

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

**CITY COUNCIL MINUTES**

Presented for approval on this 21<sup>st</sup> day of July, 2021 are the following Council minutes:

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2021

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- Work Session, Executive Session, Public Hearings, and Regular Session Minutes dated June 2, 2021
- Work Session, Public Forum, Public Hearing, Regular Session, and Executive Session dated June 16, 2021

**After Approval of Council Minutes:**

- ☐ Scan as PDF Searchable
- ☐ Make one double-sided, hole-punched copy and send to Library Reference
- ☐ Minutes related to hearings and deliberations get copied to working file
- ☐ 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
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- ☐ Add packet and exhibits to HPRMS
- ☐ File original in Vault
- ☐ Update minutes spreadsheet



# COUNCIL WORK SESSION

Wednesday, June 02, 2021

## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten – arrived at 1:04 p.m.  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Mouhamad Zaher, Public Works Director  
Rachael Barry, Government Affairs &  
Project Support Specialist

Crystal King, Communications Officer  
Joe Hogue, Police Lieutenant  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner  
Mike De Roia, Building Official  
Tina Curry, Event Coordinator  
Bill Monahan, City Attorney

### OTHERS

Kellie Smith  
Aurora Biggers  
Brent Keller

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

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

- ◆ Kellie Smith. As a St. Helens School District Board member, she thanked the Council for the partnership with Parks & Recreation. As a parent, she is here to talk to the Council about a prom for St. Helens High School students on June 19 at 7 p.m. on the Waterfront property. She thanked Parks & Recreation Manager Shanna Duggan for her help to quickly coordinate the location and waive the fees. Kellie is requesting financial support from the City. They have a rental and decoration fee of \$650 and a dessert table fee of \$350. The parents will be doing the prep, setup, tear down, and chaperoning. Council is welcome to assist with chaperoning as well.

Mayor Scholl is in favor of helping with some of the costs.

Councilor Chilton is in support but asked how they normally fund the prom. Kellie responded that fundraising is normally done all year. They lowered the fee to \$15 at the door or \$10 for pre-sale tickets. They have not been able to do anything like this all year.

Council President Morten arrived.

Councilor Birkle asked how much the City waived in fees. Kellie responded that she is not sure about the fee, but the usage fee was waived. Mayor Scholl thinks it is about \$50-100 in fees.

Councilor President Morten likes the dessert table idea.

Councilor Topaz asked if there were any other sponsors. Kellie responded that it is sponsored by parents. Consensus of Council to sponsor the dessert table with \$350. It will come out of Council funds.

## **DISCUSSION TOPICS**

### **1. Planning Commission Annual Report - *Jacob***

1:09 p.m.

City Planner Graichen reviewed the report. A copy is included in the archive packet for this meeting.

The Planning Commission desires to have a joint meeting with the Council. They would prefer it to be in-person.

Councilor Birkle and Councilor Chilton agreed with the preference to hold an in-person meeting. Council President Morten preferred to wait until Oregon opens more. Mayor Scholl suggested meeting in September. Graichen will share that with the Planning Commission.

### **2. Police Staffing Discussion - *Joe***

Lieutenant Hogue reviewed the staffing needs report. A copy is included in the archive packet for this meeting. He talked about the low number of sworn officers, much of which is attributed to the low pay compared to surrounding agencies. He went on to talk about the process and expense to recruit and train new officers. Change needs to occur to retain officers. They will likely need to recruit six new officers in the next year. He reviewed the impacts on the community if changes are not made.

Assistant City Administrator Brown reviewed the current St. Helens Police Department salaries. He worked with the Police Department to create a nine-step salary range. They are proposing \$7,100 at the top step. The financial impact will be \$240,000/year. There are COVID relief funds available to help pay for this over the next two to three years. If the City moves forward, it will put a burden on the General Fund. They need to consider the funds that will be taken out for the proposed public safety facility. The City will need to be more careful about spending and hiring in the General Fund. The proposal also recommends adjusting the vacation accrual and starting officers with 40 hours of sick leave.

Hogue talked about the proposal being an attraction to officers with four to six years of experience. This puts them in line with other agencies.

City Administrator Walsh reported on the importance of succession planning. It reduces the reasons for people wanting to leave and encourages people to come here.

Councilor Topaz said if you want good people, you have to pay them. He sees a "nickel and dime operation." He does not see an attitude by the City to get really good officers by offering really good pay. Having a good police department and school system will attract people to the community. He said the City blew \$900,000 on an Engineering project at Godfrey Park that went belly up. They blew \$735,000 in not collecting rent for the marijuana grow operation. They need to get a good department and pay for it.

Mayor Scholl stated for the record that it is false that the City blew \$900,000 on an Engineering project in Godfrey Park. That was a subcontractor that messed up. The marijuana facility was a purchase agreement. He asked Council to speak up if they hear himself or another Council say something that is not true. They are not a second-rate police department. They have brilliant officers who are bringing attention to what is happening. There is a Public Works Fund for anything that happens in the Urban Renewal District. If they can use that in the future, they can make this happen.

Councilor Topaz clarified that he did not say the police department was second-rate. He wants them to be first-rate by a lot more, which is the reason to increase their salary above everyone else.

Councilor Chilton asked Lieutenant Hogue if he thought the increases will be effective in retaining and recruiting. Hogue thinks so. He just recently heard from an officer who was recruited outside of the area during a training. They have not been able to compete with the big eligibility lists.

Mayor Scholl asked if they could utilize Urban Renewal District funding for Public Works projects. As long as they continue to grow, they will be okay. Walsh said they are very fortunate to be growing right now. There is a saying, "You'll have the things you choose to afford." Supporting public safety is paramount to that mission. There may come a point you sacrifice other things. Brown added that the Urban Renewal District can help pay for some administrative costs in the General Fund when it becomes healthy and dependable. It will indirectly free up money to help pay for things like public safety.

Council President Morten asked Hogue about recruitment and the mortgage incentive. How many officers have taken advantage of it? Hogue thinks only four or five officers have utilized the benefit. It was only used by existing officers. It did not attract new officers. Most of the people in the metro areas already have a mortgage and are not interested in moving to St. Helens. Council President Morten asked if they considered doubling the mortgage incentive. He agreed they need to increase the salary. How time sensitive is this? Hogue wants to see the salary increase now to fill positions. He envisions a recruiting tour in 2023-2024 to fill the upcoming retirement vacancies. They did a lot of listening to find out what would bring people here.

Councilor Birkle agreed with Councilor Topaz about the salary. He values the work of new officers. It is a solid move forward. They may need to tighten their belt in other areas. Public safety and law enforcement officers endure a lot of stress. He agreed with the MOU as a first step. He thanked Hogue for the research and presentation.

Councilor Chilton agreed. They need to support police officers.

Mayor Scholl suggested this be added tonight for a vote.

Brown talked about the impact of raising the salary. There are some areas that St. Helens offers better benefits.

Councilor Topaz talked about the cost to citizens. It will cost citizens more with a reduced police department.

### **3. Discussion regarding Status of Arts & Cultural Commission and Youth Council - *Rachael***

2:02 p.m.

Government Affairs & Project Support Specialist Barry reviewed the status of the Arts & Cultural Commission (ACC) and Youth Council (YC).

#### **Arts & Cultural Commission**

- Formed in 2004 and 2005
- Currently on hiatus
- Had four vacancies in September
- Three remaining members
  - One is really interested in project-based work. Active with the Recreation Program.
  - One is generally interested
  - One was not responsive
- Reviewed the purpose of the ACC in the St. Helens Municipal Code.  
<https://www.codepublishing.com/OR/StHelens/#!/StHelens02/StHelens0236.html#2.36>
  - The Code does not align with their desire for project-based work.
  - Requests two Council volunteers to review the Code, Mission fit, and staff support.

Council President Morten volunteered to serve on the review committee.

#### Youth Council

- Established in 2015
- There has been some reinvention since the Recreation Program created the Youth Leadership Club.
  - Assists in creating programming for Parks & Recreation and works on community-wide service projects.
  - The Club is open to students in grades 6-12 and meets monthly.
  - There are 15 youth participating, mostly middle school age.
- Reviewed the purpose of the YC in the St. Helens Municipal Code. <https://www.codepublishing.com/OR/StHelens/#!/StHelens02/StHelens0270.html#2.70>
- Suggests Council attend their meetings to get their input. Parks & Recreation Manager Shanna Duggan is a great leader of the group.

Council President Morten approves of the shift from Council to Parks & Recreation for oversight. He does not recall the Youth Council ever reporting recommendations to the Council.

Councilor Birkle did not completely agree with Council President Morten. He is glad there is a youth leadership program that is project based. However, he does still see the need for a Youth Council. He volunteered to assist with it. It was no fault of the youth involved, but the adult leadership provided was not all that it could be. Barry expressed that they do value the youth voice and input.

Councilor Topaz talked about the need to be flexible.

#### **4. Discussion regarding SHMC 2.32 Council Elections - John**

2:17 p.m.

Walsh reported that they are reviewing SHMC Ch. 2 for Code amendments. One thing that has been on his mind for many years is Council elections. St. Helens currently votes by position number. Some cities list all candidates, and you vote for your top choices. However, the mayor would always be on its own.

Councilor Chilton is opposed to it. She likes that people know what position they are voting for.

Councilor Topaz does not think it makes for an effective operation. Sometimes happiness and friendship are not the best road.

Council President Morten likes the change. Although, he also agreed with Councilor Chilton's pointed of running against a particular position. If all candidates are running for the same mission with a goal to work as a team, the vote for top choices might work.

Councilor Birkle requested Walsh bring a proposal for Council to review.

Mayor Scholl is okay either way. The voters vote for a reason.

Walsh talked about how open recruitment cultivates a team.

Councilor Chilton requested a citizen survey. Mayor Scholl agreed.

Councilor Topaz talked about it being a popularity vote. No one has the same abilities. He is leery of a popular vote.

Consensus to leave things the way they are.

#### **5. Discussion regarding "Smith" Timber Sale - John**

2:29 p.m.

Walsh reviewed the "Smith" Timber Sale bids. A copy is included in the archive packet for this meeting. It is on tonight's agenda for approval.

**6. Review Proposed Application for City Grant Funds - Kathy**

City Recorder Payne reviewed the application that was used when they did State Revenue Sharing grants. A copy is included in archive meeting packet. They were required to provide a report with how the money was spent. The Council may not want to include that level of reporting.

Councilor Chilton found the third and fourth pages confusing. She would like to simplify it. Mayor Scholl agreed with simplifying it.

Walsh reminded the Council that they discussed using the State Revenue Sharing for the Public Safety Facility. Mayor Scholl suggested re-wording it to "Council Appropriated Funds" or "Community Support Fund."

Council President Morten would prefer to see accountability of how the money was spent. Mayor Scholl agreed that it needs to be included in the application.

Payne will bring a proposal back to the June 16 work session for review.

**7. Strategic Action Plan Updates**

Brown reported that the only update will be discussed during executive session.

**8. City Administrator Report**

2:39 p.m.

- There are several resolutions on tonight's agenda for approval.
- Looking for Council's guidance for July and August public forums. He would like to do something at the new Recreation Center in September.

