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City of St. Helens
UPDATED COUNCIL AGENDA
Wednesday, August 17, 2016
 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. **7:00PM - CALL REGULAR SESSION TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **INVITATION TO CITIZENS FOR PUBLIC COMMENT** – *Limited to five (5) minutes per speaker.*
4. **ORDINANCES – Final Reading**
 - A. **Ordinance No. 3208:** An Ordinance Amending the St. Helens Municipal Code Chapter 12.20 Regarding Camping in the Public Rights of Way and on Public Property
- ~~5. **ORDINANCES – First Reading**~~
 - ~~A. **Ordinance No. 3209:** An Ordinance Amending the St. Helens Municipal Code Chapter 12.08 Regarding Planning Commission Rules of Operation~~
6. **RESOLUTIONS**
 - A. **Resolution No. 1757:** A Resolution to Establish Municipal Court Administration Fees Pursuant to Chapter 3.32 of the St. Helens Municipal Code and Superseding Resolution No. 1586
 - B. **Resolution No. 1758:** A Resolution to Establish Administrative Rules for Water, Sewer and Storm Drainage Utilities
7. **AWARD CONTRACT FOR 2MG RESERVOIR REHAB PROJECT TO WESTERN PARTITIONS INC.**
8. **APPROVE AND/OR AUTHORIZE FOR SIGNATURE**
 - A. Amendment No. 7 to IGA with Columbia County for Community Corrections Work Crews
 - B. Personal Services Agreement with Terri Etter for Administrative Assistance in Police Department
 - C. IGA with State of Oregon Department of Administrative Services for Disposal of Surplus Property
 - D. Personal Services Agreement with Anya Moucha for Administrative Assistance in Support of Spirit of Halloweentown Activities
 - E. Amendment to License/Permit to Enter Premises for Port of Portland Tide Gauge at City Docks
 - F. Agreement for Opening Account with TVI Investments
 - G. Contract Payments
 - H. Amendment No. 3 to Clean Water State Revolving Fund Loan Agreement No. R80163 (I&I Project)
9. **CONSENT AGENDA FOR ACCEPTANCE**
 - A. Arts & Cultural Commission Minutes dated February 23 and April 26, 2016
 - B. Parks Commission Minutes dated April 11, 2016
 - C. Accounts Payable Bill List

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.

10. **CONSENT AGENDA FOR APPROVAL**

- A. Job Description: Municipal Court Assistant to City Prosecutor Re-titled to Legal Assistant
- B. Council Work Session and Regular Session Minutes dated June 15 and July 20, 2016
- C. Accounts Payable Bill List

11. **MAYOR PETERSON REPORTS**

12. **COUNCIL MEMBER REPORTS**

13. **DEPARTMENT REPORTS**

14. **ADJOURN**

City of St. Helens
RESOLUTION NO. 1758

A RESOLUTION TO ESTABLISH ADMINISTRATIVE RULES FOR
WATER, SEWER AND STORM DRAINAGE UTILITIES

The City of St. Helens resolves as follows:

Section 1. The Water, Sewer and Storm Drainage Utility Administrative Rules attached as Exhibit A are hereby adopted and shall become effective October 1, 2016.

Section 2. This Resolution supersedes all previous resolutions regarding utility billing administrative rules.

Approved and adopted by the City Council on August 17, 2016, by the following vote:

Ayes:

Nays:

Randy Peterson, Mayor

ATTEST:

Kathy Payne, City Recorder

City of St. Helens
Water, Sewer, Storm Drainage Utilities
Administrative Rules
Approved by City Council 8/17/2016
Effective 10/01/2016

1 NEW ACCOUNTS & DEPOSIT

The City of St. Helens does not require a Utility Deposit as of 10/01/16. Customers that paid a Utility Deposit prior to 10/01/16 will have their deposit credited towards their account and placed towards their next bill.

To begin water, sewer and storm service, a Utility Account Application must be filled out and turned into the Utility Billing Service Counter. The application is available at the service county as well as on the City website. Water service will not be turned on until an application is reviewed and approved by the Utility Billing staff.

Water Service can be turned on/off by Public Works employees from Monday through Friday 830 AM – 400 PM. There is no cost to turn on service for new customers. Outside of normal hours listed above, Water Service can be turned on/off by request for a fee of \$100.

When a customer is new, any old account at the service address must be paid in full before a new account is started and water service is turned on. In the case of renters, an old account bill responsibility will fall to the homeowner to be paid before a new renter's service will be turned on.

