

City of St. Helens

City Council

Regular Session Minutes

September 18, 2019

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

Members Absent: None

Staff Present: John Walsh, City Administrator
Crystal Farnsworth, Communications Officers
Matt Brown, Finance Director
Sue Nelson, Interim Public Works Director
Brian Greenway, Police Chief
Margaret Jeffries, Library Director
Tina Curry, Event Coordinator

Others: Howard Blumenthal
Frank Brandon
Chris Mathews

1) **7:00 P.M. - Call Regular Session to Order**

2) **Pledge of Allegiance**

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

- ♦ Frank Brandon. The Chronicle held a candidate forum over a year ago. At least three current members participated. A topic was raised about "20 is Plenty." There was no objection from participants. Frank expressed some of the concerns he has. Last Fall, Councilor Locke brought up concerns about the St. Helens Street and South 1st Street intersection. There was discussion about it not being as simple as putting up stop signs. They hired a consultant to study the intersection. Kittleson and Associates presented a report with their findings. They used traffic flow studies from January that aren't indicative of high summer and October traffic. Council said there would be public engagement meetings, which Frank never saw announced. The study cost \$12,000. It will cost \$67,000 to move forward. There are a lot of hours being billed in the contract listed under '5c.' These billable hours are a lot of money. Then it will go out to bid for the people actually doing the work. That will again cost a lot of money. And Nelson pointed out that they should be careful not to spend all the budgeted funds in one place. We wish for a safe intersection and for someone not to die. This will end up costing about \$200,000 – 250,000. If it's fancier than the bare bones, it will be \$300,000+. He doesn't think this much money needs to be spent. Use the "20 is Plenty," bump out the sidewalks, put a traffic camera in there, and have Public Works install a 4-way stop.

- ◆ Howard Blumenthal. South 4th Street and Old Portland Road is getting a lot worse. He is concerned because of the amount of people that speed around the corner of Old Portland Road. He's afraid of getting hit there, especially when he's towing his trailer. Can the speed sign be moved farther back to slow them down? That intersection seems a lot more dangerous than South 1st and St. Helens Street. The intersection by Kozy Korner is also very difficult to get out of. With Halloween coming up, it makes it even more difficult to get out of that intersection. He only has one way to get out of his neighborhood when streets are closed on South 1st Street for Spirit of Halloweentown. It needs to be made safer for people pulling out.

Another question, does the Council know that the Veneer property is turning into an RC controlled drone/airplane operation place. He's seen one that has almost a three foot wing span flying around for over an hour. Some of them are flown 40 or 50 feet over people's heads. He's seen geese fly through even lower than the airplanes just after someone finished using one. He's had operator yell at him to get out of the way because the battery was about to die. They go very fast and fly close to people. Is that a legal use? Does the City want the Veneer property being used for that?

- ◆ Christopher Neil Mathews. He's been targeted in a gang stalking program for over eight years. He doesn't know how he was put in the program. Everywhere he goes he's followed and an alert goes out. People lie and manipulate. His friends and family have all turned against him. He's been jumped three different times by people with a baseball bat. People think it's funny because they're getting away with it and participating in it together. If you go to the police and FBI, their hands are tied. His phone has been hacked. People go by his house 24/7. Before this, he's always had a job.

Chief Greenway asked for his contact information to contact him off the dais. Council is probably not the best platform for this concern. Christopher feels like he is being silenced. He has been labeled as mentally ill and a drug addict. Council encouraged Christopher to work with Greenway. They would have referred him there.

4) **Resolutions**

- 4.a Resolution No. 1864: A Resolution of the City of St. Helens City Council Authorizing Application for Grant to the Department of Land Conservation and Development

Mayor Scholl read Resolution No. 1864 by title. **Motion:** Upon Locke's motion and Topaz's second, the Council unanimously adopted Resolution No. 1864. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

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

- 5.a First Amendment to CR Contracting, LLC Contract for 2019 Crack Sealing Project
- 5.b Utility Easement Granted to Portland General Electric (PGE) on St. Helens Industrial Park Property
- 5.c Scope of Work with Kittelson & Associates for Intersection Improvements at S. 1st Street and St. Helens Street

Motion: Morten moved to approve '5a' through '5c' above. Topaz seconded.

Discussion. Councilor Carlson pointed out the questions that have come up about '5c.' She was taken aback by the cost for the scope of work for that intersection. For that dollar amount, we've

always gone out for an RFP. Nelson explained that current Oregon law for professional services says that you cannot ask for a price up front or for competitive bids. You can ask for a call for qualifications. They give you a scope of work and only after that do they give you a price. For the sake of saving time and because they are familiar with St. Helens, it seemed prudent to go to Kittleson. If Council isn't satisfied with that, they can try to go through someone else by directly calling them and asking for a scope of work. But it's probable the cost would be higher because they aren't familiar with the project. Regarding the Kittleson project, it has a large scope of work that doesn't necessarily have to be completed. They are in there as a worst case scenario. It covers up front design work, putting specs together, the bidding process, construction to support the City in doing inspections, presentations to the City, and meetings with City staff. They have also built in landscaping. The desire was for this intersection to be a catalyst for other improvements in this area. They can take that out if they want. You see a preliminary design listed there. That is different from a conceptual design which has already been done. A lot of different factors and decisions can change the estimated cost of the project. There is a lot of contingency built into the contract. Functionality is the underline basis for the design, but the aesthetics will affect the bottom line.

