some technical work has been completed. It is available on the website. There is an upcoming virtual community engagement piece that will be announced.

**ORDINANCES – Final Reading**

- 1. Ordinance No. 3257:** An Ordinance Making Certain Determinations and Findings Relating to and Approving the St. Helens Urban Renewal Plan Amendment 2 and Directing that Notice of Approval be Published

Mayor Scholl read Ordinance No. 3257 by title for the final time. **Motion:** Motion made by Councilor Locke and seconded by Councilor Topaz to adopt Ordinance No. 3257. Voting Yea: Mayor Scholl, Councilor Locke, Councilor Carlson, Councilor Topaz

**ORDINANCES - First Reading**

- 2. Ordinance No. 3258:** An Ordinance Providing for Business Licenses, Instituting a Method for Issuing Licenses, Establishing Revocation and Suspension Procedures, Providing Penalties for Violations, and Repealing Code Chapter Title 5 Business Taxes, Licenses, and Regulations

Mayor Scholl read Ordinance No. 3258 by title for the first time. The final reading will be held at the next regular session.

**APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

3. Final Plat for Hanna Place Subdivision
4. Final Plat for Graystone Estates Subdivision
5. (Ratify) Personal Services Agreement with Epic Land Solutions, Inc. for Right-of-Way Acquisition
6. Contract Payments

**Motion:** Motion made by Councilor Locke and seconded by Councilor Carlson to approve '3' through '6' above. Voting Yea: Mayor Scholl, Councilor Locke, Councilor Carlson, Councilor Topaz

**CONSENT AGENDA FOR APPROVAL**

7. City Council Work Session, Executive Session, and Regular Session Minutes dated October 7 and 16, 2020
8. Accounts Payable Bill Lists

**Motion:** Motion made by Councilor Carlson and seconded by Councilor Topaz. To approve '7' and '8' above. Voting Yea: Mayor Scholl, Councilor Locke, Councilor Carlson, Councilor Topaz

**WORK SESSION ACTION ITEMS**

**Motion:** Motion made by Councilor Topaz and seconded by Councilor Locke to give Walsh permission to sign an agreement for polling. Voting Yea: Mayor Scholl, Councilor Locke, Councilor Carlson, Councilor Topaz

**MAYOR SCHOLL REPORTS**

- There is a lot of activity going on within the City.
  - Builders are busy.
  - Public Works have been busy working on the highway and the City Hall remodel.
  - Staff is working diligently.
  - Waterfront is moving forward.
- Congratulations to the winners of the election. This is about serving the citizens. It is an honor to serve for two more years. Get involved and be the difference.

Council President Morten arrived at 7:13 p.m.

**COUNCIL MEMBER REPORTS**

Councilor Locke reported...

- It is important for everyone to participate in spreading the word about the need for the police bond.

- He requested permission to remain on the Police Facility Ad-hoc Committee.

Councilor Carlson reported...

- Nothing to report.
- She apologized for missing the earlier meeting.

Councilor Topaz reported...

- The Library is reviewing their five-year plan and what was met. There are services they are not able to provide due to COVID.

Council President Morten reported...

- This is exciting times!
- Elected officials are coming and going. He thanked Councilor Carlson for her contributions. She is such a diplomat and will be missed.
- Congratulated and welcomed the newly elected members to the Council.
- He is a Vietnam Veteran. He reminded everyone to thank veterans for their service. Unfortunately, this year's Veterans Day activities have been cancelled due to COVID.

Councilor Carlson added that St. Helens Middle School is doing a Veterans Day flag raising.

Mayor Scholl reminded Councilor Carlson that she still has work to do in the next month and a half.

Councilor Carlson suggested using social media to recognize the veterans. Council concurred.

#### **OTHER BUSINESS**

None

#### **ADJOURN – 7:28 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor