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City of St. Helens
COUNCIL WORK SESSION AGENDA
Wednesday, June 17, 2015, 1:00 p.m.
 City Council Chambers, 265 Strand Street, St. Helens

City Council Members

Mayor Randy Peterson
 Council President Doug Morten
 Councilor Keith Locke
 Councilor Susan Conn
 Councilor Ginny Carlson

Welcome!

All persons planning to address the Council, please sign-in at the back of the room. When invited to provide comment regarding items not on tonight's agenda, please raise your hand to be recognized, walk to the podium in the front of the room to the right, and state your name only. You are not required to give your address when speaking to the City Council. If you wish to address a specific item on the agenda, you should make your request known to the Mayor as soon as possible before the item comes up. The Council has the authority to grant or deny your request. Agenda times and order of items are estimated and are subject to change without notice.

1. Visitor Comments 1:00 p.m.
2. Employee Length of Service Award 1:05 p.m.
3. Annual Report from Insurance Agent of Record – *Chris Iverson* 1:10 p.m.
4. Arts & Cultural Commission Recommendation for an Art Mural at St. Helens Post Office 1:20 p.m.
5. New Job Descriptions - *Sue* 1:30 p.m.
6. Discussion of Property Maintenance Requirements & Vacant Buildings Ordinance - *John* 1:40 p.m.
7. Amendment to FY 2015-16 Budget - *John* 1:55 p.m.
8. Review Resolution Authorizing Purchase of Real Property - *John* 2:10 p.m.
9. Review Proposed Resolution Regarding Vacation Accrual Payout Policy - *John* 2:15 p.m.
10. Department Reports 2:25p.m.
11. Council Reports 2:45 p.m.
12. Executive Session: ORS 192.660(2)(e) Real Property Transactions 3:05 p.m.
13. Other Business
14. Next Work Session Items
15. Upcoming Dates to Remember:
 - June 16, Library Board, 6:00 p.m., Columbia Center Armstrong Room
 - **June 17, Council Work Session, 1:00 p.m., Council Chambers**
 - **June 17, Council Regular Session, 7:00 p.m., Council Chambers**
 - June 25, Bicycle & Pedestrian Commission, 6:30 p.m., Council Chambers
 - June 30, Arts & Cultural Commission, 6:00 p.m., Council Chambers
 - **July 4, Independence Day, All City Offices Closed**
16. Future Public Hearing(s)/Forum(s):
 - None scheduled at this time.

The St. Helens City Council Chambers are handicapped accessible. If you wish to participate or attend the meeting and need special accommodation, please contact City Hall at 503-397-6272 in advance of the meeting.

Be a part of the vision...get involved with your City...volunteer for a City of St. Helens Board or Commission!
 For more information or for an application, stop by City Hall or call 503-366-8217.

City of St. Helens
Arts & Cultural Commission
Minutes from Tuesday, June 9, 2015
City Council Chambers

Members Present

Kannikar Petersen
Luanne Kreutzer
Kevin Chavez, Chair
Joan Youngberg

Members Absent

Diane Dillard, Vice Chair
Rosemary Imhof

Councilors in Attendance

Susan Conn

Guests

Antonia Doggett
Al Petersen
Nathan Don

Staff Present

Jennifer Johnson, Secretary
John Walsh, City Administrator

CALL MEETING TO ORDER

Chair Kevin Chavez called the meeting to order at 5:30 p.m.

Chair Chavez gave a brief description on the proposed mural project. The Commission received two formal comments via email. Chair Chavez read the emails.

I like the rhino, really well drawn, but think it should be a local animal. A deer or elk- even one of those crazy big horned cows out in the field when you come into town!

It's a great image, but it's a stretch to connect mail and the idea of an animal half a world away...

*Thanks,
Stephanie Bryan*

Not enough time to get comments in. Just saw the art on facebook. Please do not create another art project that puts the city in a negative light. Shades of the infamous volcano fiasco. Bring back Paul Coca's art.

This is more than whimsy. It is plain ugly. Keep Portland weird, not St. Helens. If it were taken from a children's book about the city, maybe. But a rhinoceros has nothing to do with the town or its history. And to see kids depicted as playing with the mail, it is a bad example to kids and adults. Mail is not to be trivialized.

Lynn Chiotti

The Commission discussed all the positive verbal feedback from members of the community. Antonia Doggett said the Rhino was chosen to ask that question, "Why the Rhino?" She hopes kids will look at the mural and ask more questions about rhinos. We all live together on the same planet even if you don't see these types of animals every day. It could spark awareness that rhinos are endangered. She mentioned the location of the school. Children will pass by the mural everyday on their way to school. Native animals are something we see all the time she hopes to bring something different to the mural.

Commissioner Kreutzer was concerned about negative opinion.

Chair Chavez said the feedback he has been seeing on the project is mostly the question why. He shared a quote with the Commission. He said this project will show that the City has tolerance for new ideas. People are asking why means this is a good project.

Commissioner Petersen said when something is predictable it becomes invisible. Art is not always understood.

Councilor Conn said art should stimulate conversation.

City Administrator John Walsh mentioned extending the public hearing to the next meeting if the concern is not enough public comment. Commissioner Petersen said they would like to get this project in front of the Council next week. She would like to get this approved in time to start painting in August. City Administrator Walsh asked about the postmaster agreeing with the concept. Chair Chavez said the postmaster is okay with the project. They did ask why the Rhino.

VISITORS

Visitor Al Petersen commented. He said it all depends on the concept. What the art looks like or if someone thinks it's "ugly" is not criteria for a recommendation to City Council. He wanted to remind everyone that the Before I Die wall project was also called ugly. There is now overwhelming positive comments on that project. Petersen has heard positive comments about the mural project. He mentioned people are tired of seeing the same old thing such as an elk or salmon.

Visitor Nathan Don commented. He studies art and enjoys art. He has visited the Art Institute of Portland and has seen all kinds of art. He said this is a wonderful idea for the fact that it is different. Not many cities have a rhino on their post office. It will be like a landmark.

PUBLIC HEARING CLOSED


The public hearing was closed at 6:02 p.m.

Chair Chavez called the regular meeting to order at 6:03 p.m.

The Commission reviewed the guidelines for a recommendation to the City Council.

Commissioner Kreutzer mention a written agreement is needed from the postmaster. The City has communication that supports the use of the building for the mural. City Administrator Walsh suggested a use and maintenance agreement.

PUBLIC WORKS MEMO

To:	The Mayor and Members of City Council	
From:	Sue Nelson, Neal Sheppard Interim Public Works Co-Directors	
Date:	17 June 2015	
Subject:	New Job Descriptions	

Background –

In January, 2012, the previous Public Works Director (PWD) left the City to take another job. Because of budget restrictions at that time, the Council made the decision to divide the duties of the PWD between his immediate subordinates, the Engineering Supervisor and the Public Works Operations Supervisor. At the time, this was designated to be an interim situation. Each Supervisor has dual job titles which include their original title, plus the Interim Public Works Co-Director title.

Over the past 2.5 years, the divided job duties of the Public Works Director have become more defined and each supervisor has taken ownership of various specific tasks, with some logical overlapping such as the development of the Public Works Department annual budget. As proposed in the 2015-2016 Budget presentation, two new job descriptions have been developed which include the original job duties of the respective supervisors, and the added essential duties and responsibilities of the Public Works Director position as performed by each supervisor. The shift in job descriptions and titles will eliminate the sometimes confusing “interim” title. The new job titles will be **Public Works Operations Director** and **Public Works Engineering Director**.

Recommendations –

Approve the new job descriptions for the Public Works Operations Director and Public Works Engineering Director.

City of St. Helens

Job Title: PUBLIC WORKS OPERATIONS DIRECTOR
Department: Public Works
FLSA Status: Exempt
Union: No
Date Revised: July 1, 2015

GENERAL PURPOSE

Performs complex supervisory, administrative, and professional work as manager of the City Public Works and Parks Departments. Serves in the planning, construction, operation, repair, maintenance, and replacement of City water, sewer, street, and storm drainage facilities and systems.

SUPERVISION RECEIVED

Works under the broad policy guidance and direction of the City Council and Councilor in Charge of Public Works as assigned by the Mayor. Coordinates activities with the Public Works Engineering Director and the City Administrator.

SUPERVISION EXERCISED

Provides direct supervision to the Public Works Department, Parks Supervisor, and Water Filtration Facility Supervisor. Exercises general supervision over all permanent and temporary technical staff assigned to the Public Works Department and general supervision over other personnel as needed. Provides direct supervision over the Engineering Department and Wastewater Treatment Plant Superintendent in absence of the Public Works Engineering Director.

ESSENTIAL DUTIES AND RESPONSIBILITIES Include the following, but not limited to:

- Supervises the Public Works Department, Parks Department, Joint Maintenance Facility, and Water Filtration Facility either directly or through the supervisor of each department and their subsequent supporting staff.
- Reviews work procedures, coordinates work schedules, and expedites work as necessary.
- Prepares and recommends the preparation of the Public Works Department budgets. Reviews and recommends approval of expenditures of project budgets.
- Prepares and documents budget requests; administers adopted budget in assigned areas of responsibility.
- Attends City Council meetings and other meetings as assigned.
- Standardizes department policies and procedures to improve efficiency and effectiveness of operations.
- Responds or coordinates the response to inquiries relative to parks, streets, traffic, parking, utilities, and/or storm drainage.
- Adjusts errors, complaints, and grievances.

- Develops and transmits written and oral instructions, as needed, to maintain effective working relationships with the public and City employees. Promotes harmony among City work groups.
- Plans, schedules and implements construction, maintenance, and operation and construction activities designed to provide quality water, sewer, street and drainage service for the City; oversees construction and maintenance work to determine acceptability and conformance to standards.
- Trains, supervises and disciplines employees performing the duties of maintenance, construction and repair of parks, water, sewer, street, and storm drainage facilities.
- Supervises the control and use of, and assumes responsibility for all materials, supplies and equipment used in the maintenance, construction and repair of streets, water systems, sewer collection, and storm drainage systems and other department facilities.
- Inspects and supervises the repair of chlorine machine, booster pumping stations, reservoir, meters, streets, drainage systems and sewer system at frequent intervals to ensure that all aspects of the systems are functioning properly.
- Oversees and requisitions needed supplies for the department and maintains a variety of records relating to personnel, equipment, supplies, water consumption, and misc. reports.
- Advises Public Works Engineering Director, City Administrator, City Attorney, and other City officials in matters relating to department activities; provides information to various civic, school and public groups and individuals regarding street, water, sewer and drainage problems and services.
- Supervises, instructs and assists assigned crews in construction, installation, and maintenance of the water supply and distribution system, sewer collection system, transportation system, and storm drainage system.
- Ensures that all necessary materials, supplies and equipment are available by maintaining an inventory of parts and materials and obtaining necessary parts, tools and supplies from the store room.
- Supervises the location of gas, telephone, power, television, water and sewer lines from the appropriate sources prior to excavation and informs crews of such locations.
- Responds to complaints regarding water leaks, pressure loss or no water; evaluates situations, determines if liability lies with the City or the property owner; explains findings to property owners and notifies appropriate water and sewer crew if necessary.
- Supervises the contacting of residents and business owners in area where services will be discontinued and explains when services will be shut off and how soon it will be turned back on.
- Ensures the proper maintenance of equipment and tools by supervising and participating in cleaning and checking equipment and tools after use.
- Supervises the safety of assigned maintenance workers and equipment operators by instructing individuals in proper safety procedures and monitoring work in progress.
- Assists in motivating and evaluating personnel by acting as a liaison between crew members and other City supervisors.
- Supervises the control and use of supplies and equipment used in the maintenance, construction and repair of water lines, sewer lines, street, drainage systems and other department facilities to ensure that all equipment is in proper working order.

- Analyzes and projects the needs of the City for equipment, bridges, roads, sidewalk and materials for completion of the same.
- Approves the purchases of heavy equipment and requisitions all supplies and materials needed for effective department operation.
- Supervise maintenance of marina facilities.
- Review reports done by the Parks supervisor.
- Review and sign building permits; special use permits; review and sign off monthly AP bills at city hall.

PERIPHERAL DUTIES

- Operates a variety of power construction and maintenance equipment used in the water, sewer and street department.
- Assists in the training of other City personnel.
- Coordinate events and special use permits for city parks.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

- (a) Graduation from high school education or GED equivalent, and
- (b) Minimum of ten (10) years of experience in public works positions including the operation of related maintenance equipment with at least four years in supervisory positions, or
- (c) Any equivalent combination of education and experience.

Necessary Knowledge, Skills and Abilities:

- (a) Thorough knowledge of equipment, facilities, materials, methods and procedures used in public water supply and distribution systems, sewer collection systems, storm drainage systems, and street systems; thorough knowledge of pipe installation, connection and repair; thorough knowledge of road construction and maintenance.
- (b) Skill in operation of the listed tools and equipment.
- (c) Ability to guide, direct and motivate employees; ability to operate and maintain various equipment used in water maintenance and repair such as backhoe, dump trucks and sewer cleaners; ability to organize and supervise the activities of various crews performing construction and maintenance work; ability to communicate effectively, verbally and in writing; ability to establish and maintain effective working relationships with employees, other departments and the public.

SPECIAL REQUIREMENTS

Valid state driver's license and CDL certification

Certification as a Water Distribution Operator II

Competent Person Certificate

First Aid and CPR Certificate

Water Treatment I license

Management Supervisor Certificate (or equivalent)

TOOLS AND EQUIPMENT USED

Knowledge of operation and use of motorized vehicles and equipment, including dump truck, pickup truck, utility truck, street sweeper, jetter/inductor truck, street roller, backhoe, manlift, tamper, plate compactor, saws, pumps, compressors, sanders, generators, trencher, common hand and power tools, shovels, wrenches. Skill in use of detection devices, mobile radio, phone, personal computer including word processing and other software, copy and fax machines, SCADA systems.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to stand and talk or hear. The employee is occasionally required to walk, sit, climb or balance, stoop, kneel, crouch or crawl, and smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee occasionally works near moving mechanical parts and is occasionally exposed to wet and/or humid conditions and vibration. The employee occasionally works in high, precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals, and risk of electrical shock.

The noise level in the work environment is usually loud in field settings, and moderately quiet in office settings.

EMPLOYEE ACKNOWLEDGEMENT

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the Public Works Supervisor job description. I understand that it is my responsibility to adhere to the guidelines of the expectations, hours of work and essential duties outlined within this job description.

Employee Signature: _____

Date: _____

Manager Signature: _____

Date: _____

City of St. Helens

Job Title: PUBLIC WORKS ENGINEERING DIRECTOR
Department: Public Works
FLSA Status: Exempt
Union: No
Date Revised: July 1, 2015

GENERAL PURPOSE

Performs complex supervisory, administrative, and professional work as manager of the City Engineering and Waste Water Treatment Departments. Serves in the development, review, and management of engineering projects, ensuring technical competence and compliance with applicable codes and criteria. Performs complex and professional engineering work for various environmental, water, sanitary sewer, street, storm drainage, parks facilities, and other public works projects and programs ensuring technical competence and compliance with all current codes and criteria; Performs as a Project Manager for various City projects.

SUPERVISION RECEIVED

Works under the broad policy guidance and direction of the City Council and Councilor in Charge of Public Works as assigned by the Mayor. Coordinates activities with the Public Works Operations Director and the City Administrator.

SUPERVISION EXERCISED

Provides direct supervision to the Engineering Department and Waste Water Treatment Plant Superintendent. Exercises general supervision over all permanent and temporary technical staff assigned to the Engineering Department and general supervision over other personnel as needed. Provides direct supervision over the Public Works Department, Parks Department Supervisor, and Water Filtration Facility Supervisor in absence of the Public Works Operations Director.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following, but are not limited to:

- Supervises and manages personnel assigned to the Engineering Department and the Waste Water Treatment Plant, including short and long term work assignments, either directly or through the supervisor of each department and their subsequent supporting staff.
- Reviews work procedures, coordinates work schedules, and expedites work as necessary.
- Prepares and recommends the preparation of the Public Works Department budgets. Reviews and recommends approval of expenditures of project budgets.
- Prepares and documents budget requests; administers adopted budget in assigned areas of responsibility.
- Attends City Council meetings and other meetings as assigned.
- Standardizes department policies and procedures to improve efficiency and effectiveness of operations.
- Adjusts errors, complaints, and grievances.
- Prepares composite reports from individual reports of subordinates.

- Develops and transmits written and oral instructions, as needed, to maintain effective working relationships with the public and City employees. Promotes harmony among City work groups.
- Advises Public Works Operations Director, City Administrator, City Attorney, and other City officials in matters relating to department activities.
- Coordinates departmental reviews of private project development proposals and plans for compliance with codes, regulations and standards, adequacy of permits, and compliance with approved plans.
- Coordinates the preparation of public improvement engineering plans and specifications, coordinates all required bid solicitations and reviews all construction bids. Makes necessary recommendations based on lowest and best bids, competency of vendors and consultants, and the selection criteria.
- Performs simple to complex civil engineering design work, calculates construction quantities, and prepares engineering and construction estimates.
- Coordinates the preparation of, or develops engineering plans and specifications, coordinates required advertising for bids, reviews construction bids and makes necessary recommendations based on lowest and best bids, competency of vendors and consultants, and the selection criteria.
- Performs, oversees or assists in project management for the construction of municipal public works projects. Oversees public works and engineering projects to ensure contractor compliance with time and budget parameters for the project.
- Coordinates and/or assists in the procurement and contracting process for purchasing large equipment and other items for the Public Works Department as authorized by the Council.
- Determines applicable codes, regulations, and requirements for assigned projects.
- Assures as-built records of projects, and documents necessary changes for the operation and maintenance programs.
- Oversees preparation and maintenance of the sanitary sewer, water, storm drainage, and street system maps, GIS systems, data bases, infrastructure management systems, and comprehensive plans.
- Oversees the Lateral Replacement Program.
- Responds to public or other inquiries relative to procedures on specific projects and other information.
- Coordinates, prepares and/or assists in the evaluation and preparation of studies and reports on impacts of public improvement proposals, development proposals, permits, rezoning, comprehensive plan amendments, plats, etc. on public infrastructure.
- Coordinate or write agenda, reviews minutes, and prepares status reports for various Boards and Commissions of the City.
- Responds or coordinates the response to inquiries relative to parks, streets, traffic, parking, utilities, and/or storm drainage.
- Reviews or oversees reviews of building permits, utility permits, street use permits, franchise utility permits, etc.
- Maintains regular contact with consulting engineers, construction project engineers, any City, County, State and Federal agencies, professional and technical groups, and the general public regarding department activities and services.
- Prepares or assists in the development and maintenance of public facility management systems.

- Review reports prepared by the Wastewater Treatment Plant Superintendent.
- Review and sign building permits; special use permits; right-of-way permits.
- Assist in the preparation of grant/funding applications for projects.

PERIPHERAL DUTIES

- Coordinates sidewalk inspection, maintenance and enforcement programs.
- Monitors intergovernmental actions affecting engineering and public works operations.
- Assists in the training of other city personnel in public works design and construction techniques.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

- (A) Graduation from a four-year college or university with a degree in civil engineering or a closely related field; and
- (B) Minimum of six years previous public works civil engineering experience (local government setting preferred) with at least 3 years in supervisory positions; or
- (C) Any equivalent combination of education and experience.

