

City of St. Helens City Council

Regular Session Minutes

June 19, 2019

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

Members Absent: None

Staff Present: John Walsh, City Administrator
Matt Brown, Finance Director
Kathy Payne, City Recorder
Brian Greenway, Police Chief
Sue Nelson, Public Works Interim Director
Jacob Graichen, City Planner

Others: Frank Brandon
Rich Mason
Patrick Birkle
Lynn Pettit

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

2) **Pledge of Allegiance**

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

- ◆ Patrick Birkle. He found the presentation about the broadband interesting. He is in favor of the City pursuing it. The City should have pursued it 10 years ago. It is very important for the City to look at ways to provide more cost effective services to our community. It dovetails with development of the Waterfront Property and St. Helens Industrial Park property. He was impressed that it could be done in phases and encouraged the Council to continue pursuing it.
- ◆ Rich Mason. Asked if the 4th of July fireworks are going to be held on Sand Island.

Mayor Scholl confirmed they will be held on the Island.

Rich asked if the ordinance to amend the City docks will be read. Mayor Scholl explained that it's an ordinance to tighten up the rules and make them more enforceable. City Administrator Walsh added that it limits the current practice of five days in any 30 days to 72 hours in a 14-day period. The Code Enforcement Officer will work Saturdays to enforce the rules. Rich spoke of the need for increased enforcement with some of the long-term boaters that come. The Council

and Chief Greenway encouraged Rich to contact the Police Department with boating violations so they can follow-up.

4) **Deliberations - Comprehensive Plan & Zone Amendment at 164, 170, & 180 S. 1st Street**

Discussion ensued about the building that abuts the sidewalk.

- Councilor Carlson prefers adding a recommendation to tear the building down.
- Council President Morten and Councilor Locke prefer adding a condition to tear the building down based on safety concerns.
- Councilor Topaz does not think the building is a danger. He does not think there should be a condition to remove it. It's historic and ought to stay.
- Mayor Scholl does not feel like the City can tell them what to with the building since it's been there since 1930. Unless it's a detriment, it should be allowed to stay. It's not a good location for a commercial use.

Council President Morten pointed out that Carlson's suggestion is a compromise. Councilor Carlson suggested including a letter addressing concerns about building safety and its proximity to the sidewalk. Mayor Scholl pointed out that it was not uncommon in 1930 to put buildings right on the property line. He is not in favor of including that. Discussion ensued.

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved the Comprehensive Plan & Zone Amendment at 164, 170, & 180 S. 1st Street, adding a letter of recommendation separate from the Ordinance to remove the building based on Council's discussion. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

5) **Ordinances - Final Reading**

5.a Ordinance No. 3238: An Ordinance to Annex and Designate the Zone of Certain Property at 2225 Gable Road

Mayor Scholl read Ordinance No. 3238 by title for the final time. Discussion ensued.

Motion: Upon Locke's motion and Carlson's second, the Council unanimously adopted Ordinance No. 3238. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

5.b Ordinance No. 3239: An Ordinance Amending St. Helens Municipal Code Chapter 8.28 Regarding City Docks

Mayor Scholl read Ordinance No. 3239 by title for the final time. Discussion ensued.

Motion: Upon Morten's motion and Locke's second, the Council unanimously adopted Ordinance No. 3239. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

5.c Ordinance No. 3240: An Ordinance Amending St. Helens Municipal Code Chapter 13 to Define the St. Helens Community Recreation and Parks Fee

Mayor Scholl read Ordinance No. 3240 by title for the final time. **Motion:** Upon Carlson's motion and Locke's second, the Council unanimously adopted Ordinance No. 3240. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

6) **Resolutions**

6.a Resolution No. 1853: A Resolution Authorizing an Interfund Loan in the Amount of \$50,000 Between the General Fund and Visitor & Tourism Fund for Fiscal Year 2018-2019