Councilor Topaz said the Waterfront is always a great public forum. He has a feeling a lot of people are confusing the entire Waterfront property with just Phase I. It needs to be clearer for the community. Council President Morten asked if he wants a concise plan for the property. Councilor Topaz responded that he is not looking for that. Morten agreed there needs to be constant communication and they have done that well. He disagreed with creating a plan for the entire area. It is smart to move in stages. Topaz disagreed with the communication. He is not hearing that on the street. They do need flexibility but have to be more repetitive. It is not completely understood right now.

Councilor Birkle agreed with Council President Morten. The City has done an unprecedented job communicating. People may not understand the phased approach, but they can continue to work on it. Ideas he had for public form are an explanation of the Urban Renewal District and Enterprise Zones and an update on the Riverfront Connector Plan to review the plan from the highway to the Waterfront property.

Mayor Scholl would like to see a SWAT meeting with all the cities, County, Port, and other agencies. They were doing well meeting and then COVID happened. Council President Morten and Councilor Chilton agreed. Scholl also requested an update about City County dinners.

- Millard Road Request for Proposals are due next week. He is seeking interest from the Council to review the proposals. EcoNorthwest will also review the economic and social impact of the proposals. Councilor Chilton and Councilor Topaz volunteered to review the submittals.
- St. Helens Industrial Business Park Request for Qualifications are due next week.
- The new community center needs to be named. Mayor Scholl suggested talking about it during a public forum.
- The technical advisory committees are meeting weekly to review the Riverwalk and Streets/Utilities project on the Waterfront. Both projects are moving along well.
- Over 500 survey responses were received for the Riverfront.
- There is a public forum on June 16 to review the Waterfront roadway alignment alternatives.

- The Riverwalk concept plans will be reviewed on July 21.
- There is a technical advisory committee meeting for the Riverwalk on July 14 at 4:00 p.m. Council President Morten and Councilor Chilton both volunteered to be involved in the review.
- Progress is being made on Main Street. They are recruiting members and working on a job description.
- He and Associate Planner Dimsho are making a presentation on Friday to the Infrastructure Finance Authority (IFA) Board to secure the funding for work on the Riverfront. It is a \$14.5 million request.

**ADJOURN – 3:00 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

June 2, 2021

*This meeting was held electronically via Zoom.*

**Members Present:** Rick Scholl, Mayor  
Doug Morten, Council President  
Patrick Birkle, Councilor  
Stephen R. Topaz, Councilor  
Jessica Chilton, Councilor

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

**Others:** Aurora Biggers, The Chronicle (left Zoom at 3:14 p.m.)



At 3:11 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

- **Real Property Transactions, under ORS 192.660(2)(e)**
  - Update on potential sale of lot on S. 12th Street and two lots on S. 10<sup>th</sup> Street.
  - Update on valuation of Civic Pride Park.
  - Update on potential sale of Kelley Street lot.
  - Update on potential acquisition of private property by Dalton Lake.
- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
  - No discussion under this topic.

The Executive Session was adjourned at 3:34 p.m.



ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor





# **COUNCIL PUBLIC HEARING**

Wednesday, June 02, 2021

## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Jacob Graichen, City Planner

Mouhamad Zaher, Public Works Director  
Jenny Dimsho, Associate Planner  
Joe Hogue, Police Lieutenant  
Bill Monahan, City Attorney

### **OTHERS**

Damien Hall	Andrew Schlumpberger	Daniel Kearns
James Hill	Tracey Hill	Kathleen Ward
Radhika Shah	Robin Nunn	Jerry Belcher
Holly Nunn	Laurie Brownlow	Hunter Blashill
Jeanne Sorenson	Lynn	

### **OPEN PUBLIC HEARING VIA ZOOM – 5:20 p.m.**

#### **TOPIC**

#### **1. Appeal of the Planning Commission's Denial of a Proposal to Divide Property into Two Parcels at 160 Belton Road (Schlumpberger)**

City Planner Graichen presented preliminary matters. He asked if any member of the Council need to declare ex-parte contact, conflict of interest, or bias in this matter.

Mayor Scholl declared that he was informed by Ron Schlumpberger that the application was denied. He had no further discussion but went to Graichen to find out what happened at the meeting.

City Attorney Monahan talked about the importance of disclosures. He requested to take the time to review each individually. First, does anybody have a conflict of interest in regard to the application?

Daniel Kearns requested the opportunity to ask Mayor Scholl about his ex-parte contact and potential bias. Mayor Scholl was overheard at City Hall loudly and strongly questioning the nature of the decision and asking what can be done to change it. That raised questions for Kearns, so he inquired further and found out that Scholl and Schlumpberger were related. Kearns asked who Scholl spoke with at City Hall. Scholl confirmed that he spoke with Graichen and City Administrator Walsh. He agreed that he is loud. Scholl was told by Graichen that there were no Municipal Code references in the denial process. He did go speak with Walsh after that and was very upset with the Planning Commission for not handling it appropriately. Scholl said the City's attorney is here today to make sure everything is done

correctly. Kearns asked Scholl to elaborate on his conversation with Walsh. Scholl talked to Walsh to be sure they are following the law and not opening themselves up for lawsuits. He confirmed he is familiar with the record.

Kearns asked Mayor Scholl what his relationship is with the applicants? Mayor Scholl responded that his mother is his cousin. Kearns confirmed that Andrew Schlumpberger's father, Ron Schlumpberger, spoke with him. What did R. Schlumpberger say? Monahan interrupted to say there does not appear to be a conflict of interest and they need to move on. He questioned if Mayor Scholl has already made up his mind and is bias, or does he have an open mind and willing to hear the criteria and evidence in the record. Mayor Scholl explained that there are three sides to the story: the applicant, opponent, and the truth. This Council needs to listen to the facts and find the truth. He is prepared to have an open mind.

Monahan asked if any Council members need to declare bias. There were none.

Monahan asked if any Council members need to declare ex-parte contact.

Council President Morten declared that he was on a walk with his wife near the subject property and was approached by a woman who was opposed to the proposal. She was venting, he listened, and then they excused themselves and went to their residence. He assumed it would be a Planning Commission issue.

Councilor Birkle declared that he has had ex-parte contacts with individuals on both sides of the issue. It has been nearly a year since he was made aware of this by someone who knew of his interest in Dalton Lake Nature Preserve. Robin Nunn, one of the neighbors and someone he has known for almost three decades, informed him about the hearing. He agreed to attend the hearing because he was interested. This was prior to his election but a few days after he filed for Council. He spoke with Nunn and Tracey Hill. Hill and Nunn both seemed to hope that he would speak in opposition. He made no commitment to that, based on the knowledge that if he were elected the matter could come before him. He also attended the second meeting. He had a brief conversation with Hill where she expressed concerns about statements made about her on this issue. He expressed empathy, as he would with anyone. He also knows that Hill has made comments with regards to the Schlumpberger's. He made no public statement, private statement, or commitment to anyone. During the first hearing, a reason he chose not to speak was because the issues raised were not pertinent to the preservation of Dalton Lake. Steps were in place to preserve its integrity. He has known the Schlumpberger's for almost three decades as well. He had a conversation with Andrew and Lindsey after one of the meetings. He listened to their concerns and their desire to build a home and maintain the integrity of the land around Dalton Lake. He made no comments for or against. After that, he had two conversations with Andrew's mother, Tammy. Those occurred when she was walking on Rutherford Parkway near Dalton Lake. He does not recall the timing, but one was prior to the election. The second encounter may have been after the election, but before he was sworn in. Their kids were similar age, so they caught up on each other's families and did have some discussion about the dispute, in which she simply expressed her concern for what her family was going through and hoping for a good resolution. He expressed to her the same thinking, wanting it to be resolved in the best way possible for all concerned. He was careful not to get into specifics. He does not recall having any conversations with Nunn or Hill within the last year about this. He did attend a work party at Columbia Botanical Gardens, where Nunn and the Schlumpberger's were also there working. There was no discussion about the hearing. He does not believe he has bias against either party. As the Planning Commission liaison, he attended previous hearings for this matter. He refrained from contributing to the discussions knowing that this could come before him as a council member. He believes he is able to fulfill his duty as a Council member.

Monahan asked if anyone has done a site visit.

Councilor Birkle declared that he has driven through the neighborhood within the last month for the purpose of checking out a possible road connection between Belton and Grey Cliffs.

Damien Hall reassured the Council that the applicant takes them at their word, and they have no challenges for the Council to make a fair decision.

Monahan asked if anyone in the audience wants to object at this time. There was no response.

Council President Morten pointed out that he lives in the neighborhood. When he walks around, he sees the area.

Monahan asked if anyone in the audience wants to object to Council President Morten's statement. There was no response.

Graichen continued preliminary matters. He reminded the Council that deliberations will be part of the regular session later this evening. He then presented the staff report, a copy of which is included in the archive packet for this meeting. Nine items were received since the Council staff report was done, all of which are included in the Planning file. The applicant has received copies.

- Letter from Kathleen Ward received today
- Email from Tracey Hill, dated June 1
- Letter from Damien Hall, dated May 28
- Pre-hearing statement from Damien Hall, dated June 1
- Letter from Matt Lokken, received May 28
- Letter from Ron and Tammy Schlumpberger, received May 28
- He entered into the record a pre-application form from the beginning of the application
- Letter on an unrelated matter and email follow-up

Graichen talked about the options Council has. He reviewed the applicant's 10 arguments to the denial by the Planning Commission. A copy is included in the archive meeting packet title, "STATEMENT OF GROUNDS FOR APPEAL – PARTITION PT.1.21."

### **APPLICANT PRESENTATION**

- ◆ Damien Hall, attorney for the applicant. He reviewed a PowerPoint presentation, of which a copy is on file in the archive packet for this meeting. The proposed partition is to partition a 2-acre lot into two 1-acre lots.
  - Proposed conditions
    - Improvements to Belton Road
    - Development of single-family home on vacant lot
    - Execute a street improvement guarantee

Two proposed options for improvements to Belton Road at the 90-degree angle:

- Turnout at 90-degree bend
- Widen paved surface to 20' for length of site frontage (165')

Hall reviewed the partition approval criteria.

- The lots meet the requirements for R-10.
- Adequate public facilities.
- Belton Road can serve the property adequately. Many trips on Belton Road terminate before the subject site. The applicant is willing to upgrade their fair share, but they are not going to improve the entire road.
- Oregon Housing Protections, ORS 197.522 Local government to approve subdivision, partition or construction; conditions. Requires applying conditions of approval to make the proposal consistent with the standard, if possible.

- U.S. Constitution 5<sup>th</sup> Amendment Takings Clause requires rough proportionality. Improvements must be roughly proportional to the impact of proposal. There are limitations on what the City or any public agency can apply. Just denying this for unspecified reasons is not an option. Whether approved or denied, the burden is on the City to show rough proportionality. The records need to demonstrate evidence that the conditions of approval are roughly proportional to those 10 daily trips. It is unconstitutional to improve all of Belton Road for 10 daily trips. In order to move forward, the applicant is offering to do more. The City can partially apply or waive unconstitutional standards.