Necessary Knowledge, Skills and Abilities:

- (A) Thorough knowledge of civil engineering principles, practices and methods as applicable to a municipal setting; Considerable knowledge of applicable City policies, laws, and regulations affecting Department activities;
- (B) Considerable skill in arriving at cost estimates on complex projects; Skill in operating the listed tools and equipment.
- (C) Ability to communicate effectively, orally and in writing, with employees, consultants, other governmental agency representatives, City officials and the general public; Ability to conduct necessary engineering research and compile comprehensive reports.

SPECIAL REQUIREMENTS

- (A) Must possess a valid State driver's license or have the ability to obtain one prior to employment.
- (B) Must possess a current Professional Engineer license from the State of Oregon.
- (C) Must be physically capable of moving about on construction work sites and under adverse field conditions.

TOOLS AND EQUIPMENT USED

Personal computer, including word processing, spreadsheet, and data base and computer-aided-design software; standard drafting tools; GIS; motor vehicle; phone; mobile radio.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed mostly in office settings. Some outdoor work is required in the inspection of various land use developments, construction sites, or public works facilities. Hand-eye coordination is necessary to operate drafting instruments, computers and various pieces of office equipment.

While performing the duties of this job, the employee is occasionally required to stand; walk; use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms. The employee is occasionally required to sit; climb or balance; stoop, kneel, crouch, or crawl; talk or hear; and smell.

The employee must occasionally lift and/or move up to 25 pounds.

Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee occasionally works near moving mechanical parts and in high, precarious places and is occasionally exposed to wet and/or humid conditions, fumes or airborne particles, toxic or caustic chemicals, risk of electrical shock, and vibration.

The noise level in the work environment is moderate to loud in the field and quiet in the office.

EMPLOYEE ACKNOWLEDGEMENT

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the Public Works Engineering Director job description. I understand that it is my responsibility to adhere to the guidelines of the expectations, hours of work and essential duties outlined within this job description.

Employee Signature: _____

Date: _____

Manager Signature: _____

Date: _____

City of St. Helens
ORDINANCE NO. 3192

**AN ORDINANCE ADOPTING PROPERTY MAINTENANCE REQUIREMENTS AND
PROVIDING FOR REGISTRATION OF VACANT OR ABANDONED BUILDINGS
AND DECLARING AN EMERGENCY**

WHEREAS, the economic downturn experienced by the State of Oregon and the residents of St. Helens has led to an increase in the number of properties which do not meet minimum maintenance standards resulting in buildings and structures that are unsafe, unfit for human occupancy, or otherwise unlawful; and

WHEREAS, some owners and persons in charge of buildings and structures which have become unsafe, unfit for human occupancy or otherwise unlawful have abandoned the buildings and structures, leaving them vacant or abandoned as well as unsafe; and

WHEREAS, vagrants, trespassers and persons engaging in unlawful activities have broken into such vacant or abandoned buildings and structures, occupying them even though they are unsafe and unfit for human occupancy; and

WHEREAS, even though it is the property owners' responsibility to maintain the property or, if it cannot be maintained, then to securely close such premises to vagrants, trespassers and persons engaging in unlawful activity, the property owners do not always do so and their names and addresses are not always easy to ascertain, especially if the property is the subject of a foreclosure; and

WHEREAS, the City, acting in its health, safety and welfare capacity, desires to enact a mechanism to ensure that proper maintenance of buildings and structures within the City takes place or, in lieu thereof, a securing of the building or structure to ensure that people cannot occupy the same, while, at the same time, ensuring that the cost of such maintenance or securing falls squarely on the shoulders of the property owner; and

WHEREAS, experience has shown that the most likely time for vagrants, trespassers and persons engaging in unlawful activities to break into buildings and structures and use them for their own purposes is when the weather is mild or hot, as it is in the months of June through September, making the need for the immediate enforcement of these regulations necessary for the public health, safety and welfare.

NOW, THEREFORE, THE CITY OF ST. HELENS ORDAINS AS FOLLOWS:

Section 1. A new Chapter 8.14, Property Maintenance, Abandoned Buildings, providing maintenance standards and vacant or abandoned building registration requirements is hereby enacted and shall read as follows:

Chapter 8.14

8.14.010 PROPERTY MAINTENANCE, ABANDONED BUILDINGS.

(1) This chapter shall be known as "the City of St. Helens Property Maintenance and Abandoned Buildings Chapter" may be so pleaded, shall be referred to herein as "this chapter,"

and shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities, the responsibility of owners, persons in charge of premises and occupants, and for administration, enforcement and penalties. Where differences occur between provisions of this chapter, other provisions of the St. Helens Municipal Code (hereinafter “Code” or “the Code”) and applicable state law, the more restrictive provision shall govern.

(2) Existing remedies. The provisions in this chapter shall not be construed to repeal, abolish or impair existing remedies of the City of St. Helens or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe or unsanitary.

(3) Historic buildings. The provisions of this chapter shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the building official to be safe and in the public interest of health, safety and welfare.

8.14.020 GENERAL DEFINITIONS

ABANDONED BUILDING. (1) A building that is no longer used by its owner or other legally permitted occupant for a period of 90 days or more; or

(2) A building that has been damaged to the extent that it is no longer habitable or is unsafe to occupy as determined by an enforcement officer per SHMC 8.14.030(2), and repairs and restoration are not started within 90 days of the date the building was damaged, or are not diligently pursued once started.

ANCHORED. Secured in a manner that provides positive connection.

APPROVED. Approved by the building official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing a toilet or a bathtub or a shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

BUILDING OFFICIAL. The official who is charged with the administration and enforcement of this chapter, or any duly authorized representative.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking.

Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

LET FOR OCCUPANCY or LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

NEGLECT. The lack of proper maintenance for a building or structure.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding chapter to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PERSON IN CHARGE OF PREMISES. Any owner, agent, lessee, contract purchaser, or other person having the possession or control of premises or property.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a toilet or urinal but not a bathtub or shower.

VACANT BUILDING OR STRUCTURE. A building or structure, or a substantial portion thereof, which has not been occupied by persons with a legal right to occupy for a period of 15 days or more. The term "Vacant Building" does not include buildings designed for storage or other intermittent uses. Evidence of a building being vacant includes two or more of the following: overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; non-payment or disconnection of utilities; accumulation of trash, junk or debris; absence of furnishings; evidence of criminal mischief or criminal trespass; statements of neighbors that the building is vacant.

YARD. An open space on the same lot with a structure.

8.14.030 VIOLATIONS.

(1) It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this chapter.

(a) Violating any of the provisions of this chapter is a nuisance and shall, upon conviction thereof, be punished by a fine not to exceed \$500.00.

(b) Subsequent violation of the same provision of this chapter involving the same building by the same owner or person in charge of the premises, shall, upon conviction thereof, be punished by a fine not to exceed \$1,000.00.

(b) Each day's violation of a provision of this chapter constitutes a separate offense and may be separately cited.

(c) Violation of this chapter may be abated by summary abatement (Code section 8.12.230), by general abatement (Code section 8.12.250), or by citation (Code section 8.12.260). These procedures are not exclusive, but in addition to any other remedy as provided in this code, or by law.

(2) Enforcement Officers. Any city police officer, the city code enforcement officer, planner, building official, public works administrator, or city administrator (hereinafter "enforcement officer") is hereby authorized to take such actions as may be required to enforce the provisions of this chapter. The abatement of a nuisance is not a penalty for violating the terms of this chapter, but is an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate a nuisance.

(3) Right of entry. Whenever it may be necessary to inspect to enforce the provisions of this code, any enforcement officer having reasonable cause to believe that there exists, in a building or upon a premises, a condition which is contrary to or in violation of this code, or which otherwise makes the building or premises unsafe, dangerous or hazardous, the enforcement officer may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code; provided, that if such building or premises be occupied, credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the enforcement officer shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the enforcement officer shall have recourse to the remedies provided by law to secure entry.

(4) Closing of vacant structures. If a structure is vacant and in violation of one of more of the provisions of this chapter, the building official may order the structure closed up so as not to be an attractive nuisance. Notification of the owner or person in charge of the property shall be as set forth in Code sections 8.12.250(1) through (3). Upon failure of the owner to close up the premises within the time specified in the order, the building official shall cause the premises to be closed and secured and the cost thereof shall constitute a lien upon the premises.

(5) Occupation of closed structures. Any occupied structure closed by order of the building official shall be vacated not later than the effective date of the order. Any person who shall occupy such premises after such effective date and any owner or person in charge of the premises who allows another to occupy such premises after the effective date of the order is in violation of this chapter.

(6) Authority to disconnect utilities. The building official shall have the authority to authorize disconnection of utility service to a building, structure or system when necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The building official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

(7) Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a citation or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of this chapter have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any citation or notice of violation issued by the enforcement officer and shall furnish to the enforcement officer a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

(8) Registration of vacant or abandoned buildings or structures. A building owner or person in charge of the premises shall register the building with the city recorder in the event:

(a) Of an anticipated judicial foreclosure of the property, no earlier than the commencement of any of the actions described by ORS 18.904, 18.906, 18.908 and not later than the date first set for the execution sale described in ORS 18.930;

(b) Of an anticipated nonjudicial foreclosure of the property under ORS 86.735 et seq. not later than the date of service or mailing of the notice of sale described in ORS 86.740; or

(c) The owner or person in charge of the premises receives written notice that the building has been deemed to be either a vacant building or an abandoned building.

