

City of St. Helens City Council

Regular Session Minutes

May 15, 2019

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

Members Absent: None

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

Others: Dan Davis
Shauna Harrison
Art Leskowich
Brandon Frank

- 1) **7:05 P.M. - Call Regular Session to Order**
- 2) **Pledge of Allegiance**
- 3) **Visitor Comments - Limited to five (5) minutes per speaker**
 - ♦ Art Leskowich. He has spoken to the Council several times in the past about his concerns with repurposing the lagoon to a landfill. The City received a \$500,000 Grant from the State in February. Maul Foster and Alongi was selected to do the work with no bid process because of the work done in 2015 to streamline the process and not have to open it for bids. He has been told by Council members that they are still considering options for the property but the scope of work does not appear to indicate that. Who wrote the scope of work?

City Administrator Walsh responded that the scope of work was done for DEQ as part of their solid waste program, with assistance from Maul Foster.

Art clarified that they are no longer considering options and have settled on a lagoon. The statement work does not take into consideration safety and water quality. It fails to address the drinking water intake. He talked about the Water Quality Report recently issued. He went on to point out that the water reservoir leaks. We can't keep our drinking water reservoir from leaking but we're going to proceed with a plan to line the wastewater treatment plant lagoon and expect

it to protect our drinking water. He plans to return on a regular basis to ask the hard questions. He's been told by more than one person that he should stop asking questions because the City needs the money. His problem is that there's no peer review, no competition, no engineers, no geologists, and no industrial hygienists that are looking at this outside the City or the chosen consultant. He hopes to have open communication that has not happened in the past.

Mayor Scholl clarified for the record that the holding tank on Pittsburg Road that is leaking was caused by a contractor who has failed to perform their duties. The contractor is being required to fix it. Interim Public Works Director Nelson pointed out that it is only one of five reservoirs in the City.

Councilor Topaz said a survey would allow them to figure out how to put loading and unloading equipment along the river. That whole area could be turned into a mine for basalt rock. That would also allow you to leave the lagoon as it is and the wastewater treatment plant where it is. The fact that there is water coming between the soil and basalt could result in the dam collapsing. The levy is in danger, as we just saw the collapse of Plymouth Street. He does not like the idea of bringing in toxic waste because of the hydraulics.

Mayor Scholl reported that it is necessary for Maul Foster to do the work. They have issues there now that need to be addressed. He encourages people to show up and ask questions. There is no secret agenda moving forward. He cannot speak about what happened in 2015. Council President Morten reported that it was as wide open then as it is now.

- ♦ Shauna Harrison. She is grateful that the Council continues to discuss affordable housing. She was told at the last Council meeting that she is in charge of housing price inflation. The property problem right now is affordability. Anything under \$300,000 is receiving multiple offers. The Council voted to do R5 zoning in Emerald Meadows to allow for affordable housing. Those houses are sitting at \$350,000 and are not selling. She is here consistently because she cares about livability. The livability of our community is eroding. The Council is supposed to be good stewards. Plymouth Street is eroding. It doesn't take a geologist to figure it out. If you get the proper people to give a scope of work, you may get different options. But only getting reports from Maul Foster doesn't present different options. The Council should get other options for the lagoon other than just turning it into a landfill.

Councilor Locke reported that they have been talking about this for years and reviewing many different options.

4) **Proclamations**

4.a National Public Works Week - May 19-25, 2019

Interim Public Works Director Nelson read the proclamation into the record.

5) **Deliberations - Annexation of 2225 Gable Road**

Council expressed their support of the request.

Motion: Upon Topaz's motion and Carlson's second, the Council unanimously approved the Annexation of 2225 Gable Road as recommended by staff. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

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

- 6.a Extension of Community Service Agreement with Columbia Humane Society for Community Service Workers
- 6.b Quitclaim Deed to Extinguish Easement Located at 35601 Valley View Drive
- 6.c 2019 Fund Exchange Agreement with Oregon Department of Transportation for Various Projects
- 6.d Slash Agreement with Edwin Gunn, dba: Gunn-Dolah, Inc.
- 6.e Contract Payments

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

7) **Consent Agenda for Approval**

- 7.a Council Work Session, Executive Session, Public Forum, and Regular Session Minutes dated April 3 and 17, 2019
- 7.b Accounts Payable Bill Lists

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

8) **Mayor Scholl Reports**

- Good Urban Renewal meeting discussing economic development.
- Still learning a lot about the lagoon. DEQ, State of Oregon, and Army Corps of Engineers will all be involved in the process. It's not just about revenue. It has the potential to make a lot of revenue but they need to first determine what can be done.

9) **Council Member Reports**

Council President Morten reported...

- He feels strongly that the lagoon is somewhat about revenue. At some point, the citizens will have to clean up the lagoon. The consultants say it will cost between \$20-50 million. The Council is taking on cleaning up someone else's mess. He welcomes testimony and as many resources as they can get. The consultants have come extremely recommended. Mayor Scholl added the need to clean up what was done in the past by people who didn't know better. Morten went on to talk about consultants they heard from in the past. Maul Foster is our only source at this point but there will be more in the future. He asked Shauna to share sources with them. Doing nothing would be easy but they chose to clean up the mess.