Hall requests the Council approve the partition with:

- Proposed conditions, or
  - Alternative conditions (burden on City to demonstrate rough proportionality)
- ◆ Andrew Schlumpberger. He and his wife, Lindsey, own the property at 160 Belton Road. He grew up in St. Helens and now works at Columbia River Fire & Rescue. He has been involved with St. Helens Boosters and coaching youth sports. They bought their home nearly two years ago. Their goal has always been to raise their family here and enjoy the beautiful property. Their lot is over two acres. They have always planned and have been open to neighbors about dividing the lot into two pieces. This should have been an easy decision. The decision of one individual has turned this process into a game and has harassed and slandered him and his family. He talked about the misinformation about road safety. It is false that fire trucks and ambulances have a hard time accessing Belton Road. It is one of the safest streets to navigate with turnouts the entire way. If the partition is approved, they will be improving the safety as presented by the attorney. Testimony was submitted that the narrowness of Belton Road makes it dangerous and creates a safety hazard for pedestrians, pets, and bicyclists. No actual proof was provided. Two separate Fire Marshall's have submitted testimony that they would have no problem accessing Belton Road with their vehicles. Several medical and fire calls have been dispatched to that area and they have had no problem. Columbia 911 has reported no accidents on Belton Road or Grey Cliffs Road in that area. St. Helens Police has no record of calls in that area. People would not be walking on Belton Road as often as they do if it were not safe. People drive slow on it. The fire suppression has been brought up during testimony. A fire sprinkler system has nothing today with road safety. It has to do with the availability of water supply. There is a hydrant within 320 feet of the site. You cannot require a person to put in a sprinkler system unless the house is more than 3,500 square feet. From the beginning, they were informed about City Codes and laws. They have met or exceeded every condition, only to have the Planning Commission dismiss the same Codes and deny them the opportunity. They are just wanting the same opportunity that others have been given.
- ◆ Lindsey Schlumpberger. This has been a long process. When they first began the process almost 18 months ago, they never imagined it would turn into the mental, emotional, and financial disaster that it is today. Although intimidated by the process, they were encouraged by City staff to continue moving forward. She talked about the obstacles they have ran into. The City is supposed to guide these legal processes along, but they are referring to it as a game. She and her family have endured harassment and slander. They have refrained from reacting to each outrageous accusation made by one individual. They have tried to hold their heads high and stick to the legal facts, while communicating with their neighbors. They proposed solutions to improve privacy and make accommodations for others, despite the cost to them. Those conversations were manipulated by one individual, making them afraid to talk to some neighbors. They love their home and this community. They are only asking to do what is legally

allowed. Throughout this process, it appears there is bias against them. The City has failed to remain neutral and has shared information with the opposing side. The City has also failed to correct false information on record. There are 10 homes served by Belton Road. Based on conflicts with lot size, wetland setbacks, and topographical constraints there is not a lot of potential growth. The only potential improvement for the road is their partition. It has been said at previous meetings that Belton Road is a private road. That is false. It is a public paved road. Belton Road is not unique in the fact that it is narrow. She talked about those other narrow roads. Their partition proposes to improve Belton Road at the 90-degree turn. It will give you the ability to see oncoming traffic and pass by other vehicles. Their partition proposes the same amount of growth to the road that they would get from an ADU, except they would provide improvement to the road. There appears to be some City interest and bias has been created from that interest. As mentioned by one of the Council members just prior to this meeting, there is a lot off of Grey Cliffs that has been discussed as forming a park. They are not trying to encroach on any protected wetlands. Their property is acres away from the property that is being implied to be given as a gift to protect Dalton Lake.

### TESTIMONY IN FAVOR

- ◆ Jerry Belcher. He lives at 105 Belton Road. He and his wife support the partition. He has lived in St. Helens since 1974 and is involved in the community. He bought the property in 1985, started clearing it in 1990, and moved into their home in 1992. He had two neighbors approach him while he was in the process of building his house, and they were very concerned about some issues. It is not unusual that people are concerned about their neighborhood, and he understands that. They have to follow the law. It is a wonderful, quiet place to live. It is near Columbia Botanical Gardens. He gets the impression that people do not want further development to disturb what they have. The area is zoned R10. One acre is about 4,300 square feet. These are some of the largest private lots in St. Helens. The Schlumberger's property is well over 90,000 square feet. There is plenty of room for a house. Belton Road is a city road. He has never seen garbage trucks, fire trucks, or delivery trucks have problems accessing it. To his knowledge, there has not been an accident on the road in 29 years. At the last meeting, he stated that he rarely meets traffic on Belton Road. Since that meeting two months ago, he started counting. He met five vehicles on the road in 60 days. Three of them he met at the same time at the 90-degree corner. His wife also kept track and has only met one vehicle. The road is safe but at times it is inconvenient. He agrees with improving the blind corner as a condition. He talked about some of the conditions making the road safer for everyone. The property belongs to Andrew and Lindsey. They have two acres that they pay property taxes for, which is probably a lot since it is on the river. As a past member of the City's Planning Commission, if the application meets the requirements, it should be approved with conditions. It will be a better place than it is now.

### TESTIMONY IN NEUTRAL - None

### TESTIMONY IN OPPOSITION

- ◆ Daniel Kearns. He is a land use lawyer, representing Tracey Hill. Despite the complexity of the case that has been heard, this is a pretty simple case. He would like to point out some corrections to the applicant's legal counsel's testimony.
  - They are not suggesting that conditions be imposed to improve Belton Road. It is too expensive.
  - Hall mentioned the "takings" case law. The City's ability to impose such conditions is limited.
  - ORS 197.522 does not require the City to approve the application.

- There is no statute that allows you to ignore street standards and approve a partition when the minimum street standards are not met. LUBA is clear that they will sustain a denial even if one condition is not met, which is what the Planning Commission did.
- He suggests the Council not impose conditions that are not lawful.
- This application does not meet the approval standard of having adequate public facilities. The street does not meet the minimum pavement requirements. He suggests they not ignore that criteria.

Their only expectation is straight denial of the application. The 34-foot-wide street standard is in the Code. The proposal does not meet that basic minimum standard. The suggestion that the City could be sued if they denied this is ridiculous, based on LUBA's sustain of denial if even one criterion is not met. It is ultimately the City's responsibility to bring the city streets up to standard. It needs to be done before they approve any more dwellings. Denial is a very sustainable outcome. The Planning Commission was right. Waiving the street standards here, sets a precedent for future development. He hopes this is not approved, which would exacerbate an already over-the-top situation.

- ◆ Tracey Hill. She lives at 250 Belton Road. She bought her house in 2018. It is the most unbelievably beautiful place she has ever been. She wants to address the letters that she received last night. She apologized for her misrepresentation of the mayor's relationship to the applicant. It was an honest mistake. She did not invite Councilor Birkle to the Planning Commission meeting. The first time she ever saw him was the first Planning Commission meeting. Referring to the Schlumpberger letter, she is not a liar. She has been a paralegal for 30 years. She protects people from insurance companies. She does not have a reason to manipulate. She practices integrity in all her affairs. She has no idea how to photoshop. She has not harassed or slandered anybody. She is terrified to walk up her road because of past experiences of being intimidated. There are people in attendance tonight that have also been victims. She does not know the Schlumpberger's except through their actions. They do not know her either. Her actions have been clear and transparent. The Planning Commission denied the application the first time, based on the fact that she had a very large easement for her septic drain field. She is not able to connect to the city sewer and is on a step system. The drain field was there for a reason. If a pump were to fail, "she is up the river with zero paddle." Not even a week after the Planning Commission denied it due to her easement, she was served with a lawsuit from the Schlumpberger's in State Court with regards to her easement. It was appalling. It is very expensive to defend a lawsuit. Her mother then died suddenly and devastatingly. Through her attorney, they did offer to lift the easement if they wanted to pay it. It backfired. They came back with a settlement agreement and said they will not give her any money in exchange for her signing a letter supporting their easement, furthermore she is not allowed to talk to anyone about it, not oppose it, and must support it. She terminated her easement voluntarily. She has witnessed A. Schlumpberger doing some crummy things. He has sprayed things, mowed a trail from the beach down to the lakeside with a backhoe, and used a backhoe to dig up the beach. She went over and introduced herself for the first time to R. Schlumpberger. They said that a surveyor told them that they could take down all of the shrubs and trees, and there was a setback to the lake. That was the only time she ever spoke with them. What is being alleged about her is not true. The turnout referenced toward the end of the road is her driveway. She has no idea why there is such rancor and anger. She asked why the Schlumpberger's would push this long and hard to get something that no one here wants them to have. They have not made friends. They have bullied people, showing up at their doors, and saying if they stand up against them, they will build a duplex instead. That is not how things are done in St. Helens. It is important to maintain the integrity of the ecosystem, which they have shown zero respect for. They have a unique area. This is not

a housing development. There is an option for the future should it be denied. She believes the area should be held sacrosanct. It honors the integrity of the area.

8:00 pm – took a 5-minute break

- ◆ Kathleen Ward. She lives at 140 Belton Road. She owns land on both sides of the Schlumpberger property. She has lived here all of her life except for two years in Kentucky. Since she is a very peace-loving person, she wants to make it clear that she in no way means to be unfriendly to her neighbors. Her request is that their property not be divided. It is not personal against them. The area has been a friendly, peaceful, nearly isolated community for many years. If the Schlumpberger's would just be content to live in the beautiful home purchased from the Sorenson's, peace would again reign among all of them. Other neighbors are not immediately impacted like she is. She has river view of the beach property with no buildings in site. A house built on the beach will be in full view of her bedroom and windows. Her daughter, Robin Nunn, and her family will see the construction process and the clearing for building will open up Columbia City houses and lights, especially at night. The proposed building site, unless shifted, obliterates Tracey Hill's narrow view of the river. In 1952, her mother and business partner acquired this whole area. It included the quarry, which is now the Botanical Gardens that her mother donated to the City. Her mother built her house at 100 Belton Road, where the Nunn family now lives, no other development was anticipated. There was only a driveway to her house. Eventually, she began selling land for isolated houses and property to be able to pay her taxes. Later, her mother deeded property to her and her brother. There was an unwritten understanding that neither of them would build structures on the beach. They had found Native-American artifacts on the beach. It almost seemed sacred. After her brother's job required him to move in 1988, he sold his house at 160 Belton Road to the Sorenson's. Later, they asked to buy a strip of her beach land between her house and the river. They agreed nothing should be built on that land. The beach land had been considered nonbuildable property according to former City Planner Skip Baker. She referenced his findings included in the lot line adjustment file from 2004. A few years ago, the Sorenson's had to move due to health reasons. They sold their property to the Schlumpberger's. They later learned that they would not have purchased the property without the prospect of building their dream house on the beach. Had the Sorenson's known that intention, they would not have sold it to them or anyone else with that intention. The problems with the road have been researched and publicly discussed. The partition was denied twice. She talked about a head-on crash she was involved in on Belton Road, long before there was as much development as there is now. Her house is on a step system. It worked well until about two years ago. She believes something is going on further up the line. She is not sure where the Schlumpberger's propose their access road, but she presumes it will be alongside her road. The maps do not adequately show the impact of a close road to her home with traffic in full view of her front door. This not an objection to change. It is a sad loss of previously enjoyed peace and privacy. When do they say enough is enough? How much more development can this area sustain without losing the unique blend of nice homes and spacious lots with an open view of the river. The house that the Schlumpberger's bought has one of the nicest views of the river. She questions what will happen on the remaining lot. The Sorenson's were deceived in to thinking that their house would be enjoyed by a nice couple and their son. Someone needs to be a guardian of this special area along the Columbia River. Just because it can be done, does not mean it should be done. The area is a sanctuary for wildlife. She is no longer able to walk on the beach but watches it with her eyes.