(d) Each registration shall be made on a form approved by the city recorder and shall contain, at a minimum, the name and address of the owner and the person in charge of the premises, the name, address and contact information (including direct contact name and telephone number) of the lender in the case of a judicial or non-judicial foreclosure affecting the property, and the name, mailing address, telephone number, and email address of a local individual or entity charged with responsibility for ensuring compliance with the obligations imposed by this chapter and payment of a registration fee set by

Council resolution. The registrant shall send notice of any change to registration information to the city recorder within 30 days of the change.

8.14.040 UNSAFE STRUCTURES AND EQUIPMENT

(1) General. When a structure or equipment is found by an enforcement official to be unsafe, unfit for human occupancy, or otherwise unlawful, such structure or equipment is in violation of this chapter and a nuisance which shall be abated as set forth in Code sections 8.12.220-8.12.290, Code Chapter 15.20, or such other methods of code compliance or nuisance abatement as are provided by law or the Code.

(2) Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible. Any structure or premise that has one or more of the conditions or defects described below shall be considered dangerous:

(a) Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building code or fire code as related to the requirements for existing buildings;

(b) The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress;

(c) Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged;

(d) Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value;

(e) The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way;

(f) The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or trespassers, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act;

(g) Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety;

(h) A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise,

is determined by the building official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;

(i) Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the building official to be a threat to life or health; or

(j) Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

(3) Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

(4) Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the building official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this chapter, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

(5) Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this chapter, or was erected or altered in violation of law.

8.14.050 EMERGENCY MEASURES

(1) Imminent danger. When, in the opinion of the building official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the building official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The building official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(2) Temporary safeguards. Notwithstanding other provisions of this chapter, whenever, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the building official deems necessary to meet such emergency.

(3) Emergency repairs. For the purposes of this section, the building official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

(4) Cost of emergency repairs. Notice of the costs incurred in the performance of emergency work shall be forwarded by registered mail, postage prepaid, to the person in charge of the property by the city recorder. The notice shall contain: (a) the total cost, including the administrative overhead, of the abatement; (b) a statement that the cost as indicated, if not paid within 30 days, will result in the city bringing legal action under ORS 30.315(1)(a) in small claims court for collection and/or will become a lien against the property; (c) a statement that if the person in charge of the property objects to the cost of the abatement as indicated, a notice of objection may be filed with the city recorder within 15 days from the date of the notice, after which objection to the proposed assessment shall be heard and determined by the council in its regular course of business.

(5) An assessment for the cost of abatement as determined by the council shall be made by resolution of the council and shall thereupon be entered in the docket of city liens; and upon such entry being made, it shall constitute a lien upon the property from which the nuisance was removed or abated. The lien shall be collected in the same manner as liens for street improvements are collected and shall bear interest at the rate of 9 percent per annum. Such interest shall commence to run 30 days after the entry of the lien in the lien docket. An error in the name of the person in charge of the property shall not void the assessment, nor will a failure to receive the notice of the assessment render the assessment void but it shall remain a valid lien against the property.

8.14.060 DEMOLITION. The building official shall order the owner of any premises upon which is located any structure which is unsafe, unfit for occupancy or unlawful and it is unreasonable to repair the structure, to demolish and remove such structure or to board it up and hold for future repair or to demolition at the owner's option. However, boarding the building up for future repair shall only be allowed for the period of one year, unless a written extension is issued by the building official. Permission to board up such structure under this section shall be revoked if vagrants or other trespassers breach the barrier and occupy the structure.

8.14.070 MINIMUM REQUIREMENTS AND STANDARDS FOR PREMISES, STRUCTURES, AND FACILITIES. The owner and the person in charge of premises, whether those premises are currently occupied or not currently occupied, are equally responsible to maintain structures and exterior property in compliance with these requirements, except as otherwise provided. A person shall not occupy as owner-occupant nor permit another person to occupy premises which do not comply with the requirements of this chapter. Persons in charge of a portion of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

(1) EXTERIOR PROPERTY AREAS

(a) All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

(b) All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Approved retention areas and reservoirs shall be considered to be in compliance with this section if the premise is kept in compliance with current approvals.

(c) All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions as further set forth in Title 12 and such other applicable sections of the Code.

(d) All premises and exterior property shall be maintained free from weeds or plant growth as set forth in Code section 8.12.090.

(e) All structures and exterior property shall be kept free from rodent harborage and infestation as set forth in Code sections 8.12.100 and 8.40.020.

(f) Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

(g) All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. In addition, they shall be constructed in compliance with all applicable building codes referred to in Title 15 of the Code and situated in compliance with all applicable regulations set forth in Title 17 of the Code.

(h) Except as otherwise provided in the Code, all motor vehicles, operable or inoperable, shall be parked or stored in compliance with Chapters 8.40, 10.12, 10.15, and Sections 10.04.140 – 10.04.220 of the Code.

(i) No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner or person in charge of the premises to restore said surface to an approved state of maintenance and repair.

(j) Swimming pools, hot tubs and spas shall be located in compliance with Title 17 and maintained in compliance with Chapter 8.12 of the Code.

(2) EXTERIOR STRUCTURE

(a) All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(b) Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

(c) All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

(d) All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

(e) All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

(f) All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

(g) The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

(h) All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(i) All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(j) Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(k) All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(l) Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(m) Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking device.

(n) All glazing materials shall be maintained free from cracks and holes.

(o) Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(p) During the period from May 1 to October 1, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition, except that screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

(q) All exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be readily openable from the side from which egress is to be made without the need for

keys, special knowledge or effort, except where the door hardware conforms to that permitted by the Building Code.

(r) Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

(s) Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

(t) Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

(u) Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

(v) All exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

(3) INTERIOR REQUIREMENTS.

(a) All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

(b) Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

(c) Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(d) Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

(4) PLUMBING SYSTEMS, FACILITIES AND FIXTURES

(a) All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

(b) Plumbing systems in a structure found to constitute a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, are in violation of this Chapter and are a nuisance and may be abated as provided herein.

(c) All dwelling units shall contain a bathtub or shower, lavatory, toilet and kitchen sink which shall be maintained in a sanitary, safe and working condition.

(d) Every sink, lavatory, bathtub or shower, drinking fountain, toilet or other plumbing fixture shall be properly connected to either the city public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

(e) Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a minimum temperature of 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

(f) All plumbing fixtures shall be properly connected to either the city public sewer system or to an approved private sewage disposal system.

(g) Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

(h) Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

Section 2. Severability. Each Section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held to be invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

Section 3. This ordinance is necessary to ensure the immediate public health, safety and welfare, and takes effect immediately upon adoption.

Read the first time: June 17, 2015
Read the second time: June 17, 2015

APPROVED AND ADOPTED by the City Council this 17th day of June, 2015, by the following vote:

Ayes:

Nays:

Randy Peterson, Mayor

ATTEST:

Kathy Payne, City Recorder



Memorandum

To: The Mayor and Members of the City Council

From: John Walsh, City Administrator
Jon Ellis, Finance Director

Subject: Amendment to FY 2015-16 Budget – Approved to Adopted

Date: June 17, 2015

Request:

Shall the City amend FY 2015-16 Budget prior to Adoption to include potential Street Lighting Project?

Background:

Staff has been assessing the feasibility of a City Street Light LED conversion project that could reduce street lights utility and maintenance cost. The savings would in turn fund the project. Unfortunately, due to timing of the project development with development of the budget, the project was inadvertently left out of the Approved Budget.

Further review of the Oregon Budget Law and discussion with City Auditors, concludes that amending the budget and incorporating in the final FY 2015-16 Adopted Budget would be the most conservative of actions.

Recommendation:

Staff recommends City Council amend the Fiscal Year 2015-16 budget accordingly to reflect the additional appropriation for the Street Lighting Project.

Approved to Adopted Budget FY 2015-16					
Budget Items	Uses				Sources
	Appropriations	Contingency	Ending FB	Total	Revenues
Proposed Budget	20,788,100	4,017,550	9,018,240	33,823,890	33,823,890
Total Adjustments	2,767,360	8,970	(170,662)	2,605,668	2,605,668
Final Approved Budget 5/19/15	23,555,460	4,026,520	8,847,578	36,429,558	36,429,558
<u>Staff Recommended Amendment</u>					
Street Lighting Project	500,000	-	-	500,000	500,000
Proposed Adopted Budget 6/17/15	24,055,460	4,026,520	8,847,578	36,929,558	36,929,558

City of St. Helens
RESOLUTION NO. 1702

**A RESOLUTION OF THE CITY OF ST. HELENS AUTHORIZING
THE CITY TO PURCHASE REAL PROPERTY**

WHEREAS, the City of St. Helens ("City") desires to purchase the real property described in **Exhibit A** attached hereto (the "Property"), from Boise Cascade Wood Products, L.L.C. ("Seller"), subject to certain terms and conditions; and

WHEREAS, Seller desires to sell the Property to the City; and

WHEREAS, the St. Helens City Council finds it in the public interest of the City to purchase the Property from Seller; and

WHEREAS, the City and Seller have entered into a Real Estate Purchase and Sale Agreement dated February 5, 2014 and a First Amendment to Real Estate Purchase and Sale Agreement dated on March 6, 2015 (collectively, the "Agreement"); and

WHEREAS, the City and Seller have agreed that the purchase price for the Property shall be Two Million Six Hundred Thirty Eight Thousand Four Hundred Twenty Nine Dollars (\$2,638,429.00); and

WHEREAS, the St. Helens City Council desires to authorize the City Administrator or his designee to undertake all tasks necessary in connection with completing the purchase of the Property, including, without limitation, executing all documents associated with closing the Property purchase, executing an acceptance of the Deed, paying the purchase price for the Property and executing any other agreements and documents necessary to carry out the intent of this Resolution.

NOW, THEREFORE, THE CITY OF ST. HELENS RESOLVES AS FOLLOWS:

Section 1. The City Administrator or his designee is authorized to undertake all tasks necessary in connection with completing the purchase of the Property, including, without limitation, executing any other agreements and documents necessary to close the Property purchase, and executing and accepting a deed, in connection with the purchase of the Property.