Council President Morten said he remembers saying he would like to wait for the Urban Renewal to kick in for the money to come through. He's actually surprised this contract is not more. He doesn't think that now is necessarily the time to do this. He would urge delaying this project. He does not see the urgency. Mayor Scholl disagrees. They have been waiting a very long time for growth to happen. Look at lots of other towns in Oregon that have moved forward. If we keep saying, wait until tomorrow, it will never get done. He would like to address the scope of work.

Discussion of cost. Nelson said that normally you budget 30% for engineering of overall project cost. If you look at the corridor master plan, the estimate for curb extensions and things being proposed in this scope of work is over \$300,000 per intersection. This is not an exorbitant price. Councilor Topaz feels like the engineering cost is out of line, but this is a public project. How do they ask for a second bid? They need a competitive bid on this. Some of the stuff that's in this should be pulled out just based on the cost. Nelson responded that the law does not allow us to get competitive bids. Either we reject this project and start over with someone else, or we accept this bid. Walsh said we will create a very long delay if we go out for a request for qualifications.

Mayor Scholl talked about downtowns being the heart of cities. We are trying to make a more livable community. We aren't trying to spend money foolishly. Council received an email from Al Petersen with concerns about cost. This project fits within the scope of work and the cost. They do have multiple ways of financing it. Once Urban Renewal really kicks in, we will be doing a lot of intersections and it will cost a lot of money. That's just the way it is.

Nelson commented on '5b.' There was a revised easement for the PGE request on the industrial site property. They added language to the easement for termination if the easement is not used for what it should be within five years.

Mayor Scholl pointed out that the scope of work for '5c' is not just for an intersection. It was going to hold art, stamped concrete, nice street lights to put kiosks in in the future to coincide with the Branding and Wayfinding designs, etc. He thinks it is sad that this isn't being approved.

Vote: Aye: Scholl; Nays: Locke, Carlson, Morten, and Topaz.

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved '5a' and '5b' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

Council President Morten would like item '5c' on the next work session agenda to review the scope of work. Nelson will make arrangements for the consultant to be at the meeting.

6) **Consent Agenda for Acceptance**

6.a Planning Commission Minutes dated August 13, 2019

6.b Library Board Minutes dated August 12, 2019

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved '6a' and '6b' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

7) **Consent Agenda for Approval**

7.a Council Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated August 21, 2019

7.b Pretreatment Coordinator Job Description

7.c Bailiff Job Description

7.d Accounts Payable Bill Lists

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved '7a' through '7d' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

8) **Mayor Scholl Reports**

- League of Oregon Cities (LOC) conference next week. It's very helpful, educational, and a good time to network.

9) **Council Member Reports**

Council President Morten reported...

- He is looking forward to the dedication of the Veterans Memorial Plaza. We have a huge Veterans Day ceremony each year. He is getting pushback from veterans about a dedication ceremony. What would an appropriate time be for the dedication ceremony? Mayor Scholl said he heard that some veterans thought that the ceremony was too political and focused too much on what was happening with the Plaza upgrades and what organizations helped instead of honoring veterans. Separating out the Veterans Day ceremony and the dedication ceremony would be good. Discussion of holding a dedication ceremony on November 1st.

Councilor Topaz reported...

- Nothing to report.

Councilor Carlson reported...

- She feels like motorized airplanes shouldn't be allowed on the veneer property. They don't allow bicycles or other motorized vehicles. If they don't let people play on the ground, why would we let them do that in the air? Discussion. Need to look into FCC rules and consult with LOC about what is legal and what isn't.
- Have brought up "20 is Plenty" in the past. Nelson confirmed that S. First Street is marked as 20mph.
- Saturday is the Suicide Awareness Prevention Walk in Scappoose.
- Sunday is the event at the Caples House.
- Always something happening at the Library.

Councilor Locke reported...

- Nothing to report.

10) **Department Reports**

Chief Greenway reported...

- Nothing to report.

Interim Public Works Director Nelson reported...

- Nothing to report.

Library Director Jeffries reported....

- Nothing to report.

Finance Director Brown reported...

- Nothing to report.

Communications Officer Farnsworth reported...

- Nothing to report.

Event Coordinator Curry reported...

- Nothing to report.

City Administrator Walsh reported...

- The State has pre-empted local authority to regulate drones. There may be a time, place, and manner. They can look into those rules.
- The Council retreat facilitator is developing an agenda.


11) **Other Business**

12) **Adjourn** – 7:58 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:


Crystal Farnsworth, Communications Officer


Rick Scholl, Mayor