- ◆ Robin Nunn. She lives at 100 Belton Road, which is the original house. Belton Road does not resemble other streets because it was a winding driveway to her grandma's house. Now, they are trying to make it into a road. So much of the testimony given is not true. The story keeps changing. Her frustration is when people misquote her, for instance, Jeffrey Seamore had written that Kathleen Ward and Robin Nunn were both in support of the partition and then they changed their mind. They were never in support due to the negative impact on four houses. It takes away all of her mom's shade, takes away Hill's view, and will make her view much different. Hall said there would be no new driveways. Nunn heard from L. Schlumpberger that they are going to build on the beach and share her mom's driveway. That beach has been six feet under water. It came all the way up to the tree that they are going to take down. Using her mom's driveway is a big deal for her. L. Schlumpberger did show her a drawing that would include a buffer between their driveways. She has trouble with what was not said. It has caused division and forced her to take a stand against a neighbor that she has no ill will. The Sorenson's would have never sold to them if they knew what they were going to do. That should have been said. The beach was always intended to be a joy, not developed. They were shocked. After the Planning Commission denied the partition due to the drainage easement, the Schlumpberger's served the Sorenson's an intent to sue for damages at \$250,000. They said if they had known about the easement, they would have never purchased the property. They were shocked. To this day, they are afraid to say anything on this Zoom meeting because of the repercussions. They have lived in fear for the past year. Part of the problem is that they are trying to force a house to be built where one was not implied or discussed. All the houses are built with a view of the river. To put a house there is wrong. Just because you can, does not mean you should. R. Schlumpberger told her that he, "did not spend \$900,000 on the property to not develop it." Two Saturdays ago, over 20 people met at the Botanical Gardens to clean it for everyone to enjoy. Afterwards, Belcher took them on a tour. She talked about the poor location to build the house and how it would affect the wildlife and lake. She does not want issues with the neighbors. She would like to be friends. It is going to hurt their property values. It is not a good plan. The neighbors met with the Fire Chief at the Elks Lodge in the past. He told them that if there was a fire down there, he was not going to risk his vehicles and staff. They would wait for it to burn, and they would take care of it when it got to the top of the canyon. Her mother was told that she could not have anyone on the beach because she would be liable for any fire that started. They have lived in fear that if anything happened, they would be liable. She was t-boned driving towards Hill's house. They would understand if they had the same things at stake.
- ◆ Holly Nunn. She has lived at 100 Belton Road for 33 years. For the last year and a half, she has remained quiet, observing how this would play out. This whole situation has gotten out of hand. What used to be a close-knit neighborhood, has become divided. She has no animosity towards the Schlumpberger's. While she may not agree with the partition request or the tactics used to bring them to this day, they all live in the neighborhood together. She will continue to be neighborly to people in her community even if they have disagreements. The Schlumpberger's moved into the home from a previous home in Columbia City. Supposedly, they started looking to move because someone built a home right in front of them, directly in their river view. Most families do not have expendable capital to just move when an outside force decides their wants and desires are more important than their neighbors. They have never been that type of neighborhood. It is not true that they are resistant to change. They feel that everyone ought to have and maintain a beautiful view of the natural landscape. Every home was built with consideration of the neighbor's privacy and views. She talked about the amenities of the neighborhood. Nobody is saying that the Schlumpberger's should not have a right to a



house on the property they purchased, but 160 Belton Road already has a beautiful house. What right do they have to drastically change the properties around them? The area suggested should not be buildable. She wants the Council to consider how this decision will affect the affordable housing laws that are already coming into fruition in the area. The other existing properties could build additional dwellings. The road cannot handle it. It can be scary to meet another vehicle on that road. She talked about the neighborhood having respect for the neighbors and surrounding area. She requested the Council deny the partition.

- ◆ Hunter Blashill. He is the son of Tracey Hill. He lives in Corvallis and is a student at OSU. He visits the neighborhood on holidays and occasionally on weekends.
  - The Schlumpberger's made statements about their friendly approaches to the neighborhood residents. Unfortunately, that was never made to his mom, even though they are direct neighbors. It was quite the opposite. It is generally the cold shower. Over the course of the winter, the Schlumpberger's installed beach furniture where they planned to build their house directly in front of his mom's view. The winds and rain deteriorated the furniture, which they intentionally left out the entire winter alongside various clutter. If they had made a friendly approach, as they claimed, they could have saved stress and bad feelings in the neighborhood.
  - He and his mother saw A. Schlumpberger spraying in the heavy foliage. They witnessed foliation consistent with spraying weed killer. They then brought out heavy machinery to clear the sticks.
  - The Sorenson's partition was not respected. They sold the land to the Schlumpberger's with the expectation that it would not be developed.
  - There is a lack of respect to the nature.
  - There will be an issue with construction traffic on a very narrow street.
  - Belcher said he only met a handful of vehicles on the street. The few times he comes home, he typically runs into two or three vehicles each time he takes the dog for a walk.
  - The Schlumpberger's showed a large lot, which will create a lot more pressure on the road.
  - There was discussion about building a turnout. The fact is it is too small to meet the small street standard.
  - They are not against development. They are only against the impact.
  - He requested the Council deny the partition.

#### **APPLICANT'S REBUTTAL**

- ◆ Damien Hall. A lot was said, and he is not going to try to rebut everything. He hopes the Council adheres to the rules, approval criteria, the established facts, and approves the application. The theory that they can deny any application that does not meet City street standards does not make sense. It was also mentioned that LUBA will back that decision. That is not true, and he referenced case law for an unconstitutional taking. Clearly, there are a lot of feelings and considerations going into what was said. He appreciates the people who spoke. They obviously care about the neighborhood and what happens. However, that care is extending to land that they do not own or control. It does not trump the City Code. The people in opposition did not address City Code. This is only one house and a road that has capacity for those trips. Belton Road is a public street and subject to public street standards. They should not apply private street standards. If they are concerned about the 90-degree bend in the road, there is an immediate path to improve the road there. He talked about previous owners dividing their property and building new homes. Now a new family comes in and wants to do the same thing. That is the reason there is a Code and standards. It is human nature to have feelings. He briefly reviewed his presentation again. Kearns stated that no conditions can be imposed

because they would be unconstitutional. However, according to Code, development pays for improvements of local facilities. The applicant is offering to do that. One house does not add liability to the City. There was talk about "no one has died yet." They are hearing there has been one T-bone and one fender-bender since 1968. That is a far cry from hazardous. They need to be accurate with the record. Referring to the staff report, there is a good deal of misstatements. "Future development is not speculative. It is real." That is problematic when they are applying a standard of whether or not there is adequate transportation facilities to serve a proposal. Who knows when the next house will come. The Council needs to be very discerning when making a decision. This is about applying the law and not what someone thinks. This has been a really long process. There is a reason for process and protection laws. He hopes the Council can find a way to see that it is a good policy to apply the law and facts. He encouraged the Council to ask questions of him, their attorney, and City Planner.

Graichen informed the Council that they are only gathering facts. This is not time for deliberation. He wants to make sure Council has an opportunity to get their questions answered.

Councilor Birkle asked if questions can be asked during deliberations as well. Graichen said yes. They will have an opportunity to ask questions of staff and legal counsel. Monahan added that this is their opportunity to talk to him, Graichen, and if they need to ask the applicant questions. If they receive new information from the applicant, they may need to reopen the hearing and provide additional opportunity for the opponents to address. The best opportunity to discuss options is during the open hearing rather than deliberations.

Council President Morten asked about options one and two at the 90-degree corner. Is it either/or? Or a combination of the two? Graichen explained that the applicant proposed two options.

- The turnout by itself.
- Widening the portion of Belton Road that abuts the property to 20 feet.

Although it was not in writing, Hall expressed a willingness from the applicant to have a hybrid in which both are combined. That would mean 20 feet along the Belton Road frontage, except the blind corner, which would be 24 feet.

Mayor Scholl clarified that the City's street standard minimum is 20 feet. Graichen confirmed that is correct. It would be the skinny street standard.

Councilor Topaz referred to the old road that went down there. The City acquired the road and put an easement on it. It looks like the City could widen the road to that easement. When was the easement put on the old road? Graichen believes it was 1971. He is basing that off some of the easement records that were attained with the original application that talked about the dedication of Belton Road in 1971. He assumes that the entire dedication was from that era. He does not believe the road was paved back then. The property owners likely wanted the road to become public for easier maintenance. Some old maps show it as private, which testimony confirmed. The dedication occurred and that is when it switched from private to public.

Councilor Birkle referred to SHMC Ch. 17.140.040 Approval Criteria. Is approval mandatory if all of the conditions can be met? Graichen responded that Hall's argument was based on City standards, Constitutional law, and State law. If all the criteria lean towards approval, they can approve it with reasonable conditions. Mayor Scholl added that Hall referenced ORS 197.155 and the Constitution.

Councilor Birkle talked about the statement made that the Planning Commission did not make specific reference to City Code. Is that a necessary condition? They based their decision on the size of the road and inadequate public facilities. Should the Code have been explicitly referred to? Mayor Scholl believes it should be. Councilor Birkle would like to hear from Monahan. Graichen reminded the Council that the Planning Commission's issue was the narrowness of the road. Mayor Scholl repeated that it is a city

street, and the minimum width is 20 feet. Graichen talked about the concerns from Planning Commission setting a precedent allowing development when it is that narrow. Discussion ensued.

Monahan referred back to Birkle's question. Council is required to apply their Code. Those standards are required to be clear and objective. Anyone in the community should be able to see the opportunity to make use of a piece of land in a particular zone. That allows property owners to know their rights and adjacent property owners and the community to understand what could happen on those properties. In this situation, there is a piece of land in excess of 90,000 square feet. You apply the standards based on what the applicant wants to do. The standards he has seen in the staff report are that there must a certain amount of land to allow up to two buildable lots that meet the size standards for the zoning. That is not in dispute. The only criterion in debate is whether or not adequate public facilities exist to serve this new development. They are hearing the existing transportation system is inadequate and has been long before the City took ownership. Their challenge is to determine whether or not they will allow any additional development before the road is up to full standards. Full standards would be a 20-foot-wide street in the existing right-of-way. Graichen presented an alternative to the planning Commission to look at whether or not the impact with a new lot being created and its associated conditions of approval would make it worse or potentially make it better. From a Constitutional standard, they cannot put the entire burden on one property owner to bring this street up to standards. But the property owner is proposing to make some improvements if the Council allows them to build. The Council needs to determine if that would make things better to the point that it meets adequate public facilities. It does not sound possible to meet all of the adequacy standards. Does it make it better and help the Council make a future plan for how they want the system to operate safely and efficiently? Council is in a tough place. Their standards say a property such as this has the ability to be divided under certain conditions. Council needs to interpret whether or not the conditions suggested make it approvable. If all criteria are met, the Code is structured that they would approve a land development. It cannot meet all the established criteria, but it does add something to the system to potentially make it a little better. Plus, each property contributes to capital improvements.