2 UTILITY ASSISTANCE PROGRAM

The Utility Assistance Program, formerly known as the Senior Citizen Discount, was permanently discontinued on December 4, 2013. Those customers who previously qualified and were receiving assistance prior to December 4, 2013, shall receive a fixed discount of \$20 per bi-monthly billing (or \$10 per monthly billing) so long as they continue to meet the criteria:

1. Age 65 or Older
2. Currently reside in residence to receive Senior Citizen Discount
3. Currently reside within City of St. Helens City Limits
4. Provide proof of residency (i.e. PGE Bill, Tax Form, Etc.) once a year starting in January

Failure to show proof of this criteria by June 30, will result in a loss of the Senior Citizen Discount program without the option of reapplying or receiving the discount. Mailing to current residents who receive this discount will be mailed out in January and March with instructions on how to continue with the discount program.

The City of St. Helens does not offer a Utility Assistance Program. If customers are in need of assistance, they may be directed to local resources, such as Community Action Team and apply for assistance. Brochures are available for Utility Assistance at the Utility Billing Payment counter and available on the City website as well.

3 Bi-Monthly & Monthly Billing

For most customers, you will receive a Bi-Monthly Utility Bill with Water, Sewer, and Storm charges. In the future, the City may switch to Monthly Utility Billing. You will be notified at least 3 months in advance of this change if this happens.

Bi-Monthly Billing

Billings are mailed out through a 3rd Party vendor selected by the City of St. Helens by the 15th of the EVEN numbered months. Bi-Monthly Billings are DUE by the 10th of the ODD months. Payments can be made by Cash, Check, Money Order, Credit/Debit, and Online. Payments by phone are not allowed at this time due to liability of credit card numbers recorded. Payments made online are posted to our accounting system daily every morning.

Monthly Billing

Billings are mailed out through a 3rd Party vendor selected by the City of St. Helens by the 15th of every month. Monthly Billing DUE date is the 10th of every month. Payments can be made by Cash, Check, Money Order, Credit/Debit, and Online. Payments by phone are not allowed at this time due to liability of credit card numbers recorded. Payments made online are posted to our accounting system daily every morning.

4 BILLING ADJUSTMENTS

Misread Meter

If a meter is misread during the monthly or bi-monthly reading cycle, upon detection the City will refund any/all late fees and immediately re-read the meter and bill accordingly. If testing a customer's meter results in detection of under/over billing, then that test ratio of discrepancy may be applied on bills retroactively for a 6 month period. The Finance Director has the discretion to modify as they may deem reasonable. If an account is discovered to be billed incorrectly due to setup error on the City's part, then no retroactivity of billing will be applied unless a credit is due to the customer. If incorrectly billed and/or failure to bill is due to incorrect or falsified information provided by the customer and/or failure to notify the City based on Municipal Code, then the City may retroactively apply the billing corrections for up to a 12 month period.

Leak Adjustment

1. The Water Leak Adjustment form is available on the City's website as well as made available at the Utility Billing payment counter. This form must be completed WITHIN 45 DAYS of the billing date to which the customer wishes the adjustment be applied.
2. The Water Leak Adjustment form must be accompanied by a 3rd party statement that the leak was present and repaired OR receipts for leak repair materials if completed by the homeowner.
3. If the water leak is NOT approved for processing, the customer will receive written notification from the City's Finance Director with a specific reason why the Water Leak Adjustment request was denied within 30 days of submittal. A customer can request an appeal process with the City Administrator within 30 days of the dated letter from the Finance Director.

If the water leak IS approved for processing, the City will use the customer's average seasonal usage for the previous 3 years as a base for consumption. If the customer does not have enough history to complete this, then the City will use the previous 1-3 consecutive months of consumption to calculate the leak and volume adjustment amount. Once approved, the leak adjustment amount will be credited back to the customer's account and the customer will be notified in writing by the Finance Director within 30 days of submittal.

4. The City will not consider leak adjustment requests from customers who have already received a leak adjustment in the past 12 months, unless there are extenuating circumstances. The decision to approve/deny leak adjustments is made by the Finance Director and can be appealed to the City Administrator

5. The minimum credit issued will be \$25. The maximum Leak Adjustment is \$1,000, unless extenuating circumstances exist.

5 PAYMENT PLANS

Bi-Monthly Billing: Standard Payment Plans

Customers may request a payment plan prior to the 10th of the month (On or before Billing Due Date).

Payment Plans are setup with customers who have made contact with the City before a Late Fee has been assessed. Payment Plans must be completed by the next Shut-Off date. A customer will not avoid a Shut-off if the payment plan is not completed by the Shut-off day.

Monthly Billing: Standard Payment Plans

Customers may request a payment plan prior to the 10th of the month (On or before Billing Due Date). Customers are allowed ONE payment plan approval in each Calendar year.

Payment Plans are setup with customers who have made contact with the City before a Late Fee has been assessed. A customer will not be allowed to be setup on a payment plan AFTER a late fee has been placed on their account for the current month.