Mayor Scholl read Resolution No. 1853 by title. Discussion ensued about the decrease in transient room tax received. It was the consensus of the Council to conduct an audit of the

accounting records of hotels and motels. **Motion:** Upon Carlson's motion and Topaz's second, the Council unanimously adopted Resolution No. 1853. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

6.b Resolution No. 1854: A Resolution Authorizing Transfer of Appropriations within Funds for Fiscal Year 2018-2019

Mayor Scholl read Resolution No. 1854 by title. **Motion:** Upon Carlson's motion and Locke's second, the Council unanimously adopted Resolution No. 1854. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

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

7.a Columbia NW Heating & Air Conditioning Proposal for Senior Center HVAC System

7.b Contract Payments

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

8) **Consent Agenda for Acceptance**

8.a Planning Commission Minutes dated May 14, 2019

8.b Parks & Trails Commission Minutes dated May 13, 2019

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

9) **Consent Agenda for Approval**

9.a Declare Surplus Property - Library Equipment

9.b Declare Surplus Property - Police Department Unclaimed Property

9.c Accounts Payable Bill Lists

9.d Council Work Session and Public Hearing Minutes dated June 5, 2019

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

10) **Mayor Scholl Reports**

- He appreciates Patrick's comments about broadband. Council and staff are very busy right now. They've been investigating it for about four months.
- Legacy grand opening on Tuesday at 6 p.m.
- New middle school under construction.
- Apartment complex under construction on the Violette's Villa property.
- Citizens Day in the Park is Saturday at 11 a.m. Local businesses contribute and Council and staff will be working and serving.
- The Port will be slash burning on McNulty Way.
- Happy 4th of July!

11) **Council Member Reports**

Council President Morten reported...

- Impressed with the broadband report today. He would like to create a citizens group to work on it. City Administrator Walsh added that there has been work done behind the scenes that's specific to St. Helens. The County is also working on this project with their IT Department. The City's IT Specialist may be able to take on some of the work as well.

Councilor Topaz reported...

- He has attended four Portland Harbor clean-up meetings. The Port of Portland has been given a deadline by the EPA to develop a plan within the next couple months. Talking to the Governor's liaison, he found out that all the material coming out of the harbor will go to a receiving place. From there, it will be separated and cleaned. Anything above water is DEQ and below water is EPA. The Portland Harbor Community Coalition is pushing to keep the area a working waterfront and keep condos off of it. Some of the information is not right. It says that some of the material will be hauled to Hillsboro and is only 23 miles away but trucks have to go down 217 and that makes it 63 miles. Based on size, trucks will cost \$150/hour. If you're hauling waste, people on the receiving end have to have qualifications. The shipping costs would approximate \$2 billion. If you bring the same material to St. Helens by barge it approximates \$9 million. There's a big advantage for Portland to send it here. This puts St. Helens as the bullseye with political stuff, as the State is quite involved.
- Directing his questions to Finance Director Brown, people have noticed that we are repairing the water reservoir. How much water did we lose before the first repair job was done? How much did that cost? How much water did we have to dump over the side during the repair? How many millions of gallons of water did we lose during the second repair? What's the cost? How much did it cost to neutralize the chlorine? An inspector watched the process and said it was okay. Yet, it's still leaking. How much time was the inspector on site? Are they qualified to inspect this type of project? If not, do we have an outside consultant who is qualified to inspect? Mayor Scholl said those are questions for Public Works Interim Director Nelson and not Brown.

Nelson explained that there's not a direct cost for the water that comes out. The retail cost if someone was to purchase the water is different than the cost associated with the water sitting in a reservoir. Topaz assumed Brown would have those costs broken down in the audit. Nelson does not believe that the audit would break down those costs to that miniscule of a level. Mayor Scholl pointed out that the contractor had a bond. The City went against their bond since they failed to perform their duties. Nelson requested that Topaz present those questions in a manner to give staff time to research them. Council President Morten reiterated that staff needs time to research these questions. Topaz argued that Brown is the one with money, numbers, and a computer. He should be able to pick this up... Brown responded that he does not have the tools or resources to answer the questions. He suggested Topaz send an email to Public Works and he'll work with them to respond. Discussion ensued.