Councilor Topaz asked if there are time limits to widen the road. Monahan responded that it would be a decision for the Council to make as policy makers. Another element of the conditions of approval is that Graichen has required, and the applicant has agreed to, a non-remonstrance agreement. Should there be a project that the City chooses to put in place to improve that road, they are willing to sign a legal agreement that binds them to pay their fair share of improvements to that road. To his knowledge, they do not have agreements from the other properties along that road. The Council needs to determine if the system is adequate.

Graichen reminded the Council that there is a proposed list of conditions in the staff report to the Planning Commission, in case they approved it. Those include a couple different landmarks in time. If the Council approves it with conditions as written, that turnout/street widening would have to be developed before the final plat is finalized. The final plat is the final document that divides the property. It would make sure the improvements are in place. The Code does say if it is silent on a condition, the default is within one year. They do not want people to guess, so they usually add it as a condition. It is very common to make that a condition of the final plat.

**CLOSE PUBLIC HEARING – 9:46 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, June 02, 2021

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## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner  
Bill Monahan, City Attorney

### **OTHERS**

Damien Hall	Andrew Schlumpberger	Daniel Kearns
James Hill	Tracey Hill	Kathleen Ward
Radhika Shah	Robin Nunn	Jerry Belcher
Holly Nunn	Laurie Brownlow	Hunter Blashill
Jeanne Sorenson	Lynn	

### **OPEN PUBLIC HEARING – 9:47 p.m.**

#### **TOPIC**

#### **1. Fiscal Year 2021-2022 State Revenue Sharing and Budget**

Assistance City Administrator Brown gave those in attendance the opportunity to ask questions about the State Revenue Sharing and City Budget. A copy of the proposed is included in the archive packet for this meeting.

**PUBLIC COMMENT** - No public comments.

### **CLOSE PUBLIC HEARING – 9:48 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, June 02, 2021

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## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner  
Bill Monahan, City Attorney

### **OTHERS**

Damien Hall	Andrew Schlumpberger	Daniel Kearns
James Hill	Tracey Hill	Kathleen Ward
Radhika Shah	Robin Nunn	Jerry Belcher
Holly Nunn	Laurie Brownlow	Hunter Blashill
Jeanne Sorenson	Lynn	

### **OPEN PUBLIC HEARING – 9:49 p.m.**

#### **TOPIC**

#### **1. Annexation of 35111 Six Dees Lane (McCullough)**

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

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

**TESTIMONY IN FAVOR** – None

**TESTIMONY IN OPPOSITION** – None

**REBUTTAL** – None

### **CLOSE PUBLIC HEARING – 9:56 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# **COUNCIL PUBLIC HEARING**

Wednesday, June 02, 2021

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## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner  
Bill Monahan, City Attorney

### **OTHERS**

Damien Hall	Andrew Schlumpberger	Daniel Kearns
James Hill	Tracey Hill	Kathleen Ward
Radhika Shah	Robin Nunn	Jerry Belcher
Holly Nunn	Laurie Brownlow	Hunter Blashill
Jeanne Sorenson	Lynn	

### **OPEN PUBLIC HEARING – 9:57 p.m.**

#### **TOPIC**

##### **1. Annexation of 505 N. Vernonia Road (Weber)**

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

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

**TESTIMONY IN FAVOR** – None

**TESTIMONY IN OPPOSITION** – None

**REBUTTAL** – None

**CLOSE PUBLIC HEARING – 10:02 p.m.**



Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor



# **COUNCIL REGULAR SESSION**

Wednesday, June 02, 2021

## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator	Jenny Dimsho, Associate Planner
Matt Brown, Deputy City Administrator	Joe Hogue, Police Lieutenant
Kathy Payne, City Recorder	Tina Curry, Event Coordinator
Jacob Graichen, City Planner	Bill Monahan, City Attorney

### **OTHERS**

Damien Hall	Andrew Schlumpberger	Daniel Kearns
James Hill	Tracey Hill	Kathleen Ward
Radhika Shah	Robin Nunn	Jerry Belcher
Holly Nunn	Laurie Brownlow	Hunter Blashill
Jeanne Sorenson	Lynn	

### **CALL REGULAR SESSION TO ORDER – 10:03 p.m.**

### **PLEDGE OF ALLEGIANCE**

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

No visitor comments.

### **DELIBERATIONS**

#### **Appeal of the Planning Commission's Denial of a Proposal to Divide Property into Two Parcels at 160 Belton Road (Schlumpberger)**

Councilor Topaz is in favor of following City Planner Graichen's recommendation of having the improvements done on the road to approve the partition.

Councilor Chilton applauds the testimony and point of view of the neighbors who obviously love their neighborhood and want to preserve it. However, she does not see enough of a threat with the building of the home. Depreciation of a view is not enough in her opinion. This is a hardworking, public serving, young family, who have nothing but good intentions for the property. They have the right as owners of the land to do so. She understands improvements need to happen, which is why she supports approval of the request with the hybrid option provided by the applicant's attorney.

Council President Morten acknowledged the tremendous testimonials heard tonight. For the most part, they heard an objective side and an emotional plea. He has a lot of respect for some of the neighbors pleading for it to remain as it is. A lot of history was revealed. This is tough for the Council. They are

caught between objectives and emotions. The Council's job is to be objective; therefore, he supports the Schlumpberger's and the approval of the partition.

Councilor Birkle expressed the difficulty of the decision and not being happy with it. He agreed with Council President Morten and the need to be objective to comply with City Code. His decision may rupture long-time relationships he has had with members of this community. As a liaison to the Planning Commission, he is very reluctant to overturn their decision that was made with deliberation and thought. As Councilor Chilton said, individuals own the property and it is their right to do what they will with their property, even though he is saddened by the impact it will have on their neighbors. The partition approval criteria were met, although barely in regard to the road, but he would vote in support of the partition with the conditions.

Mayor Scholl expressed that it is tough when you are hearing people who are very emotional, such as the previous hearings for Emerald Meadows and the Zahl property near Elk Ridge. He suggested the Planning Commission have a City Attorney present during sensitive land use hearings. It may not make sense to the people in opposition, but he hopes they can see from past developments that it works out. This is a strong and loving community. He heard that from people testifying. He hopes they can continue to enjoy the beautiful neighborhood. The Planning Commission and Council have to follow policy and code. They can only impose so much on the property owner.

Graichen clarified that the Council is determining that the improvements will offset the impacts of the additional parcel. Mayor Scholl said yes. Graichen referred to Councilor Chilton's mention about the hybrid option. There are a few options: the turnout itself, the 20 feet, or a combination of the two. Mayor Scholl heard there is a constitutional right; option one is the minimal but would clear out the line of site and would satisfy Planning. He would recommend following staff's original recommendation of the little area above that is not as impactful. The City knows they have a problem with a city street.

Graichen wants to be clear on the Council's decision. If the motion is made for the turnout as originally proposed by staff, then they would approve it via the conditions in the staff report to the Planning Commission. Graichen reviewed those conditions.

Councilor Topaz stated that the only change he sees is having the hybrid for both the option and the widening at the corner. Graichen responded that if the Council wants more than just the turnout, they will modify a couple conditions.

Councilor Chilton clarified that the hybrid, the widening of the road and the turnout, were proposed by the applicant. Graichen agreed that the applicant's legal counsel did acknowledge that the applicant would accept it. Mayor Scholl pointed out that they also recognized that it was unconstitutional. Councilor Birkle added that he called it a safe harbor and he interpreted it as they would not go that route. It looked like the hybrid, or second option would take out a lot more trees. He is in favor of the turnout to have less impact. Councilor Topaz asked if the widening would take out trees or just come up to the rock. Graichen pointed out on a map that widening the street will take away some of the trees.

Mayor Scholl asked Monahan if this is unconstitutional for the Council to do this. Monahan responded that there is a requirement under the US Constitution that the Council can only require improvements that are related proportionality to the impact of the development. However, their attorney referenced that they were willing to consider the combination of the two alternatives and make them into one condition. He did use the term safe harbor, which he interprets as the City not imposing the condition but accepting the offer of the safe harbor condition. If Council imposes it, it will probably not meet rough proportionality because they have not done an analysis to show the justification based on the impact of the partition, but because the applicant made that offer, that precludes their opportunity to challenge it constitutionally.

Councilor Topaz asked how that would be worded since they offered to do it. Monahan pointed out that the offer is in the record. They have to make the decision. It does not sound like Councilor Birkle is in favor of the widening to combine the two because of the potential tree cutting. They need to discuss the preferred alternatives. If they choose a combination, then direct staff to come back with that language. It may require the City Engineer to look at those two. The Engineer has not had a chance to look at this and give feedback.

Discussion ensued as the Council reviewed photos of the area.

Councilor Chilton is fine with option one. She reminded the Council that extending and fixing roads is something they will have to do as part of the new housing laws they passed. Mayor Scholl pointed out that the application was submitted prior to the new standards being adopted. The 20-foot-wide road did apply at the time of application.

**Motion:** Motion made by Council President Morten and seconded by Council Topaz to approve the proposal to divide the property into two parcels at 160 Belton Road with the 12 conditions read by the City Planner, and adding the condition of a hybrid road alignment. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### **Annexation of 35111 Six Dees Lane (McCullough)**

**Motion:** Motion made by Councilor Chilton and seconded by Councilor Topaz to approve the annexation of 35111 Six Dees Lane. **Vote:** Favor: Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### **Annexation of 505 N. Vernonia Road (Weber)**

**Moton:** Motion made by Council President Morten and seconded by Councilor Topaz to approve the annexation of 505 N. Vernonia Road. **Vote:** Favor: Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### **ORDINANCES – First Reading**

- 1. Ordinance No. 3267:** An Ordinance to Annex and Designate the Zone of Certain Property at 58551 Kavanagh Avenue

Mayor Scholl read Ordinance No. 3267 by title for the first time. The final reading will be held at the next meeting.

#### **RESOLUTIONS**

- 2. Resolution No. 1918:** A Resolution of the City of St. Helens Declaring the City's Election to Receive State Revenues

Mayor Scholl read Resolution No. 1918 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1918. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 3. Resolution No. 1919:** A Resolution of the Common Council of the City of St. Helens, Oregon Adopting Budget, Making Appropriations, and Levying Taxes for the Fiscal Year Beginning July 1, 2021

Mayor Scholl read Resolution No. 1919 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1919. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 4. Resolution No. 1920:** A Resolution of the Common Council of the City of St. Helens, Oregon, Amending the City Employee Compensation Plans for Fiscal Year 2021-2022

Mayor Scholl read Resolution No. 1920 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1920. **Vote:** Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 5. Resolution No. 1921:** A Resolution of the Common Council of the City of St. Helens, Oregon, Adopting an Agreement regarding Benefits with Unrepresented Employees of the City of St. Helens

Mayor Scholl read Resolution No. 1921 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Chilton to adopt Resolution No. 1921. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- 6. Resolution No. 1922:** A Resolution to Amend the City of St. Helens Personnel Policies and Procedures Handbook and the Technology and Telework Policies and Procedures Handbook

Mayor Scholl read Resolution No. 1922 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1922. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

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

7. Memorandum of Understanding with St. Helens Police Association

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve '7' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

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

8. Salmonberry ("Smith") Timber Sale to Interfor US Timber Inc. at \$652.36 per 1,000 BF

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

#### **CONSENT AGENDA FOR APPROVAL**

9. Council Work Session, Executive Session, Public Forum, Public Hearing, and Regular Session Minutes dated May 19, 2021  
10. OLCC Licenses  
11. Accounts Payable Bill Lists

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve '9' through '11' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### **WORK SESSION ACTION ITEMS**

No work session action items.