Councilor Locke reported...

- The cleanup all started with the decision to purchase the Waterfront property. They didn't have to do that but wanted it to be special for the City. Looking at what was next door was a stinky lagoon. They have spent hours trying to come up with the best solution for the near and distant future.
- A public forum for the recreation fee was discussed. If it's done at the high school, it would be a good opportunity to recruit for Youth Council.

Councilor Carlson reported...

- There are lots of options for that land. She doesn't agree with some of the preferred options so is just listening. She doesn't want our livability to go down. It's sad to see the meeting get derailed like this when so many good things are happening in our community.

- She was here last Friday to attend the Night Market and couldn't find a parking place because there were shows at the theater and playhouse, businesses were open, and people were shopping and going to dinner. She has never seen that many people down here outside of an event. She appreciates all the small businesses working hard to make this a better community.

Councilor Topaz reported...

- Why are we having so many problems with the leaks in the reservoir? It should have been an easy repair. We really need to look at that.
- There are two levels of basalt in the lagoon. What is the volume to determine the income from mining rock?

Council President Morten reported that when Boise sold the property to the City, they estimated that it would cost between \$20-40 million to clean the lagoon. Where will that money come from to make it a boat basin? Topaz said it would come from the rock dug up. Morten asked how it will be shipped. Topaz said it could be done by rail or barge. Discussion ensued.

10) **Department Reports**

Police Chief Greenway reported...

- Nothing to report.

Interim Public Works Director Nelson reported...

- She agrees that the reservoir should be done. The membrane material is fine. The application is what failed. The contractor is working on that.
- The entire dike is surveyed about every other year. It hasn't moved in at least 25 years. She doesn't think it's an imminent danger to the citizens or river.
- Public Works Week next week will be celebrated with a breakfast at the City Shops next Friday.

Library Director Jeffries reported...

- Nothing to report.

City Planner Graichen reported...

- Long-range planning
 - Riverfront Connector
 - Housing Needs Analysis
- Current planning
 - Elk Ridge Phase 6
 - Legacy Health building
 - Development of Violette's Villa property
 - Middle School
 - Columbia County Education Campus (CCEC)
 - Emerald Meadows
 - Expansion of storage on Old Portland Road, across from McCormick Park
 - Iron business on Old Portland Road, across from McCormick Park
 - Greystone Estates Subdivision by Columbia Commons
 - Hannah Place Subdivision in Houlton area
 - Bailey Subdivision on Sykes Road
 - Prep work for an anticipated subdivision on N. 8th and N. 9th Streets behind City Shops

- Church of the Nazarene on Gable Road is expanding
- Helen Cutting on Milton Way to resolve issues
- A veterinarian is going to construct a building in the Houlton “hole”
- Seeing row-housing on in-fill lots
- Projects
 - Dimsho is working on grants
 - St. Helens Industrial Park Wetland Delineation
 - Millard Road property
 - Cleanup of property lines and vacating rights-of-way on the bluff the City purchased

Associate Planner Dimsho reported...

- Sent reminders on May 1 to eligible property owners in the Historic District about a matching Historic Preservation Grant. The grant is \$11,500 through the City’s façade improvement program.
- The Veteran’s Memorial covered shelter is complete and looks nice. To meet grant requirements, the wall has to be up by the end of June.
- Wayfinding project signs are going up. That was paid through a matching \$75,000 grant through Travel Oregon.
- Grey Cliffs project has been closed out. That grant money should be coming in soon.
- She and Walsh will be going to Salem in June to present at the Oregon Parks & Reservation Department Board. They are requesting about \$350,000 for a tennis court, flex court, pedestrian improvements, parking improvements, and stormwater improvements in Campbell Park. It is a competitive matching grant.

Finance Director Brown reported...

- Nothing to report.

City Recorder Payne reported...

- Nothing to report.

City Administrator Walsh reported...

- Dan Davis presented the idea for municipal broadband. Meetings have been held and the idea is moving forward.
- House Bill 2408 threatens to make all investments over \$20 million in an Enterprise Zone prevailing wage. That is a huge threat to the Waterfront. He submitted a letter of testimony to that. League of Oregon Cities (LOC) is also in opposition to it.

11) **Other Business**

- ◆ Brandon Frank. Visitor comments are allowed at the beginning of the meeting before everything is discussed. He suggested allowing visitor comments at the end as well so the public can address topics that were presented. He wasn’t here when the polluting companies departed. Did we hold them accountable to clean up when they left?

Council President Morten responded that it was a deal that was made between the City and Boise to share the responsibilities of the lagoon. Councilor Locke added that Boise is responsible for 25 years. However, the City is responsible for cleaning the lagoon. Discussion ensued.

12) **Adjourn – 8:22 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Handwritten signature of Kathy Payne in cursive script.

Kathy Payne, City Recorder

Handwritten signature of Rick Scholl in cursive script.

Rick Scholl, Mayor