

City of St. Helens

City Council

Regular Session Minutes

June 17, 2020

This meeting was held electronically via Zoom.

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

Members Absent: None

Staff Present: John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Margaret Jeffries, Library Director
Sue Nelson, Interim Public Works Director
Jenny Dimsho, Associate Planner
Jacob Graichen, City Planner
Lisa Scholl, Deputy City Recorder
Joe Hogue, Police Lieutenant

Others:	John Warneke	David Force	Michael Anders
	Diane Warneke	Shelly Nelson	Kelly Hossaini
	Maggie Sturm	Wayne Weigandt	Steve Pegram
	Brady Preheim	Patrick Birkle	Kelly Sheeley

1) **7:09 P.M. - Call Regular Session to Order**

2) **Pledge of Allegiance**

3) **Visitor Comments - Limited to five (5) minutes per speaker**

- ◆ **Patrick Birkle.** He commented on discussions that were had during today's work session.
 - The protest held in St. Helens was not illegal.
 - He is concerned that decisions are sometimes made during work sessions that could benefit from a brief pause, such as:
 - The process for hiring a new Public Works Director. That could have been taken care of internally.
 - Granting permission to Library Director Jeffries to spends fund for Library maintenance.
 - Concerned about bringing thousands of visitors to the community to visit Luminights. There did not appear to be discussion about logistics and traffic control. He hopes there is a clear plan of action before a final decision is made.

4) **Deliberations - Appeals of Variances for Certain Lots in Emerald Meadows Subdivision**

Councilor Carlson asked if the applicant received a copy of the letter in opposition. Associated Planner Dimsho responded that Al Petersen's letter was sent to Lennar.

Councilor Carlson asked what the standard lot coverage is, and if it varied by community. Dimsho responded that it does vary. St. Helens is 35% for R5 and R7. Discussion of lot coverage. A townhouse in an R5 zone would allow for 50% coverage on a 5,800+ sq. ft. lot.

Council President Morten asked what the Planning Commission vote was. Dimsho explained that one commissioner was in support of approving all of them and one commissioner was on the fence. Morten went on to ask how Dimsho came up with the recommendation. Dimsho thought the application was a reasonable request and recommended approval. However, the Planning Commission was looking at the subdivision as whole and thought it was too many based on what had already been granted.

Councilor Topaz talked about the houses being pre-planned and put on these lots. That loses the flavor of St. Helens. They offered no flexibility. The developer needs to be more professional. Dimsho pointed out that architectural style is not a criterion. Councilor Topaz is aware of that.

Councilor Locke thinks the variances should be issued. His only concern is when the next person walks in requesting a variance. Dimsho talked about the condition that does not allow for future variances on new development.

Motion: Morten moved to reverse the Commission's decision, grant all eight variances, and not allow for future variances for new homes on vacant land in that subdivision.

After discussion, Locke seconded.

Question.

Councilor Topaz wants to make sure the variances are only used by Lennar. Dimsho explained that the table ties them to Lennar and specific single-family models. City Planner Graichen clarified that another builder could purchase the lot but would still have to build the house plan listed if they wanted to take advantage of the variance.

Vote: AYES: Scholl, Carlson, Locke, Morten, Nays: Topaz; motion passes.

5) **Deliberations - Street Vacation for Portions of River Street Right-of-Way**

Mayor Scholl asked Councilor Locke to speak since he lives in that area.

Councilor Locke talked about the build out down there. There is not a lot more that can be built there. It is a dead-end road. He does not envision anything happening along that hillside in the future.

Councilor Topaz pointed out the connecting road that will eventually be built behind the trailer park. At some point, it will not be a dead-end road.

Councilor Carlson asked if a street vacation can be approved but not allow the homeowners footprint to expand. Dimsho does not believe they can condition an approval of a street vacation on their future building plans.