#### **MAYOR SCHOLL REPORTS**

- Nothing to report.

#### **COUNCIL MEMBER REPORTS**

Council President Morten reported...

- Nothing to report.

Councilor Topaz reported...

- The State has been working on Millard Road. They spent a lot of money investigating what they would do. Somehow, they found something that was not supposed to be there and now he does not see anyone working. He is concerned that those are the same people that will one day get people under or over the railroad. He hopes the City's Engineer has a copy of the drawings of what is going on under Millard Road. If this happens again, at least the City would have a

record, even though we are not responsible for what is happening out there. Some of these State agencies are missing the ball. DEQ did not tell us a whole lot about the contaminated waterfront when the City was buying the white mill. How can they protect themselves from their mismanagement? Mayor Scholl will ask if Public Works Director Zaher can ask the State for an update and report back to Council.

Councilor Birkle reported...

- He has 11 days left with students before summer break. He is looking forward to spending more time getting together with City staff and learning more about things.

Councilor Chilton reported...

- Nothing to report.

**OTHER BUSINESS – None**

**ADJOURN – 10:45 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 FORUM**

Wednesday, June 16, 2021

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## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator  
Matt Brown, Deputy City Administrator  
Kathy Payne, City Recorder  
Jenny Dimsho, Associate Planner/  
Community Development Project Manager

Mouhamad Zaher, Public Works Director  
Jacob Graichen, City Planner  
Crystal King, Communications Officer  
Sue Nelson, City Engineer

### **OTHERS**

Kaitlin North, OTAK  
Don Hanson, OTAK  
Jason Morris  
Keith Buisman

### **OPEN PUBLIC FORUM VIA ZOOM - 6:00 pm**

### **TOPIC**

#### **1. Riverfront Redevelopment: S. 1st Street / Strand Street Alignment Alternatives**

City Engineer Sue Nelson introduced Don Hanson and Kaitlin North from Otak. A copy of their presentation is included in the archive packet for this meeting.

Don talked about the importance of putting the roadways in the right place. He summarized the interviews with the potential developers who submitted proposals. Minutes of those interviews are included in the packet. All four are very interested in developing this property.

Kaitlin reviewed proposed conceptual plans.

- West alignment
  - S. 1<sup>st</sup> Street is closer to the bluff
  - Parallel parking in the middle
  - Angled parking on the ends
  - Creates five deeper blocks of development potential along the waterfront
  - Potential development
    - Hotel
    - Commercial/retail/office
    - Townhomes and/or flats
    - Multi-family buildings
  - Multi-use path on the bluff side

- Looped trail around the entire property
  - Future pedestrian access points
  - Location for a future pump station
  - Trail head parking
  - Live/work units
  - Larger parcel opportunities and greater development flexibility
  - Recommended as preferred alignment
- East alignment
  - S. 1<sup>st</sup> Street was moved further down, halfway between bluff and waterfront
  - Same parking configurations
  - Creates four narrower blocks on the waterfront side and one block of development on the bluff side of the street
  - Potential for complete street with buildings on both sides of the street
  - Potential development
    - Hotel
    - Commercial/retail/office
    - Primarily townhomes in the middle
    - Slightly smaller multi-family building at the end
  - Townhomes on the bluff side
  - Meandering multi-use path around the site
  - Pedestrian access ways
  - Location for a future pump station
  - Trail head parking

Don prefers the west alignment. It offers a beautiful greenway against the bluff. It makes sense to value that.

Councilor Topaz talked about the problems with both of the alignments.

- He wants to see a street near the river for people to enjoy the view as they drive by.
- Need ADA access. Handicap will not use the foot paths.
- Working from home has a downside. He wants people to come to businesses to spend money. At some point it is going to go away.
- Need some type of industry.
- Not enough parking for events.

Don responded to Councilor Topaz:

- Parking - purposely do not have any development along Strand Street. Configured the road to allow for parking on both sides. When people come down, they will be able to view the river from Strand Street and also park on Strand Street. It is the closest parking to the active park area. He is comfortable with the proposed parking. He did not want to overpark it.
- The plans are very conceptual.
- Bringing tourism dollars into the community is on point. The sites are configured to accommodate that.

Councilor Topaz repeated his desire to be able to drive along the river, have additional parking during events, and provide handicap access to the river. Don responded that handicap accessible parking spaces can be created along Strand Street near the river. Those comments will be considered moving forward.

Councilor Chilton is also concerned about public access along the river. The community survey showed a desire for public space and there does not appear to be much of it. She read all of the developers' answers. She was very impressed with Roy Kim's responses and his focus on St. Helens as a



community. He was spot on with a vision. Don agreed that he was also impressed with Roy Kim's comments.

Councilor Birkle wants to make sure they are giving priority to citizens and residents to speak. The Council will have more than ample opportunity to discuss the development.

Mayor Scholl reminded everyone that this is about road alignment. He likes that the park has been expanded even more than he had anticipated. The entire boardwalk that circles the property is public land, which is what people are used to walking now. He prefers the west alignment.

- ◆ Jason Morris. He works at a clinic down here and experiences difficulty with limited parking for residents, businesses, and restaurants. How will the proposed parking improve that?

Don responded that they are proposing all on-street parking. They have not really thought about putting big civic parking lots in the area. They think the on-street parking can handle it. Parking will need to meet Code for any development parcels. For example, new residential development will be required to provide off-street parking. Kaitlin added that the parking shown in white is roughly 215 spaces. It is about the same for each alignment.

Discussion of additional parking. The City owns the lot where '3' and '4' are shown on the map. That could potential be parking or more development area.

Councilor Topaz asked how easy it will be to move 100 cars in and out. This looks like a residential area as opposed to a commercial or industrial area. Don thinks there will be at least three or four driveways coming onto S. 1<sup>st</sup> Street. Their hope is that would distribute those access points.

Councilor Topaz talked about problems with delivery trucks double parking. Don acknowledged there is a lot more delivery vehicles, but they are usually quick in and out. Buildings are typically required to provide a loading space when they reach a certain number of spaces. That is something to keep in mind.

Mayor Scholl likes the bulb-out. It could also be a great wheelchair drop-off. Don agreed. It was the best solution in that location.

Councilor Birkle acknowledged that both options are pretty solid.

- He was initially attracted to the east alignment because he loves greenspace. But with the west alignment, he thinks it might provide more greenspace closer to the river.
- He likes the idea of coming down the stairs below Tualatin Street into greenspace.
- Is absolutely opposed to having a road along the river. It interferes with the riverwalk. As they add access, people of all abilities will be able to access the river.
- What is the parking deck on parcel D?

Don responded that they thought that parcel is big enough to provide two levels of parking. They do not want to dig down because they will hit water. They would do it under or between the building footprints. The parking would be concealed by buildings that wrap around it. Councilor Topaz told Don that the area was built on fill. The fill was slabs of wood. Don agreed, which is why he is not proposing to excavate for a parking garage. He would rather stay above that.

Councilor Birkle heard desires for people to park closer to the river to enjoy views, like at the courthouse parking lot, which looks like it has been done. There was a mention about zoning options. Don can provide that to him.

Mayor Scholl thanked Don and Kaitlin for the presentation.

**CLOSE PUBLIC FORUM – 6:46 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 WORK SESSION

Wednesday, June 16, 2021

## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Deputy City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Brian Greenway, Police Chief  
Mike De Roia, Building Official

Mouhamad Zaher, Public Works Director  
Carol Green, Accountant  
Heidi Davis, Building & Administration Secretary  
Crystal King, Communications Officer  
Matthew Kahl, City Attorney  
Tina Curry, Event Coordinator

### OTHERS

Kanale T.                      Andrew Schlumpberger  
Josh Brown                  Brady Preheim  
Paul Barlow

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

Due to technical difficulties, the Zoom video did not record. See YouTube video.

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

No visitor comments.

### DISCUSSION TOPICS

#### 1. Employee Length of Service Recognition - Carol Green (25 yrs) & Heidi Davis (15 yrs)

Two employees have reached milestones in their employment with the City of St. Helens.

##### 25 Years

Carol Green began working for the City on June 14, 1996, as an Accounting Assistant. In 2013, her position was reclassified to Accounting Technician and then in 2020 to Accountant, where she still serves today.

##### 15 Years

Heidi Davis began working for the City on June 14, 2006, as a Receptionist/Counter Clerk. In 2008, she was promoted to Building & Administration Secretary where she still serves today.

Congratulations, Carol and Heidi, and thank you for your service!

**2. Annual Report from Insurance Agent Hagan Hamilton - *Chris Iverson***

1:17 p.m.

Chris Iverson reviewed his report. A copy is included in the archive packet for this meeting.

**3. Review Proposed Rates Increase for Garbage & Recycling Services - *Josh, Hudson Garbage***

1:06 p.m.

Josh Brown, Hudson Garbage, reviewed the proposed rate increase. Columbia County recently passed a 2.6% disposal increase for the transfer station, which has an impact on their rates and collection services. Also, some of their cost structures changed significantly over the past 12-18 months. Costs for labor, fuel, metal, etc. are all factors in the increased rates. Hudson Garbage did not pass any of the increased costs on to their customers in 2020. They are requesting a 2.6% increase to service rates.

City Administrator Walsh talked about the good partnership the City has with Hudson Garbage.

Councilor Birkle referred to a letter to the editor in today's Chronicle. There was a question about glass recycling. Glass recycling can be taken to the transfer station, but it cannot be picked up at the curb. Can it be added to the service? Josh responded that he also oversees the Portland market, where they pick up glass at the curb. They are open to evaluating it. There will be cost associated with an additional container, truck, and labor. It is challenging to haul and recycle.

Council President Morten met with the Parks & Trails Commission on Monday. They briefly discussed franchise agreements. Comcast gave an additional contribution to the City and another industry contributes to the City. There was discussion about the shortage of port-a-potties in the parks during events. There was never a motion to request a donation. Josh acknowledged that they are willing to contribute.

**4. Annual Report from Parks & Trails Commission - *Paul Barlow***

1:24 p.m.

Paul Barlow reviewed the Parks & Trails Commission report. A copy is included in the archive packet for this meeting.

Councilor Chilton attended Monday's meeting Parks & Trails Commission meeting. There was discussion about vandalism and graffiti in the parks. She has heard from citizens that stuff is happening at the brand-new playground. Is there a way to focus on protecting them more? Paul said he has noticed it also. He suggested better lighting in the parks.

Council President Morten said there is security at McCormick Park. He suggested increasing the security with the caretaker living there. Additional cameras would be helpful. Paul suggested putting information in the City's newsletter to encourage citizens to be more aware and watch for vandals.

Councilor Chilton reported that she just received a message from Chief Greenway that the Police Department will make McCormick Park a priority for monitoring.

**5. Public Safety Facility Timeline Discussion and Next Steps - *John/Matt***

1:42 p.m.

On hold until tonight due to technical difficulties.

**6. Review New Water System Operator II Job Description - *Mouhamad***

1:45 p.m.