Approved and adopted by the City Council on June 17, 2015, by the following vote:

Ayes:
Abstain:
Nays:

Randy Peterson, Mayor

ATTEST:

Kathy Payne, City Recorder

Exhibit A

Large Parcel

PARCEL 1:

That portion of Lot 11, Block 20, CITY OF ST HELENS, Columbia County, Oregon, described as follows:
BEGINNING at the Northwest corner of said Lot 11; Thence Easterly, along the Northerly line of said lot, 35 feet; Thence Southerly and parallel with the Westerly boundary of said lot a distance of 40 feet; Thence Westerly and parallel with the Northerly boundary of said lot a distance of 35 feet to a point on the Westerly line of said lot and thence to the POINT OF BEGINNING;

TOGETHER WITH that portion of Second Street vacated by Ordinance No. 1136 of the City of St Helens as recorded July 22, 1949 in Book 104, Page 485, Deed Records of Columbia County, Oregon, described as follows:

BEGINNING at the Northwest corner of Lot 11, Block 20, CITY OF ST HELENS; Thence South $73^{\circ} 02' 37''$ West a distance of 7.0 feet; Thence parallel to the Westerly line of said Block 20, South $16^{\circ} 57' 23''$ East a distance of 40.0 feet; Thence North $73^{\circ} 02' 37''$ East a distance of 7.0 feet; Thence, along the Westerly line of said Block 20, North $16^{\circ} 57' 23''$ West a distance of 40.0 feet to the POINT OF BEGINNING.

PARCEL 2:

Lot 11, Block 20, CITY OF ST HELENS, Columbia County, Oregon;
EXCEPT that portion thereof described in deed to Charles R. McCormick as recorded July 31, 1909, in Deed Book 12, Page 524, records of Columbia County, Oregon;

EXCEPT ALSO that portion thereof described in deed to W.A. Kumpula, et ux, as recorded March 3, 1978 in Deed Book 216, Page 536, records of Columbia County, Oregon;

TOGETHER WITH that portion of Lot 10, Block 20, CITY OF ST HELENS, Columbia County, Oregon, more particularly described as follows:

BEGINNING at the Northeast corner of Lot 10, Block 20, CITY OF ST HELENS; Thence South $16^{\circ} 57' 23''$ East, along the East line of said lot, a distance of 25 feet; Thence South $73^{\circ} 02' 37''$ West, parallel with the North line of said lot, a distance of 50 feet; Thence North $16^{\circ} 57' 23''$ West, parallel with the East line of said lot, a distance of 25 feet to the North line of said lot; Thence North $73^{\circ} 02' 37''$ East, along the North line of said lot, a distance of 50 feet to the POINT OF BEGINNING.

PARCEL 3:

The following property in the CITY OF ST HELENS, according to the recorded plat thereof, records of Columbia County, Oregon:

Lots 1 through 14, inclusive, Block 6;

Lots 1 through 11, inclusive, Block 7;

Lots 1 through 7, inclusive, Block 9;

Lots 1 through 6, inclusive, Block 10;
the South 18 feet of Lot 7, Block 10; and
Lots 15 through 22, inclusive, Block 10;

The East 85 feet of the South 8 feet of Lot 20, Block 19;
the East 85 feet of Lots 21 and 22, Block 19;

Lots 1 through 6, inclusive, Block 20;

That part of Lot 7, Block 20, described as follows:

BEGINNING at the Southeast corner of said Lot 7; Thence, along the East line of Lot 7, North 16° 57' 30" West 58.0 feet to the Northeast corner of Lot 7; Thence, along the North line of Lot 7, South 73° 02' 30" West 10.0 feet; Thence South 02° 03' 30" West 61.35 feet to the South line of Lot 7; Thence North 73° 02' 30" East 30.0 feet to the POINT OF BEGINNING.

Lots 12 through 22, inclusive, Block 20;

EXCEPT the railroad right of way as conveyed to Spokane, Portland, and Seattle Railway Company by deed recorded May 7, 1932 in Deed Book 54, Page 265, records of Columbia County, Oregon;

Lots 1, 2, 3 and 4, Block 21;

EXCEPT the railroad right of way as conveyed to Spokane, Portland, and Seattle Railway Company by deed recorded May 7, 1932 in Deed Book 54, Page 265, records of Columbia County, Oregon.

Lots 1, through 22, inclusive, Block 23;

EXCEPT the railroad right of way as conveyed to Spokane, Portland, and Seattle Railway Company by deed recorded May 7, 1932 in Deed Book 54, Page 265, records of Columbia County, Oregon.

That part of Lot 22, Block 24, described as follows:

BEGINNING at the Southeast corner of said Lot 22; Thence North 16° 57' 30" West 40 feet; Thence South 28° 02' 30" West 56.57 feet to the South line of Lot 22; Thence North 73° 02' 30" East 40 feet on the South line of Lot 22 to the POINT OF BEGINNING.

The following described property, lying within vacated streets in the CITY OF ST HELENS, according to the recorded Plat thereof:

That part of Strand Street vacated by Ordinance No. 707 of the City of St Helens, recorded July 7, 1941 in Deed Book 68, Page 438, records of Columbia County, Oregon, described as follows:

BEGINNING at the Northeast corner of Lot 15, Block 10, CITY OF ST HELENS;

Thence, going in a Southerly direction along the Easterly line of said Lot 15 and an extension thereof, which is also the Westerly line of the Strand Street, for a distance of 98 feet; Thence, in an Easterly direction along a line parallel to the South line of said Lot 15 and 40 feet distant in a Southerly direction therefrom to the intersection of such line with the East line of the Strand Street; Thence in a Northerly direction along the East line of the Strand Street to a point where the extension of the North line of said Lot 15 intersects the East line of the Strand Street; Thence Westerly to the POINT OF BEGINNING.

That part of Strand Street vacated by Ordinance No. 155 of the City of St Helens, recorded in Deed Book 2 Page 6, records of Columbia County, Oregon, described as follows:

All that portion of the Strand in said City, described as beginning at a point in the Easterly boundary line of Lot 16, Block 10, CITY OF ST HELENS, which is South 16° 57' East 40 feet from the Northeast corner of said Lot 16;

Thence South 16° 57' East 124 feet; Thence North 73° 03' East 80 feet; Thence North 16° 57' West 124 feet; Thence South 73° 03' West 80 feet to the POINT OF BEGINNING.

Those portions of Strand Street, River Street, Columbia Street (now First Street), Tualatin Street, Plymouth Street and Casenau Street (now Second Street) vacated by Ordinance No. 77 and prior ordinances of the City of St. Helens, a plat of vacation of which was recorded in Plat Book 1, Page 7, records of Plats of Columbia County, Oregon, described as follows:

That portion of The Strand and River Street' from a line situated 48 feet Southerly from an extension Easterly of the Northerly line of Lot 18, Block 10 and parallel thereto, to a line which is an extension Westerly of the Northerly line of Lot 1, Block 7;
Also all that portion of Tualatin Street Easterly, to its Eastern terminus from the Easterly side of Columbia Street (now First Street);
Also all that portion of Columbia Street (now First Street), Southerly to its Southerly terminus, from the Southerly side of Tualatin Street therein;
Also that portion of Plymouth Street, Easterly to its Easterly terminus from the Easterly side of Casenau Street (now Second Street) therein;
Also all that portion of Casenau Street (now Second Street) Southerly to its Southerly terminus from the Southerly side of Plymouth Street therein;
EXCEPT those portions of Columbia Street, Plymouth Street and Casenau Street included in the railroad right of way as conveyed to Spokane, Portland and Seattle Railway Company by deed recorded May 7, 1932 in Deed Book 54, Page 265, records of Columbia County, Oregon.

Those portions of Tualatin Street and First Street vacated by Ordinance No. 737 of the City of St. Helens, recorded May 6, 1942 in Deed Book 70, Page 180, records of Columbia County, Oregon, described as follows:

BEGINNING at a point which is the intersection of the South boundary line of Tualatin Street and the East boundary line of First Street; Thence North $16^{\circ} 57' 23''$ West along said East boundary line of First Street for a distance of 355 feet; Thence South $73^{\circ} 02' 37''$ West for a distance of 13 feet; Thence South $16^{\circ} 57' 23''$ East for a distance of 151 feet; Thence South $73^{\circ} 02' 37''$ West for a distance of 67 feet; Thence South $16^{\circ} 57' 23''$ East for a distance of 124 feet; Thence South $73^{\circ} 02' 37''$ West for a distance of 60 feet; Thence South $24^{\circ} 08' 23''$ East 80.8 feet to the South boundary line of Tualatin Street; Thence North $73^{\circ} 02' 37''$ East, along the South line of Tualatin Street, a distance of 130 feet to the PLACE OF BEGINNING;
EXCEPT that portion which inured to the benefit of the owner of the railroad right of way as conveyed to Spokane, Portland, and Seattle Railway Company by deed recorded May 7, 1932 in Deed Book 54, Page 265, records of Columbia County, Oregon.

That portion of Tualatin Street vacated by Ordinance No. 1526 of the City of St. Helens, recorded December 21, 1959 in Deed Book 141, Page 211, records of Columbia County, Oregon, described as follows:

BEGINNING at a point on the South line of Block 19, which is North $73^{\circ} 02' 30''$ East 115.0 feet from the Southwest corner of Block 19; Thence continuing on said South line 25 feet; Thence South $16^{\circ} 57' 30''$ East 80 feet to the South line of Tualatin Street; Thence South $73^{\circ} 02' 30''$ West 25 feet; Thence North $16^{\circ} 57' 30''$ West 80 feet to the POINT OF BEGINNING.