Payment Plans must be completed by the next Shut-Off date. Having and keeping a payment plan in process will allow a customer to avoid receiving a late fee, but a customer will not avoid a Shut-off if the payment plan is not completed by the Shut-off day.

Failed Payment Arrangements

Failed payment arrangements (payments missed at any time) will be charged an additional \$50 and the current amount will be due immediately and the account will be added to the next Shut-Off notice.

6 DELINQUENT ACCOUNTS

Late Fee Assessment

On Billing DUE months (Bi-Monthly = ODD Months) (Monthly = Every Month), the official due date for Utility Bills is the 10th day of the month. If the 10th lands on a Holiday, Weekend, or any other day that the City Offices are not normally open, the due date is the next business operating day.

Customers who carryover a balance of = or < \$25.00 will not be charged a late fee or shut off during the billing process. Upon failure to pay an account below the \$25.00 threshold carryover, customers will be charged a \$25 Late Fee Assessment on the morning after the official due date.

Shut-Off Procedure

For Bi-Monthly billings, this schedule will apply to the Due Date Month. For Monthly Billing this schedule will apply to every month.

Official Due Date =	10 th of every month (or next available business day)
Late Fee Charged =	15 th of every month (or next available business day)
Shut-Off Process =	Begins on 20 th of every month (or next available business day)

On the 20th (or closest business day) of every month, a pre-recorded message will go out for customers who are currently delinquent requesting payment or their account will be turned off on/around the 28th of the current month.

On the 28th (or next business day), a list of “Shut-off” customers is created for Public Works to turn off water services. On the morning of the 28th, an additional \$75 Reconnection Charge will be placed on the customer account and water will be shut-off for non-payment.

Shut-offs are scheduled only on Monday – Thursday. The City of St. Helens will not process water shut-offs on Friday to give customers the ability to pay their bills before the weekend arrives and water is shut off without the City’s ability to turn on water outside of normal business operating hours.

Once a customer is placed on the Shut-Off List, payments will not be allowed via check to turn on service. The customer must pay their account balance with cash, debit, or credit card.

Utility Workers are not allowed to accept any form of payment prior to or during shut-off. Payment must be made to bring the account below the \$25 carryover threshold before the meter and water service is turned back on. Payments made ONLINE during shut-off may be required to wait until the next business day and “official posting” of the payment is made before service to be restored.

Water reconnection service will not be available during Holidays and weekends.

7 FINAL BILLING

The City requests that all homeowners and/or tenants give the City notice of the intent to vacate a property to prepare a final bill and shut-off of the account. Please leave a forward address, if/when known, for the final bill to be mailed.

Final Billings, if not paid by the scheduled due date, will be immediately sent to the City’s collection agency for processing.

8 TEMPORARY SERVICES FOR NEW CONSTRUCTION

The City will allow temporary service during construction of a new structure needing water, sewer and/or storm drainage. The contractor will be required to complete an application just like a new customer and pay a \$25 deposit. All of the Administration Rules contained herein remain in effect.

9 NSF PAYMENTS

Accounts will only be allowed 2 NSF’s before a note is placed on their account that the City will no longer accept checks as payment.

Bi-Monthly Billing:

When the City receives an NSF notice for a Utility Payment, the payment is immediately reversed and the account is charged a \$25 fee. The account will be contacted and required to make a payment within 3 business days of notification, otherwise water services will be shut-off and a shut-off fee of \$75 will be assessed at that time.

Monthly Billing:

When the City receives an NSF notice for a Utility Payment, the payment is immediately reversed and the account is charged a \$25 fee. The account will be added to the current month’s shut-off notice list and begin the shut-off procedures.

10 TAMPERING WITH METERS

It is illegal to tamper with meters. This includes turning on/off meters. City staff and Public Works specifically should be the only people addressing meters on site. If tampering is found to happen on a meter, the homeowner is ultimately responsible and will be charged a minimum of \$50 up to and possibly including the cost of the meter if it needs to be replaced and labor time.

If a customer is currently on the City's shut-off list and it is found that the water meter was turned on after City staff turned the service off for non-payment, the account will be charged a minimum of \$100 up to and possibly including the cost of the meter plus labor time if it needs to be replaced. The \$100 will be placed on the Utility Billing account to be paid immediately before service will be restored.

If a customer's meter is currently "Locked" by City staff and it is found that the meter has been tampered in any way to turn water service on, the account will be charged a minimum of \$200 up to and the cost of replacing the meter, labor time, and including a ticket from the local Police for tampering which includes an additional fee amount and an appearance in city court.