Councilor Carlson pointed out that they said they are not making a request for variance to setbacks. It just puts their gazebo in the property lines, correct? Dimsho confirmed that the gazebo is partially in the street right-of-way. The street vacation puts their gazebo on their property but not in compliance with the setbacks.

Discussion ensued. Staff recommends approval with a public utility easement over the easterly 10 feet of the right-of-way to be vacated.

Mayor Scholl was glad to hear how helpful staff was to the applicant during the process.

Motion: Upon Carlson's motion and Morten's second, the Council approved the Street Vacation for Portions of River Street Right-of-Way as recommended by staff. [Ayes: Scholl, Carlson, Locke, Morten; Nays: Topaz]

6) **Ordinances - First Reading**

- 6.a Ordinance No. 3254: An Ordinance Granting to Fatbeam, LLC the Right to Construct, Operate, and Maintain Telecommunication Services in the City of St. Helens, Oregon

City Administrator Walsh reported that this ordinance has been removed from the agenda.

7) **Resolutions**

- 7.a Resolution No. 1890: A Resolution Authorizing an Extension to an Interfund Loan in the Amount of \$50,000 between the General Fund and Tourism Fund for Fiscal Year 2019-20

Mayor Scholl read Resolution No. 1890 by title. **Motion:** Upon Carlson's motion and Locke's second, the Council unanimously adopted Resolution No. 1890. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

- 7.b Resolution No. 1891: A Resolution Authorizing a Transfer of Appropriations within a Fund for Fiscal Year 2019-2020

Mayor Scholl read Resolution No. 1891 by title. **Motion:** Upon Carlson's motion and Locke's second, the Council unanimously adopted Resolution No. 1891. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

- 7.c Resolution No. 1892: A Transfer Resolution to Change Appropriations for Fiscal Year 2019-20

Mayor Scholl read Resolution No. 1892 by title. **Motion:** Upon Locke's motion and Carlson's second, the Council unanimously adopted Resolution No. 1892. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

- 7.d Resolution No. 1893: A Resolution to Adopt a New City of St. Helens Personnel Policies and Procedures Handbook, Superseding Resolution No. 1420

Mayor Scholl read Resolution No. 1893 by title. **Motion:** Upon Morten's motion and Carlson's second, the Council unanimously adopted Resolution No. 1893. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

8) **Approve and/or Authorize for Signature**

- 8.a Amendment No. 10 to IGA with Columbia County for Community Corrections Work Crews
- 8.b Extension of Agreement with Mackenzie Engineering, LLC for New Police Station Consulting
- 8.c Extension of Agreement with Shannon Kmetc for Pro Tem Judicial Services
- 8.d Extension of Agreement with World Wide-ATM LLC for ATM in Front of City Hall Annex
- 8.e Extension of Agreement with Mark Comfort for Clean-up of Various Properties in the City
- 8.f Agreement with Robert Cleland for Pro Tem Prosecution Services
- 8.g Agreement with Mason, Bruce & Girard for Forestry Management Services
- 8.h Lease with Senior Center, Inc. to Operate the St. Helens Senior Center
- 8.i Agreement with the Port of Columbia County for Industrial Property Marketing Services
- 8.j Agreement with TimmiSue Hald for Police Department Administrative Services Assistance
- 8.k Contract Payments
- 8.l Contract with CBM Systems, LLC for Janitorial Services
- 8.m Moorage Sublease Agreement with WCP, Inc.

Councilor Topaz referred to the contract with Mark Comfort. It is basically a friendship handshake with no accountability of what is being taken off the Boise property. Mayor Scholl reported that he and Walsh have met with Mark Comfort on site to review what is being done. Councilor Topaz emphasized the need for a record of what is being done. Walsh acknowledged that he has accounting for what Mark Comfort is doing on City property.