That portion of Second Street vacated by Ordinance No. 1526 of the City of St. Helens, recorded December 21, 1959 in Deed Book 141, Page 211, records of Columbia County, Oregon, described as follows:

BEGINNING at a point which is South $16^{\circ} 57' 30''$ East 474.0 feet from the Northwest corner of Block 20, which point is on the West line of said Block 20, CITY OF ST HELENS; Thence continuing South $16^{\circ} 57' 30''$ East a distance of 177.0 feet; Thence South $19^{\circ} 46' 30''$ West a distance of 83.6 feet; Thence South $73^{\circ} 02' 30''$ West a distance of 30.0 feet; Thence North $16^{\circ} 57' 30''$ West a distance of 120.0 feet; Thence North $49^{\circ} 47' 30''$ East a distance of 147.57 feet to the POINT OF BEGINNING;
EXCEPT that portion of the West half of Second Street which did not inure to the benefit of the portion of Lot 22, Block 24, CITY OF ST HELENS as described hereinabove, (being a triangular shaped tract of land 40 feet by 56.57 feet by 40 feet)
AND ALSO EXCEPT that part in the West half of Second Avenue adjoining Lot 21, Block 24.

That portion of Plymouth Street vacated by Ordinance No. 1526, of the City of St. Helens, recorded December 21, 1959 in Deed Book 141, Page 211, records of Columbia County, Oregon, described as

follows:

BEGINNING at the Southeast corner of Block 24; Thence, along the South line of said Block 24, South 73° 02' 30" West a distance of 40.0 feet; Thence South 39° 20' 30" West a distance of 144.24 feet to the North line of Block 23, CITY OF ST HELENS; Thence, along said North line of Block 23, North 73° 02' 30" East a distance of 160.0 feet; Thence North 16° 57' 30" West a distance of 80.0 feet to the POINT OF BEGINNING; EXCEPT that portion of the North half of Plymouth Street which did not inure to the benefit of Lot 22, Block 24, CITY OF ST HELENS as described hereinabove, (being a triangular shaped tract of land 40 feet by 56.57 feet by 40 feet)

The following described property including Tidelands and Overflow Lands in Columbia County, Oregon, described as follows:

All the tidelands and overflow lands lying East of and in front of Lots 1 to 14, inclusive, of Block 6 and in front of Lots 2 to 11, inclusive, Block 7, and in front of the street lying between Blocks 6 and 7, CITY OF ST HELENS, as granted by the State of Oregon by deed recorded July 6, 1909 in Deed Book 12, Page 495, records of Columbia County, Oregon.

All the tide and submerged lands bounded and described by commencing at a point which bears North 74° 30' East 169 links from the Northeast corner of Lot 12 in Block 10 of the CITY OF ST HELENS, Columbia County, Oregon, and in a right line with the South boundary of Cowlitz Street and running thence North 74° 30' East 169 links to low water mark; Thence South 33° 30' East with low water mark 93 links; Thence South 74° 30' West 97 links; Thence to the PLACE OF BEGINNING; all being in front of Section 3, Township 4 North, Range 1 West, Willamette Meridian, as granted by the State of Oregon by deed recorded March 22, 1982 in Deed Book G, Page 270, records of Columbia County, Oregon.

That certain tract commencing at a point on the prolongation of the division line between Lots 12 and 13 of Block 10 of the CITY OF ST HELENS, Oregon, North 74° 30' East 60 feet from the Northeast corner of said Lot 13, and thence running North 74° 30' East 183.54 feet to the mean low water mark of the Columbia River; Thence South 14° 15' East along the mean low water line of said river 116.82 feet to the intersection with the Easterly extension of the boundary line between Lots 14 and 15 of said Block 10; Thence South 74° 30' West along the course of the last mentioned boundary line prolonged to a point 60 feet from the Northeast corner of said Lot 15; Thence to the place of beginning and containing a portion of the Strand and all the tidelands in front of Lots 13 and 14 of Block 10, CITY OF ST HELENS, Columbia County, Oregon, the tidelands included therein as granted by the State of Oregon by deed recorded September 7, 1882 in Deed Book G, Page 383, records of Columbia County, Oregon.

All of the tidelands and overflow lands lying East of and in front of Lot 15, Block 10, CITY OF ST. HELENS:

All of the tidelands and overflow lands lying East of and in front of Lots 16, 17, 18, 19 and 20 of Block 10, CITY OF ST HELENS, as granted by the State of Oregon by deed recorded August 22, 1907 in Deed Book 10, Page 62 in front of Lot 16; by deed recorded May 7, 1883 in Deed Book H, Page 79 in front of Lot 17; by deed recorded May 7, 1883 in Deed Book H, Page 80 in front of Lots 18, 19 and 20, records of Columbia County, Oregon.

All that tract or parcel of land commencing at a point North 74° 30' East 80 feet from the Southeast corner of Lot 22, Block 11, CITY OF ST HELENS, Columbia County, Oregon, said point being in the line of the Northerly boundary of Cowlitz Street of said City of St. Helens, if extended; Thence, running at right angles to the line of said street, South 15° 30' East 11 feet; Thence North 74° 30' East following the course of said Cowlitz Street to the line of low water mark of the Columbia River; Thence following the meander line of low water mark of said river in a Northerly direction to its intersection with the Easterly prolongation of the line dividing Lots 21 and 22 of Block 11, CITY OF ST HELENS; Thence following the said prolonged division line South 74° 30' West to a point 80 feet from the Northeast corner of said Lot 22, Block 11, and thence South 15° 30' East 57 feet to the place of beginning, together with all tidelands, tideflats, and submerged lands

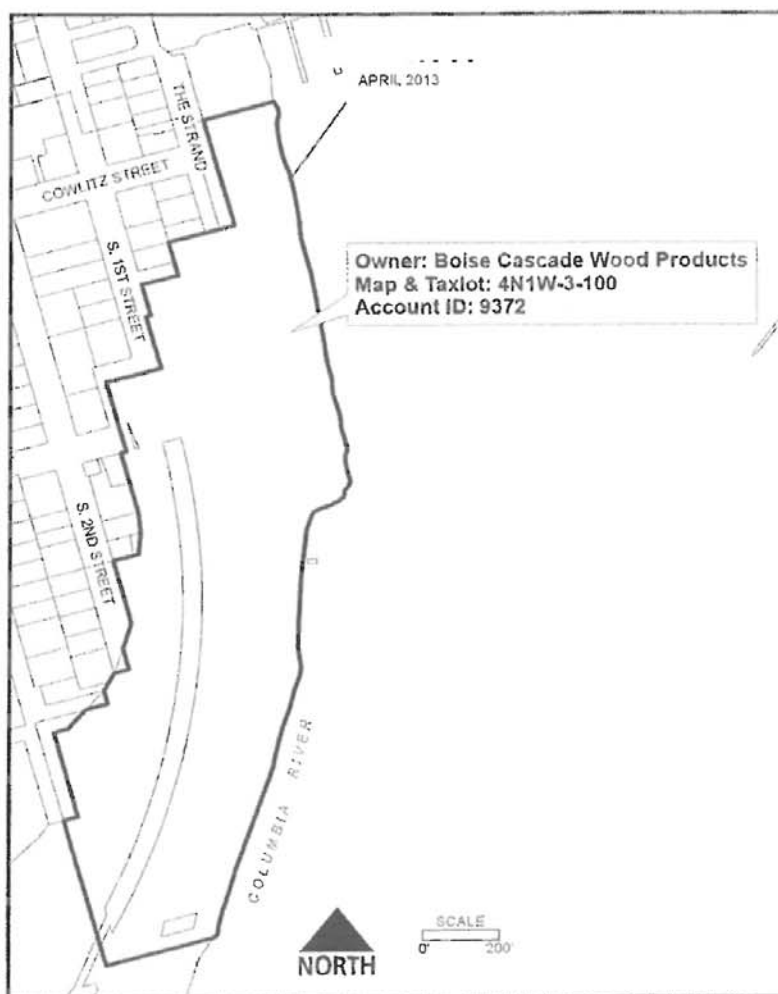
adjacent to the above described property, the Tidelands included therein as granted by the State of Oregon, in deed recorded May 20, 1882 in Deed Book G, Page 298, records of Columbia County, Oregon.

A tract of land fronting on Section 3, Township 4 North, Range 1 West, Willamette Meridian, bounded and described as commencing at a point North 74° 30' East 80 feet from the Northeast corner of Lot 12, Block 10, CITY OF ST HELENS, Columbia County, Oregon, said point being in the line of the Easterly prolongation of the Southerly boundary line of Cowlitz Street; Thence North 15° 30' West and at right angles to the Southerly line of Cowlitz Street 69 feet to a point; Thence North 74° 30' East to the meander line of low water mark; Thence Southerly along the meander line of low water mark to the intersection of the Easterly extension of the Southerly boundary line of said Cowlitz Street; Thence running South 74° 30' West and on the said prolonged Southerly line of said Cowlitz Street to the point of beginning, the Tidelands included therein as granted by the State of Oregon in Deed recorded May 20, 1882 in Deed Book G, Page 298, records of Columbia County, Oregon.