Public Works Director Zaher reviewed the job description. It is a hybrid position that works at both the Wastewater Treatment Plant and Water Filtration Facility. It is an existing position that was restructured, so does not impact the budget. A copy is included in the archive packet for this meeting.

Councilor Topaz asked about cutting torches and welding. Do they need to be a certified welder? Zaher responded that basic knowledge would be beneficial but is not required.

### **7. Review New Records and Evidence Specialist Job Description - *Brian***

1:48 p.m.

On hold until tonight due to technical difficulties.

Mayor Scholl reported that Officers Coy and Howell normally observe an elderly citizen on a daily basis near IGA, where they stop to get sandwiches for lunch. They did not see him for a few days, so researched where he lives, and went to his home. After knocking, they heard a faint thumping and forced entry into the home. They found him on the floor. He had suffered a massive stroke on Sunday. They called the paramedics, and he was transported. This is only part of the reason it is important to retain officers long-term. They make relationships and notice when things are different. He is hoping for a speedy recovery!

### **8. Review Community Support Fund Grant Application - *Kathy***

1:50 p.m.

On hold until tonight due to technical difficulties.

### **9. Discuss Plans for Citizens Day in the Park**

1:51 p.m.

- City Council sponsored event
- Scheduled for August 7
- Mayor Scholl will work on contacting past donators. He will need help picking stuff up that morning.
  - IGA – meat and buns
  - Sunshine Pizza – pasta salad
  - Skinny's Texaco – water
  - Stan's Refrigeration – ice
- Police Department, Fire Department, and National Guard usually attend
- Car show
- Nonprofits can set up
- Vendors have set up and paid a fee. May want to consider waiving the fee this year.
- Need help this year due to COVID restrictions.
- Discussion to hold a meeting to plan this year's event. The meeting was scheduled for Wednesday, July 14, 6 p.m. at McCormick Park. Public notice will be distributed.
- Need to recognize donators and sponsors more
- Possibility of 4-H animals
- Pay a few employees overtime to help during the event

Announcement that there is a Comcast outage at City Hall.

### **10. Strategic Action Plan Updates**

2:03 p.m.

On hold until tonight due to technical difficulties.

### **11. City Administrator Report**

2:04 p.m.

- He and Associate Planner Dimsho made a presentation to the Infrastructure Finance Board requesting \$14.5 million. They were unanimously awarded the \$14.5.

- 13 Nights on the River has been going well.
- Requesting Council consider allowing open containers in the event area for 13 Nights and 4<sup>th</sup> of July. No outside alcohol is allowed in for 13 Nights. It has been done in the past and is a revenue generator. Currently, alcohol is only allowed in the beer garden, and this would allow them to enter the park/event area.

Council President suggested moving forward. If there are problems, they can discontinue it.

Councilor Birkle clarified that people can bring their own. Mayor Scholl said only on the 4<sup>th</sup> of July. It has to be purchased at the beer garden for 13 Nights. Councilor Birkle asked about insurance. Councilor Chilton said people are already sneaking it in.

It will be voted on at tonight's meeting.

- 4<sup>th</sup> of July is coming up
  - Hit machine will perform
  - Looking forward to getting back to normal
  - Tina is doing a lot of the planning
  - Waiting for a volunteer organization to take over the event. Main Street is discussing it.
  - May need to hire a group to conduct parking and traffic control
  - Heather from Western Fireworks has been a big help
  - Public Works is a huge support. On the Friday prior to 4<sup>th</sup> of July, Public Works needs to go over to Sand Island to put in barricades at the end of Sand Island.
- Public Forum tonight at 6 p.m. It is all about road connections, and not the Riverwalk this time.

Councilor Chilton asked Walsh about a Halloweentown store in St. Helens. She was surprised to hear about it. Where is the money coming from to open the store and buy the product? Where is the money going? Walsh responded that it is all Tourism. It is quite interesting, and he encouraged everyone to check it out. The merchandise is centralized from other stores, plus some new stuff. The cost comes out of Tourism funding. Councilor Chilton requested an informational email with these types of updates. Walsh said it is also to help maintain street life with the building the City is leasing.

**ADJOURN – 2:25 p.m.**

**EXECUTIVE SESSION – recessed until after tonight's Regular 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



# **COUNCIL PUBLIC HEARING**

Wednesday, June 16, 2021

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## **DRAFT MINUTES**

### **MEMBERS PRESENT**

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### **STAFF PRESENT**

John Walsh, City Administrator  
Matt Brown, Deputy City Administrator  
Kathy Payne, City Recorder  
Jenny Dimsho, Associate Planner/  
Community Development Project Manager

Mouhamad Zaher, Public Works Director  
Jacob Graichen, City Planner  
Crystal King, Communications Officer  
Sue Nelson, City Engineer  
Tina Curry, Event Coordinator

### **OTHERS**

Art Leskowich  
Keith Buisman

**OPEN PUBLIC HEARING VIA ZOOM - 6:50 p.m.**

### **TOPIC**

#### **1. Budget Appropriations for FY2020-2021**

Deputy City Administrator/Finance Director Matt Brown reviewed the purpose of this hearing. Every last June meeting of the year, he does a final clean-up of adjusting budget numbers, including additional revenue and expenses. There are two ways to do budget adjustments in Oregon budget law. If you are changing a category more than 15% you legally have to hold a public hearing. If you are changing categories less than 15% you can just use a resolution. As a matter of transparency, he has always held a public hearing. He reviewed the proposed changes in the resolution, which is included in the archive packet for tonight's regular session.

### **PUBLIC COMMENT – None**

Councilor Chilton asked which employees are funded with Community Enhancement. Brown responded that it typically does not have any employees unless it is grant-funded. Over the last couple years, Recreation has put grant money there that has paid for staffing. He later does a transfer to Personnel Services.

**CLOSE PUBLIC HEARING - 6:56 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

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Kathy Payne, City Recorder

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Rick Scholl, Mayor





# COUNCIL REGULAR SESSION

Wednesday, June 16, 2021

## DRAFT MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Deputy City Administrator  
Kathy Payne, City Recorder  
Brian Greenway, Police Chief  
Jenny Dimsho, Associate Planner/  
Community Development Project Manager

Mouhamad Zaher, Public Works Director  
Jacob Graichen, City Planner  
Crystal King, Communications Officer  
Sue Nelson, City Engineer  
Tina Curry, Event Coordinator

### OTHERS

Art Leskovich  
Josh Brown  
Brady Preheim  
Andrew Schlumpberger

**CALL REGULAR SESSION TO ORDER VIA ZOOM – 7 p.m.**

### PLEDGE OF ALLEGIANCE

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

Mayor Scholl reported that Officers Coy and Howell normally observe an elderly citizen on a daily basis near IGA, where they stop to get sandwiches for lunch. They did not see him for a few days, so researched where he lives, and went to his home. After knocking, they heard a faint thumping and forced entry into the home. They found him on the floor. He had suffered a massive stroke on Sunday. They called the paramedics, and he was transported. This is only part of the reason it is important to retain officers long-term. They make relationships and notice when things are different. He is hoping for a speedy recovery!

- ◆ Brady Preheim. First, he complained about the internet and audio issues at the City, after all the money spent on a new IT person. There should not be any more excuses. Second, he reminded Councilor Chilton that reading is a requirement for her position. It takes time to be a city councilor. She needs to research before making comments. Third, he asked if anyone has noticed if Councilor Topaz is following the censure. He finds it hard to believe that the censure makes a difference. Who is in charge of policing that and for ensuring that he abides by those terms? If he does not, what steps are taken?

Mayor Scholl responded to the question about the censure. Councilor Topaz is allowed to come in and check his mailbox. He has done that and has made some short talk inside City Hall. Mayor Scholl

reminded Councilor Topaz that he needs to schedule a meeting if he needs to talk to someone at City Hall.

### **WORK SESSION ITEMS CARRIED OVER**

#### **Public Safety Facility Timeline and Next Steps**

Deputy City Administrator Brown reviewed a draft timeline for the next couple years. A copy is included in the archive packet for the work session.

- The consultant's timeline is an estimate.
- A resolution for the revenue bond is expected to come to the Council in July.
- A resolution for the public safety fee is expected to come to Council in November.
- Anticipating that the public safety fee will begin in January 2022.
- Anticipating the receipt of the initial funding in September/October with the first payment due in June 2022.
- Hoping to award the construction bid in January 2023.
- Expect it will take about a year to construct the building.

Discussion of public safety fee. It is estimated to be between \$2-4 with a 30-year sunset unless it can be paid off sooner. Councilor Birkle expressed his hesitancy to exceed a \$2 fee. Mayor Scholl suggested \$3 for 30-years to provide cushion and not exhaust other funding sources.

#### **Review New Records and Evidence Specialist Job Description**

Police Chief Greenway reviewed the proposed changes to the job description. A copy is included in the archive packet for the work session. He is not requesting additional staffing. This modifies the job description to be consistent with the work being done by clerical staff and allows them to handle and transport evidence, which will alleviate the need to call officers in from the road for evidence processing.

#### **Review Grant Application**

City Recorder Payne reviewed the modified application. A copy is included in the archive packet for the work session.

Councilor Topaz was concerned about the short window of time to apply. Payne reminded him that Council discussed opening the process twice a year.

Council was in favor of the application. Mayor Scholl does want to retain flexibility when they are approached for time-sensitive funding. Councilor Chilton understands but wants to be sure they are consistent by strongly encouraging nonprofit groups to follow the process.

#### **Strategic Action Plan Items**

- The St. Helens Industrial Park RFQ closed. Staff is reviewing the submittals and will make a recommendation to Council in July.
- The Millard Road property RFQ closed. Those results will come to Council in a report from Walsh or Dimsho.
- Reviewed proposed upcoming changes in the parks:
  - Begin replacing wooden picnic tables with metal picnic tables
    - Surplus wooden tables will be offered to nonprofit organizations
  - ADA tables will be added to Columbia View Park and McCormick Park
  - Replacing barbecues
  - Replacing trash cans with ones that have rainproof covers
  - The Parks & Trails Commission is in favor of the changes

Council President Morten talked about a recent time that there were a couple hundred people at the 6<sup>th</sup> Street Ballfield, but only one port-a-potty. Who facilitates the need for those? Does the Parks &

Recreation Division process permits? Brown responded that they do. The Park reservation lists how many people are expected to attend, which triggers a requirement for the applicant or City to request port-a-potties.

Council President Morten asked if the process is different for service organizations to hold meetings in the parks and waive the permit fee. They are the ones helping with park cleanup and maintenance. Brown suggested they contact Parks & Recreation Manager Shanna Duggan. She is communicating with other agencies to see what they offer. They do want to honor organizations that give volunteer hours. They will be creating a policy.

- The problem that was experienced with Zoom during the work session was a Comcast issue and not something IT could fix. A video and audio company is coming in on Thursday and Friday to prepare the Council Chambers for in-person meetings. He needs direction from Council of whether to continue or discontinue using Zoom. Even without Zoom, they will still be able to stream live meetings to the website via YouTube. Staff's recommendation is to go away from Zoom and go back to in-person meetings the way they used to be. They can still use Zoom in the Council Chambers, but it is more cumbersome to do in-person and Zoom at the same time.