Motion: Upon Carlson's motion and Locke's second, the Council unanimously approved '8a' through '8m' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

9) **Consent Agenda for Acceptance**

- 9.a Planning Commission Minutes dated May 12, 2020
- 9.b Parks & Trails Commission Minutes dated May 11, 2020

Motion: Upon Carlson's motion and Morten's second, the Council unanimously approved '9a' and '9b' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

10) **Consent Agenda for Approval**

- 10.a Council Work Session, Public Hearing, and Regular Session Minutes dated May 20 and June 3, 2020
- 10.b Accounts Payable Bill Lists
- 10.c Declare Surplus Property – Police Department Unclaimed Property

Councilor Carlson asked what the status is on getting rid of the surplus property. Interim Public Works Director Nelson reported that the vehicles are still in storage. They used some of them during the demonstration.

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved '10a' through '10c' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

11) **Mayor Scholl Reports**

- Read the Strategic Work Plan into the record. A copy is included in the archive meeting packet. The agenda is in the process of being modified based on the Work Plan to align better with the City's goals. A few changes to the agenda will be:
 - Visitor comments will only be accepted at the regular session.
 - Council reports will be heard at the regular session.
 - Council and public will be encouraged to ask questions in advance of the meeting.
 - Department reports will be given based on progress towards meeting strategic goals.

12) **Council Member Reports**

Council President Morten reported...

- Gable Road is close to completion. That offers a tremendous amount of safety to seniors and students.
- He is encouraged about the Emerald Meadows job site on N. Vernonia Road. It will be nice having sidewalks on both sides.
- Parks and Trails Commission is talking about connectivity. He likes what they are doing with the master plan. They have been very busy working to achieve their goals.
- He apologized for the condition of the Veterans Plaza. He contributed heavily to the finances of building that. One of the reasons he is so fond of the project is that he was drafted from St. Helens in 1966 and served in Vietnam until 1968. That wall is very dear to him. Half of the squad he trained with lost their lives. Many others came back in pieces. He is going to attend some veteran's meetings to see if he can gather volunteers to help maintain that area.

Councilor Locke reported...

- He thanked the Youth Council for their community projects.
- He suggested landscaping in the Veterans Plaza that does not need regular maintenance.
- Thank you to the Police Department for all their work during demonstrations. Police Chief Greenway brought a lot of experience in dealing with those situations.

Councilor Topaz reported...

- All the churches and bells will be ringing on 4th of July. The Mayor will be dressing as Uncle Sam as well.

Councilor Carlson reported...

- People's moods are raw right now. She appreciates the peaceful march and the conversation that was had a couple of weeks ago. She was shown a flyer for an event that will be held next Friday. Although our community is predominantly white, she asked the Council and departments to look at ways to be more inclusive. Nearly 10% of the community is Latino. Is there a way for them to access our meetings? She challenged everyone to be more welcoming to our neighbors. COVID has really reminded us that the things that are important is not what comes in stores. She would like to create healing and connection in the community.
- She appreciates the Youth Council.
- Thank you to the Public Works staff who continue to show up and work.
- Happy pre-4th of July!

13) **Department Reports**

Lieutenant Hogue reported...

- Nothing to report.

Interim Public Works Director Nelson reported...

- Thank you to Councilor Carlson for her kind words about the crew. They work hard.

Library Director Jeffries reported...

- Nothing to report.

Assistant City Administrator Brown reported...

- Nothing to report.

City Recorder Payne reported...

- Nothing to report.

City Administrator Walsh reported...

- Recognized the work that was done on the Personnel Policies and Procedures Handbook.

14) **Other Business**

Mayor Scholl asked councilors to reach out to him if they have questions about the structural changes.

Councilor Carlson asked when they are going to resume in-person meetings. There is a benefit to meeting in the same space. Mayor Scholl wants to begin meeting in there in July. The new structure limits staff in attendance and allows for more physical distancing.

Mayor Scholl, Councilor Locke, and Councilor Carlson agreed to hold the July 15 meetings in the Council Chambers.

15) **Adjourn** – 8:21 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:



Kathy Payne, City Recorder



Rick Scholl, Mayor