A parcel of filled land located in Section 3, Township 4 North, Range 1 West, Willamette Meridian, Columbia County, Oregon, more particularly described as follows:

COMMENCING at a 5/8 inch iron rod which bears North 73° 02' 30" East 80.00 feet from the Southeasterly corner of Lot 21, Block 11, CITY OF ST HELENS, Columbia County, Oregon Thence North 73° 02' 30" East 125 feet, more or less, to a point on the original, undisturbed line of Ordinary Low Water of the Columbia River, said Ordinary Low Water line being more particularly described in State Land Board Deed J-696, dated 18 May 1882; said point being the TRUE POINT OF BEGINNING; Thence North 73° 02' 30" East, 64 feet, more or less, to the line of Ordinary High Water of the Columbia River, as it exists February 29, 1984 and as it may exist in the future due to the natural processes of accretion and erosion; Thence in a Southerly direction, upriver, along said Ordinary High Water line, 1150 feet, more or less, to a point that intersects said Ordinary High Water line along the Southerly edge of the filled parcel; Thence in a Southwesterly direction along said Ordinary High Water Line, along the South edge of the fill, 100 feet, more or less, to a point on the said original, undisturbed line of Ordinary Low Water; Thence in a Northerly direction along the said original, undisturbed line of Ordinary Low Water, 1210 feet, more or less, to the TRUE POINT OF BEGINNING.

Aerial of Premises



City of St. Helens
RESOLUTION NO. 1706

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF ST. HELENS,
OREGON, ADOPTING A VACATION ACCRUAL PAYOUT POLICY**

WHEREAS, Resolution No. 1420, passed on March 1, 2006, adopted the current Personnel Policies and Procedures; and

WHEREAS, the Personnel Policies and Procedures contains an Employee Benefits section describing the benefits received by City employees, which are further defined in respective Collective Bargaining Agreements, for represented employees; and

WHEREAS, the Personnel Policies and Procedures provide vacation benefits based on time and service with the City, and establish maximum accumulated vacation accruals; and

WHEREAS, there may be extenuating circumstances due to staffing levels and project workload demands, that result in an employee exceeding vacation accrual limits.

NOW, THEREFORE, THE CITY OF ST. HELENS ORDAINS AS FOLLOWS:

Section 1. An employee may be eligible to be paid accumulated vacation accruals not to exceed 96 hours in a given fiscal year, contingent upon the City Administrator and designated Council Department Liaison findings that:

- a. The employee is not currently eligible to receive overtime pay; and
- b. The employee could not reasonably take an extended vacation leave due to the Department and/or Division being understaffed (as defined by unfilled authorized budgeted/appropriated positions) or from excessive workload demands; and
- c. That the payment is found to be in the best interest of the City instead of carrying forward excess accruals; and
- d. That the amount of vacation accrual paid out reflects additional work effort.

Approved and adopted by the City Council on June 17, 2015, by the following vote:

Ayes:


Nays:

Randy Peterson, Mayor

ATTEST:

Kathy Payne, City Recorder

PUBLIC WORKS MEMO

To:	The Mayor and Members of City Council	
From:	Sue Nelson, Neal Sheppard Interim Public Works Co-Directors	
Date:	17 June 2015	
Subject:	May Status Summary	

Engineering

1. Worked with consultant to initialize project for Lift Station No. 7 upgrade.
2. Awarded contract for annual street striping project; prepared contract documents.
3. Finalized contract documents and assisted contractor with permits for paving projects.
4. Assisted with Request for Proposal development for McCormick Park Pedestrian Bridge project; advertised the RFP and answered numerous inquiries.
5. See complete report.

Parks

1. Installed new roofs on the dugouts at Filed #1 at Campbell Park.
2. Cleared brush along South Trunk sanitary sewer for upcoming cleaning and inspection project.
3. Mowed reservoir property; spruced up flower beds at Police Dept.; weeded flower beds at library.
4. Repaired bridge at Campbell Park; performed mower maintenance; helped repair Parks barge.
5. See complete report.

Public Works Operations & Maintenance

1. Replaced 14 standard water meters with new radio read meters, plus installed 1 new rr meter.
2. Started water main replacement on S. 2nd, south of Tualatin.
3. Responded to two after hours call-outs including a vehicle striking a fire hydrant.
4. Replaced said fire hydrant; replaced various shut off valves and meter boxes.
5. Performed service and/or maintenance on 48 various vehicles and pieces of equipment.
6. See complete report.

Water Filtration Facility

1. Produced 42.5 million gallons of filtered drinking water, an average of 1.37 million gallons/day.
2. Coordinated and participated in the programming of the SCADA control system.
3. Completed State reporting; received chlorine delivery; ordered chemical for June delivery.
4. See complete report.

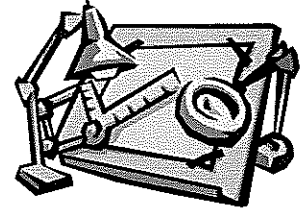
Waste Water Treatment Plant

1. Started up of new septage metering station; set up accounts and train haulers on use.
2. Replaced anchor on Aerator #1 in Primary Lagoon.
3. Cleaned north and south contact tanks.
4. Pressure washed grease from walls of wet well at LS#1 to eliminate false low level alarms.
5. See complete report.



Engineering Department Status Report

9 June 2015



DEVELOPMENT PROJECTS

Elk Ridge Estates Phase VI

The Developer has received an extension of their Planning approval and they now have until early 2016 to finish construction of the infrastructure.

Sykes Road Development

Public improvement plans for a 3-lot development off of Sykes Road are currently being reviewed by Engineering. The improvements for the new single family homes will include public sanitary sewer, water, and storm drainage, plus frontage improvements along Sykes Road. The interior road to the home sites will remain private. The builder hopes to have construction complete this summer.

SANITARY SEWER AND STORM DRAIN PROJECTS

Godfrey Park Storm Drain Project

Mobilization of equipment and materials is progressing. The contractor is preparing for the installation of the large 66-inch diameter pipe scheduled to arrive on the site in the last week of June.

2015 South Trunk Sanitary Sewer Cleaning & CCTV Project

A contractor has been selected for the project – Moore Excavation Inc., DBA Iron Horse Group. Contract documentation is being assembled and work is anticipated to start in June or July. This project will involve cleaning and inspection of approximately 17,000 linear feet of previously uninspected sanitary sewer pipe of various diameters and materials.

Wastewater Treatment Plant Septage Metering Station

This project is now complete.

Sanitary Lift Station No. 7 Upgrade Project

The consultant is nearly complete with the required Pre-Design Report to submit to DEQ for review and approval before moving into the final design of the pump station upgrade. The primary purpose of the project is to replace the failing and problematic vacuum prime pumps with new, efficient submersible pumps.

South 6th Street Storm Drain Extension

There is a break in the construction while the pneumatic rock hammer is being repaired. The extensive use of the hammer finally took its toll, requiring a rebuild to bring it back to near new condition. Engineering staff has been assisting with location, alignment, and grade of the extended system.

North 9th Street Storm Drain Extension

Preliminary design is still ongoing, as a potential underground utility conflict is being worked out.

WATER SYSTEM PROJECTS

Telemetry System Upgrade

The switch over to the new telemetry equipment is underway. Each site is being carefully monitored after conversion to the upgraded telemetry to ensure that all systems are being displayed and recorded correctly. Full conversion will take approximately two weeks, and should be complete before the end of June.

2014 Watermain Replacement Project

The only remaining item for the Contractor to complete is pouring the concrete pads around the new fire hydrants. All other improvements have been completed.

STREET AND TRANSPORTATION PROJECTS

2014 St. Helens Street Overlay Project

Genesee & Wyoming Railroad Services, Inc. has finally issued the required permits for doing work within their right-of-way adjacent to the tracks on St. Helens Street. The permit was issued with certain provisions, one being that the Contractor complete some specific rail safety training. The Contractor is following through with these and will schedule the construction work when the railroad requirements are met.

Eisenschmidt Lane Overlay and Sidewalk Project

Work to replace the sidewalk and repave the road leading to the public pool and the back of Lewis and Clark school is scheduled to begin after school is released for the summer.

2015 Annual Striping Project

A contractor, Specialized Pavement Marking, Inc., has been awarded the contract for the annual street striping project. Contract documents have been prepared and are ready for signature. Work to refresh all of the long-line street striping, 4-inch white and yellow striping and 8-inch white bike lane striping, will be completed before the end of August.

Various Street Improvement Projects

Other street improvement projects currently in some stage of design are:

- *Crack sealing, street preservation project
- *Continued paving of gravel streets

Right of Way and Construction Permits

There was one Right-of-Way permit issued by the Engineering Department during the month of May to NW Natural for a repair at S. 12th and Plymouth Streets.

MISCELLANEOUS PROJECTS

McCormick Park Pedestrian Bridge

In May, a Request for Proposals was issued for the installation of a pedestrian bridge to span Milton Creek in McCormick Park. This is a project partially funded by a small grant from the Oregon Parks and Recreation Department, and the rest funded by the City with cash and in-kind contributions. The success of the project will depend largely on the results of the RFP, if this can be successfully completed within the tight project budget of \$71,800. Proposals are due back on June 10, and a recommendation is anticipated to be in front of the Council on June 17th.

Courthouse Docks Utility Improvements

This has been the most frustrating project encountered in many years. The Contractor has been dealing with the manufacturer of the credit card reader to set up the program to operate the new utility pedestals. The manufacturer has been working on the programming issues for several weeks and it seems as if no progress has been made. The Marine Board has been made aware of the problems and have been asked if there are any alternatives for this situation. As of this report, no response has been received.

Sand Island Dock Repairs

Two contractors have inspected the damage to the docks and are working on estimates for the needed repairs. Some of the damage will likely require significant efforts to repair, such as the bridge between the main dock and the finger dock on the northerly docks.

Parks Department for May 2015

Daily duties were performed. Which include cleaning restrooms, garbage pickup, General Parks maintenance mowing and weed eating all the Parks.