Mayor Scholl is in favor of going back to in-person meetings the way they were. If they expect a large attendance, they can use the Recreation Center.

Councilor Birkle likes the possibility of continuing to use Zoom at the same time as in-person meetings. It allows people with mobility problems or unavailable to attend for other reasons the opportunity to participate. Mayor Scholl said they have allowed people to phone-in for those circumstances in the past. Brown added that people can still submit written letters and be read into the record. Councilor Birkle just wants to be sure they are communicating the other options available to provide input.

#### **ORDINANCES – Final Reading**

1. **Ordinance No. 3267:** An Ordinance to Annex and Designate the Zone of Certain Property at 58551 Kavanagh Avenue

Mayor Scholl read Ordinance No. 3267 by title for the final time. **Motion:** Motion made by Councilor Topaz and seconded by Councilor Chilton to adopt Ordinance No. 3267. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### **ORDINANCES – First Reading**

2. **Ordinance No. 3268:** An Ordinance to Annex and Designate the Zone of Certain Property at 35111 Six Dees Lane

Mayor Scholl read Ordinance No. 3268 by title for the first time. The final reading will be held at the next meeting.

3. **Ordinance No. 3269:** An Ordinance to Annex and Designate the Zone of Certain Property at 505 N. Vernonia Road

Mayor Scholl read Ordinance No. 3269 by title for the first time. The final reading will be held at the next meeting.

#### **RESOLUTIONS**

4. **Resolution No. 1923:** A Resolution Determining that a Nuisance Exists Upon Property Located at 496 S. 13<sup>th</sup> Street within the City of St. Helens and Directing that Notice to Abate the Nuisance be Posted on Said Premises

Mayor Scholl read Resolution No. 1923 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1923. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**5. Resolution No. 1924:** A Resolution Authorizing a Transfer of Appropriations within a Fund for Fiscal Year 2020-2021

Mayor Scholl read Resolution No. 1924 by title. **Motion:** Motion made by Councilor Chilton and seconded by Councilor Topaz to adopt Resolution No. 1924. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**6. Resolution No. 1925:** A Resolution of the St. Helens City Council, Amending the City Employee Compensation Plan for Fiscal Year 2021-2022

Deputy City Administrator Brown read Resolution No. 1925 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1925. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**7. PUBLIC COMMENT - Increase in Garbage & Recycling Rates**

Public Comment – None

**Resolution No. 1926:** A Resolution Establishing Garbage & Recycling Rates and Superseding Resolution No. 1859

Mayor Scholl read Resolution No. 1926 by title. **Motion:** Motion made by Councilor Topaz and seconded by Councilor Chilton to adopt Resolution No. 1926. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

8. Agreement with Columbia Humane Society for Community Service Workers
9. Extension of Agreement with Shannon Kmetc for Pro Tem Judicial Services
10. Extension of Concession Agreement with World Wide-ATM for ATM at 277 Strand Street
11. Extension of Contract with CBM Systems, LLC for Janitorial Services
12. Agreement with Mark Comfort for Clean-Up of Various Properties, including Declared Nuisance Properties
13. First Amendment to Agreement with Keller Associates, Inc. for Sanitary Sewer and Stormwater Master Plans Updates
14. Agreement with Brown & Caldwell for Consulting Services for NPDES Permit Renewal Negotiations and Implementation
15. First Amendment to Ground Lease with 7th Street Container Lofts LLC
16. Contract with Edge Development for Campbell Park Sport Court Project
17. Appeal AP.1.21 of Partition PT.1.21 City Council Findings and Fact and Conclusions of Law
18. Contract Payments

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve '8' through '18'.

Discussion.

Councilor Chilton asked for an explanation of '8' and '9.' Walsh explained that '8' is an agreement to allow community service workers to work their hours at the Columbia Humane Society. Brown explained that '9' is for a pro tem judge in the case that the current judge is not able to conduct a trial due to a conflict of interest.

Councilor Birkle asked what janitorial services CBM provides. Brown explained that it is janitorial services for all the City's public buildings.

Councilor Topaz asked for an explanation of "clean-up" on '12.' Walsh responded that it is a time and materials contract allowing the City to use Mark Comfort to do the clean-up of properties. That work gives the City the authority to lien the house if the clean-up expenses are not paid for by the owner.

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

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

### 19. Appointments to Library Board

**Motion:** Motion made by Councilor Chilton and seconded by Council President Morten to appoint Jana Mann, Robert Dunn, and Diane Wiener to the Library Board. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

## **CONSENT AGENDA FOR APPROVAL**

20. New Water System Operator II Job Description
21. New Records and Evidence Specialist Job Description
22. Declare Surplus Property - Public Works Vehicle
23. Accounts Payable Bill Lists

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve '20' through '23' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

## **WORK SESSION ACTION ITEMS**

### Approval of Open Container Policy for City Events

Mayor Scholl confirmed that this was done at past events and there were no problems. Alcohol monitors will still be on site observing. He wants to incorporate 4<sup>th</sup> of July tailgating.

**Motion:** Motion made by Councilor Topaz and seconded by Councilor Chilton to adjust the open container area to include the boundaries of the park and include the Waterfront property on the 4<sup>th</sup> of July. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

## **MAYOR SCHOLL REPORTS**

- 4<sup>th</sup> of July is going to be a great show. He is meeting with Western Display Fireworks on Saturday to discuss the logistics. Some of the former supporters are stepping up to help. He hopes to see a community organization step up to take it over.
- Citizens Day in the Park is on August 7. Council is holding a special planning meeting in McCormick Park on July 14 at 6 p.m.
- He and Walsh walked the Waterfront property with the Columbia River PUD Board. It was good to review the site with them and build that relationship.

Walsh requested direction from Council following the Riverfront road alignment public forum.

**Motion:** Motion made by Mayor Scholl and seconded by Council President Morten to approve the west alignment.

Discussion.

Councilor Topaz does not like either one of them. He has been pushing to get the road closer to the river to view from your vehicle. Council President Morten is not in favor that. Councilor Topaz sees it as a tourism mechanism to attract people. He did not see anything that was special to St. Helens in the proposals. He wants more public land and not residential development.

Mayor Scholl thinks the road alignment is perfect. He does not want to smell exhaust or hear bass from vehicles as he is walking along the river. He wants to hear the birds, the splash of the water, and not vehicle noise. There is probably seven or eight acres of usable public land. Councilor Topaz suggested a noise ordinance be implemented.

Councilor Chilton is conflicted. She sees the value of extending the park. The proposal is not the message they have communicated to the public. They are expecting a lot more public use at the end of the property, which is going to be left with a bike path. She is not persuaded on the road placement right now.

Councilor Birkle hears Councilor Chilton. However, even with the west alignment, everything between 1<sup>st</sup> Street and the Riverwalk is conceptual. He would also like to consider additional public space. The west alignment does give them more options for a greater amount of public space.

Mayor Scholl reminded them that this is just about the road placement. The buildings are all conceptual. It could be zoned how they see fit. Five consultants all agreed with the west alignment. Councilor Topaz said those five consultants are shadows of each other. They are all local. He expected at least one to be different. Councilor Chilton disagreed. Roy Kim talked about St. Helens like he knew the area. They were very different from the others. Councilor Topaz agreed. He is talking about the whole mass. He wanted to see a much larger variety.

Mayor Scholl respectfully requested they not talk about the consultants.

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

### **COUNCIL MEMBER REPORTS**

Council President Morten reported...

- He was encouraged by the public forum today. It has been a long time and it was a milestone. This is only a road alignment, and he is glad to see a decision made.
- The south end of Highway 30 looks so good. Public Works has gone all the way to the railroad tracks cleaning up the brush. City workers took a lot of pride in cleaning it up. The Chamber area also looks really good. He is very proud of the work being done by Public Works.

Councilor Topaz reported...

- There is a really good article in the Chronicle about the Library. They are working to open as much as possible. They are looking at ways to expand the popular Makerspace and STEM programs.

Councilor Chilton reported...

- The softball and baseball leagues have started up.
- She drove by McCormick Park playground today and they were pouring concrete. She is excited to see it open.
- She is looking forward to the 4<sup>th</sup> of July. She and her family will be camping on Sand Island.
- She is looking forward to her first Citizens Day in the Park. She has put some feelers out for people interested in being involved.
- She attended the Parks & Trails Commission meeting last week. She learned a lot and saw how well that Commission functions.

Councilor Birkle reported...

- He took a nice walk yesterday, including to the softball fields at Boise. He wants to make sure they replace those ballfields as the St. Helens Business Park is developed.
- Cornelius Pass is paved from Highway 30 to Germantown Road.
- He is working with Duggan to begin walking tours of Dalton Lake on the second Saturday of every month. The parks are doing great work with Dalton Lake.
- He noticed the impact the proposed public safety facility will have on trees. He hopes they will be repurposing some of that lumber to include in the facility. He suggests preserving the trees as much as possible.

- He had a nice discussion with Planning Commission Chair Dan Cary about the Council's decision on the appeal. They also discussed a joint meeting and the role of the Planning Commission liaison.
- This is Pride month. He would like to see the Council acknowledge this and other celebrations each month as they come up.
- He is hoping for a short executive session. Today is his wife's birthday. They will be celebrating their 35<sup>th</sup> anniversary next month.

Mayor Scholl asked Councilor Birkle what he discussed with Chair Cary about the appeal decision. Councilor Birkle assured Cary that the Council takes the work of the Planning Commission very seriously. Council was presented with additional arguments to take into consideration and spent a good deal of time deliberating.

Council President Morten informed Councilor Birkle that his responsibility as a liaison is to report back to the Council. He needs to share the response of the Planning Commission to the Council's decision. Councilor Birkle does not know how they feel. He only spoke with Chair Cary. He plans on reaching out to the members when he has the opportunity. They have not had a meeting since the Council's decision. He is doing his best at this time. He had nothing more to communicate than what he shared tonight.

Mayor Scholl only asked based on moving forward. The Council based their decision on facts and Codes, and not feelings. Councilor Chilton and Councilor Birkle both said that no one is arguing that. Councilor Chilton does not understand the hostility. Mayor Scholl would like to use this opportunity to educate the Planning Commission that "feelings don't matter, and ordinances do."

Discussion ensued.

Councilor Chilton left the meeting.

Councilor Topaz reminded the Council that there will be a bell ringing at 2 p.m. on 4<sup>th</sup> of July.

## **OTHER BUSINESS**

**ADJOURN** - 8:54 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

### Executive Session Summary

June 16, 2021

*This meeting was held electronically via Zoom.*

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

**Members Absent:** Jessica Chilton, Councilor

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Jenny Dimsho, Associate Planner

**Others:** None



At 2:26 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

*The City's internet connection was not working and therefore, Mayor Scholl opened the Executive Session and immediately recessed it until after the Regular Session tonight.*

At 2:27 p.m., the Executive Session was recessed until after the Regular Session tonight.

At 9:01 p.m., the Council resumed Executive Session.

- **Real Property Transactions, under ORS 192.660(2)(e)**
  - Update on the Millard Road property RFQ proposals received.
- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
  - Nothing was discussed under this item.

The Executive Session was adjourned at 9:33 p.m.



ATTEST:

\_\_\_\_\_  
Kathy Payne, City Recorder

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Rick Scholl, Mayor