**CLEAN WATER STATE REVOLVING FUND
LOAN AGREEMENT NO. R80163
AMENDMENT NO. 3
CITY OF ST. HELENS**

This Amendment No. 3 to Loan Agreement No. R80163 (as amended "Loan Agreement") is executed between the STATE OF OREGON ACTING BY AND THROUGH ITS DEPARTMENT OF ENVIRONMENTAL QUALITY ("DEQ") and the City of St. Helens (the "Borrower"), effective as of the Effective Date of Amendment indicated below. Capitalized terms used in this Amendment which are not defined herein shall have the meanings assigned to them in the Loan Agreement.

The purpose of this amendment is to decrease the amount of the Loan by \$1,681.

Date of Original Agreement: July 27, 2010.
Effective Date of Amendment No. 1: July 1, 2011.
Effective Date of Amendment No. 2: February 17, 2012.
Effective Date of Amendment No. 3: August 16, 2016.

The parties agree as follows:

1. ARTICLE 1(C) is amended and restated as follows:

"(C) LOAN AMOUNT: \$4,558,019."

2. The second sentence of ARTICLE 5(C)(1) is amended and restated as follows:

"Until the Final Loan Amount is calculated, the Loan Reserve Requirement is \$158,461."

3. The attached "Appendix A: Repayment Schedule" replaces the current "Appendix A: Repayment Schedule".

Except as expressly amended above, the terms and conditions of the Loan Agreement shall remain in full force and effect.

BORROWER: CITY OF ST. HELENS

By: _____

Date: _____

Typed Name: _____

Title: _____

STATE OF OREGON ACTING BY AND THROUGH ITS
DEPARTMENT OF ENVIRONMENTAL QUALITY

By: _____

Date: _____

Lydia Emer, Operations Division Administrator

APPENDIX A: REPAYMENT SCHEDULE

Due Date	Pmt#	----- PAYMENT -----				Principal Balance
		Principal	Interest	Fees	Total	
						4,558,019
3/1/2017	1	0	376,280	0	376,280	4,558,019
9/1/2017	2	88,380	64,496	22,790	175,666	4,469,639
3/1/2018	3	89,631	63,245	0	152,876	4,380,008
9/1/2018	4	90,899	61,977	21,900	174,776	4,289,109
3/1/2019	5	92,185	60,691	0	152,876	4,196,924
9/1/2019	6	93,490	59,386	20,985	173,861	4,103,434
3/1/2020	7	94,812	58,064	0	152,876	4,008,622
9/1/2020	8	96,154	56,722	20,043	172,919	3,912,468
3/1/2021	9	97,515	55,361	0	152,876	3,814,953
9/1/2021	10	98,894	53,982	19,075	171,951	3,716,059
3/1/2022	11	100,294	52,582	0	152,876	3,615,765
9/1/2022	12	101,713	51,163	18,079	170,955	3,514,052
3/1/2023	13	103,152	49,724	0	152,876	3,410,900
9/1/2023	14	104,612	48,264	17,055	169,931	3,306,288
3/1/2024	15	106,092	46,784	0	152,876	3,200,196
9/1/2024	16	107,593	45,283	16,001	168,877	3,092,603
3/1/2025	17	109,116	43,760	0	152,876	2,983,487
9/1/2025	18	110,660	42,216	14,917	167,793	2,872,827
3/1/2026	19	112,225	40,651	0	152,876	2,760,602
9/1/2026	20	113,813	39,063	13,803	166,679	2,646,789
3/1/2027	21	115,424	37,452	0	152,876	2,531,365
9/1/2027	22	117,057	35,819	12,657	165,533	2,414,308
3/1/2028	23	118,714	34,162	0	152,876	2,295,594
9/1/2028	24	120,393	32,483	11,478	164,354	2,175,201
3/1/2029	25	122,097	30,779	0	152,876	2,053,104
9/1/2029	26	123,825	29,051	10,266	163,142	1,929,279
3/1/2030	27	125,577	27,299	0	152,876	1,803,702
9/1/2030	28	127,354	25,522	9,019	161,895	1,676,348
3/1/2031	29	129,156	23,720	0	152,876	1,547,192
9/1/2031	30	130,983	21,893	7,736	160,612	1,416,209
3/1/2032	31	132,837	20,039	0	152,876	1,283,372
9/1/2032	32	134,716	18,160	6,417	159,293	1,148,656
3/1/2033	33	136,623	16,253	0	152,876	1,012,033
9/1/2033	34	138,556	14,320	5,060	157,936	873,477
3/1/2034	35	140,516	12,360	0	152,876	732,961
9/1/2034	36	142,505	10,371	3,665	156,541	590,456
3/1/2035	37	144,521	8,355	0	152,876	445,935
9/1/2035	38	146,566	6,310	2,230	155,106	299,369
3/1/2036	39	148,640	4,236	0	152,876	150,729
9/1/2036	40	150,729	2,133	754	153,616	0
TOTALS		4,558,019	1,780,411	253,930	6,592,360	
REQUIRED LOAN RESERVE:		\$ 158,461				