Cleaned campground at McCormick and opened them for camping

Put new roofs on the Field #1 dugouts at Campbell

Helped repair the Parks barge

Removed hazard trees in McCormick Park

Turned on all sprinkler systems

Sprayed street right of ways

Trimmed a tree on 6th Street

Sprayed the BMX track

Worked on the Police Dept. flower beds. Added new Bark dust

Watered Street trees

Repaired sprinklers at Campbell

Cleared brush from the South trunk of the sewer line

Removed a tree on N.4th

Cleared brush for a new bridge at McCormick

Cleaned up a downed tree on S4th

Cleaned Play structure at Campbell

Weeded flower bed at the Library

Dug a ditch for an alarm system at the Parks shop

Moved picnic tables to CV

Mowed the Reservoir

Repaired picnic tables

Mower maintenance

Repaired the bridge at Campbell

Rolled the softball infields at McCormick

Moved the rock barriers at Grey Cliffs to add more Park space

Washed parks vehicles

Cleaned the Parks shop yard

Public Works Work Report May 2015

Water Dept:

Replaced 14 meters with radio reads
Installed 1 new radio read
Poured concrete 300 blk of N. 2nd St.
Replaced shut-off at 2020 S. 1st St.
Replaced shut-off and installed resetter at 290 Shore Dr.
Installed shut-off at 290 Allendale Ave.
Replaced two meter boxes at McDonalds
Weed-eatered around fire hydrants
Worked on S. 2nd St. waterline replacement project
Replaced shut-off at 2328 Columbia Blvd.
Assisted sewer crew on N. 6th St storm project
Pulled hydrant on N. 17th St.
Identified meter sizes on heavy user meters
Replaced hydrant lady ran over at N. 14th St. & West St.
Installed new meter box at 414 N. 12th St.
Installed new valve box at N. 14th & West St.
Read heavy user meters
Helped Parks Dept. dig a trench
Poured concrete at 285 Sunset Blvd.
Limbed tree at N. 11th St. & Deer Island Rd.
Installed shut-off at 348 Park Way
Public Works Breakfast – THANK YOU NEAL& SUE (Curt really put this in his report so I had to include it!) ☺

Sewer Dept:

Worked on N. 6th St. storm project
Sewer plugged at 356 N. 2nd St. – owner's side
TVed main on N. 7th St.
Jetted main for preventative maintenance on S. 2nd St.
Grouted manhole channel to create sweep on S. 2nd St.
Helped work on 2nd St. water line project most of the month

Call-Outs:

Leak at Columbia Blvd. & Vernonia Rd. – was sump pump
Lady ran over hydrant and into fence

Miscellaneous:

Swept streets
Marked 47 locates
Checked wells & reservoirs daily

To: Neal and Sue
From Brett
Re: Monthly report May 1st to 31st

May 1st

PW #33 Tested EGR and Turbo excursion Plate linkage found it to be very stiff lube up
And moved again found it to be better test drove and the truck ran good
PW Picked up metal from Heller Enterprise and brought it back to the shop
Keith Vac Day

May 4th

Office Computer work
PW Fabricated meter wrenches
Parks Lubed up the linkage on the throttle and the forward and reverse cables
Parks Helped install the Corner Metal on the Dugout at Campbell Park
Keith Vac day

May 5th

PW #5 Removed and replaced the grease fitting on the rock hammer
PW #23 Sharpen blades
Keith Vac day

May 6th

PW #5 Straightened out the cover for the hydraulic cylinder on the main boom and reinstalled
Parks Picked up the dump truck and trailer at Public works hauled the dozer to McCormick
Park and removed four trees took the dozer back to the job on 7th street
PW Cut a piece of metal for Marc at the old LC Hall's building
PW #7 Removed the rear tires and ordered new ones

May 7th

PW #7 Installed new tires and full service
Parks Sharpened chain saw
Parks #8 Tightened a hydraulic fitting
PW Took apart a hedge trimmer

May 8th

PW Repaired a hedge trimmer
PW #7 Installed a new starter and solenoid
Brett Vac Day

May 11th

PW Repaired a pull cord on a chop saw
Shop Clean up
Parks Checked Mowers
PW Checked Equipment

May 12th

Office Cleaned out the office and threw away old books

Parks #8 Tucked up the wiring for the trailer plug in and replaced a left rear light bulb

Parks Checked on a fallen tree with Thad

Parks #46 Jump started the chipper

May 13th

PW Checked the chipper knives and anvil readjusted the anvil

PW #8 Went to the tree farm to retrieve the truck broken power steering line patched the line
Brought it back to the shop for cleaning and repair's

May 14th

PW #5 Installed a new pin in the hammer

PW #8 Made and installed a new power steering hose

Parks #17 Put air in the right rear tire

May 15th

Office Computer work Filled paper work

Shop Clean up

PW Cut a flat plate for Marc

Parks Mowed McCormick Park

May 18th

PW #8 Installed new front tires

Parks Drilled a hole in a lid for Shan

PW #33 Installed a mud flap

PW Removed a hinge from the new locator box for Scott J

May 19th

Shop Cleaned upstairs and put away steel

PW #5 Looked at the quick coupler on the excavator to see how we are going to repair it

Parks Checked on equipment, Helped glue pipe together for the security system

May 20th

Office Computer work and filled paper work

Shop Cleaned up outside

PW #55 Looked at the new sweeper for a possible problem with the regen system and went
over how operate the gutter brooms with Jesse

May 21st

PW #7 Installed a new fuel filter and air filter test drove

Shop Cleaned the drive way and the tire dunk tank

May 22nd

PW Shop Cleaned the restroom and the shop sink

Parks Checked mowers and the tool cat

May 22nd Cont.

PW #70 Tried to start the water tender did not succeed needs more work

May 25th

PW #15 Full service

May 26th

Office Computer work

PW #61 Installed a new battery and cable and drug it out of the weeds put air in the tires and took it over to the parks so they can use it for summer help

Pw #48 Jump started the truck and moved it

PW #70 Jump started the truck and drove it around the lot to stir up the oil

Parks #16 Removed blades for Thad

Parks #20 Pumped up the tires

May 27th

PW #5 Checked the hydraulics on the quick coupler found that the hydraulics bleed back a little bit

PW #33 Checked the turbo for movement on the back pressure plate moved it back and fourth also lubed it.

PW Started the old roller for Thad to use at the parks

May 28th

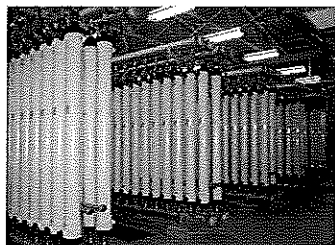
Parks Replaced belt on a mower

May 29th

PW #33 Took the hammer to Portland for repairs

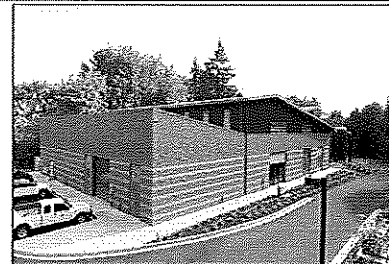
PW #5 Replaced some of the grease fittings on the excavator

Parks #17 Helped get a mower started at God Free Park



City of St. Helens – Public Works Water Filtration Plant

PWS 00724
P.O. Box 278
St. Helens, OR 97051
PH: (503) 397-1311 FAX: (503) 397-3351



Water Filtration May 2015

Facility Journal

Week 1 Produced and collecting program to collect our sewer readings to of fresh drinking water

sent April OHA reports to the State, still using the original data XLReporter because the new HMI program is not yet configured information. Performed monthly check on fire extinguisher. Sent Columbia City public works. WFF produced 42.5 million gallons which works out to 1.37 million gallons per day.

Week 2 Performed the instruments.

monthly change out of the reagents on the chlorine monitoring Corresponding with the SCADA computer integrators in New York as we continue to resolve and fine tune our new and upgraded program that controls and monitors the WFF process. Tim is doing more preventative maintenance and repairs on the BWR system piping. Glad to have him here, really appreciate his plumbing skill and the repairs he is doing for us.

Week 3 Received delivery of Chlorine this week. Ordered Caustic for first week in June. Working on budget for next year. Continuing the compilation of improving and updating our WFF maintenance logbook spreadsheets. Comcast on site to finish pulling in and terminate the cable for internet service. Comcast service is available, now we are waiting on Centerlogic to schedule time to finish the installation and configuration programming.

Week 4 Short work week due to Monday being Memorial Day.

Respectfully submitted,
Howie Burton and Guy Davis,
City of St. Helens – Public Works Filtration Facility Operators

WWTP Monthly Operations and Maintenance Report

May 2015

To: Sue Nelson

From: Aaron Kunders

Secondary System Report

- 5/7-Aerator #4 failed. Reset and looks good.
- 5/13-Retied electrical wires on aerator #5.
- 5/28-Secondary sample pump plugged with grass. Flushed with air and cleared it.

Primary System Report

- 5/11-Replace missing anchor on aerator #1.
- 5/28-Cleaned rags off SolarBees.

Pump Stations

- 5/5-PS#1-Nine low level alarm messages. Pressure washed the grease off the walls.
- 5/26-PS#7-High water level alarm. Went down and found one bowl full of water and the other pump pumping. Replaced solenoid valve and found air leak in sensor pipe.

Sodium Hypochlorite System

- 2388 gallons used this month.
- 2407 gallons used last month.
- 5/18, 19-Rebuilt weak hypo pump.
- 5/19-Hypo delivery.

Call-outs

- 5/3-0130- PS #5-Low level alarm. Aaron in. Found the ultrasound reading 72.00 inches. Level was not that high. Reset the HydroRanger and that seemed to work.

Plant

- 5/2-Power failure at the plant. Power back on within a minute.
- 5/5-Cleaned North contact tank.
- 5/7-Cleaned South contact tank.
- 5/30-SCADA not communicating with the outfall PLC or the primary MCC. Restarted computer and eventually they reconnected.

Pretreatment

- 5/4-Started using septage receiving station.
- 5/18-Conference call with SHOR regarding their discharge.

Other

- Annual lab equipment calibrations

Next Month

- DMRQA testing