- Someone asked him the sale date of the marijuana grow system. The person was under the impression that the sale was made in August and was supposed to be paid within 10 months. Mayor Scholl pointed out that Topaz has been involved in those conversations and knows that it has not been paid. Topaz responded that he knows but wants to make it public for everyone to know. Scholl explained that everything was changed when the Petersen's threatened to sue. Topaz said the other question was the public notification when property is sold. Scholl said it does not have to be within our urban renewal. City Administrator Walsh added that they did more than what was publicly required.

Councilor Carlson reported...

- Citizens Day in the Park
- 13 Nights on the River

- It's funny how an elementary school teacher can interpret all the numbers and change how she feels about broadband. She does see it as a good plan. She appreciates Patrick for coming in and speaking.
- There is a fundraising project that began last week. They are selling weighted blankets for special needs and foster kids. Raffle tickets are \$20 each and can be purchased at 13 Nights on the River.
- The Chronicle has been listing the Suicide Prevention number in the newspaper, as well as reporting special interest stories. Julie Thompson was recognized in the Oregonian for making space in the paper for this type of support.

Councilor Locke reported...

- Asked if the Council would like to sponsor a table for the Black Tie & Blue Jeans event. It was the consensus of the Council to sponsor two tables.

Council President Morten thanked the audience members for attending. He recognized Lynn Pettit in attendance. She is spearheading the Dalton Lake Preserve. Lynn reported that she did a walking tour of Dalton Lake today with Parks & Trails Commission Chair Jerry Belcher. It was interesting to see everything. She is meeting with Associate Planner Jenny Dimsho on June 28 to review maps, history, and ownership. She has plans in mind and will keep the Council updated.

Councilor Carlson invited Lynn to join the Youth Council at one of their meetings to meet them and talk to them about projects.

Patrick Birkle acknowledged the work Lynn has done at Dalton Lake the last couple years.

Youth Councilor Liam Frobisher reported...

- He has been part of the Youth Council for about a year now. It's been great to see it grow in numbers.
- A gentleman came in on Monday and talked about the Drop Program. It's a safe environment for youth, aged 14-25, to go have fun and have someone to talk to about problems. There are trained young people there that make it more inviting and less scary for youth. It's important to the Youth Council to see it progress. The City Council should focus on it as well. It's important for the City to be inviting with safe places for the youth. Seeing a counselor can be frowned up by your friends but this would be a welcoming place.

Mayor Scholl agreed. He asked Liam why he thinks anxiety and depression have increased so much. Liam thinks social media has a big effect. It's always about the likes and comments. The youth put their values in how they look online rather than how they present themselves. Awareness is part of the battle. Councilor Carlson talked about the Drop Program's need for space. She suggested they work with Walsh to connect with different groups about available space.

Councilor Locke asked if the Council has changed their mind about broadband. Walsh will bring back more information to share with the Council.

12) **Department Reports**

Police Chief Greenway reported...

- Nothing to report.

Public Works Interim Director Nelson reported...

- At least five employees from Public Works will be at Citizens Day in the Park.

City Planner Graichen reported...

- Starting next month, he and Dimsho will alternate giving monthly Planning reports at the work session.

Finance Director Brown...

- Nothing to report.

City Recorder Payne reported...

- Nothing to report.

City Administrator Walsh reported...

- Nothing to report.

13) **Other Business**

Mayor Scholl awarded Riverside Industries with the Mayor's Choice Award at the Kiwanis Community Parade. Councilor Locke reported that American Heritage Girls and the Port of St. Helens also received awards.

Mayor Scholl asked for the 1929 Mac truck to be brought to Citizens Day in the Park. He can drive it there, if needed. Former Councilor Winkler donated it to the City in 1950.

14) **Adjourn** – 8:39 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:



Kathy Payne, City Recorder



Rick Scholl, Mayor