

City of St. Helens City Council

Public Forum Minutes

February 6, 2019

Members Present: Mayor Rick Scholl – arrived at 6:30 p.m.
Council President Doug Morten
Councilor Ginny Carlson
Councilor Keith Locke
Councilor Stephen R. Topaz

Members Absent: None

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder
Matt Brown, Finance Director
Margaret Jeffries, Library Director
Sue Nelson, Public Works Engineering Director
Jenny Dimsho, Associate Planner

Others:

Susan Conn	Christine Menges	Steve Semling
Jim Semling	Lincoln Herman	Shauna Harrison
Art Leskovich	F. Brandon	S. Westfall
Nicole Thill	Jeff Yarbor	Seth Otto

1) **Open Public Forum - 6:04 p.m.**

2) **Topic - Brownfields Community-Wide Assessment Program**

Seth Otto from Maul Foster Alongi made the presentation on Brownfields. A copy is included in the archive meeting packet or on the City's website at <https://www.ci-st-helens.or.us/planning/page/epa-cwa-program-2017-2019>. After reviewing the evaluation criteria, Otto asked if anyone has additional evaluation criteria that should be considered.

Councilor Topaz talked about the combined sewer system that was installed in 1913 and since been updated. What happens to the stuff that's still in the ground? Otto explained that if a property owner felt their property was negatively impacted by it, they could potentially be eligible for site assessment. Human and animal waste is not a regulated substance. EPA is typically concerned with cleaning up regulated substances; such as petroleum, dioxins, PCP's, etc. Topaz responded that the human waste was outhouses. There were blacksmith shops before they even invented dioxins. The operations were well before any regulations were in place. Otto agreed that it can be a challenge when operations pre-date regulations that would otherwise control their use. It's worth evaluating it. There are Brownfield cleanup sites around the state where curing and tanning operations were in place. Those are some of the dirtiest sites.

Otto went on to review the presentation. They are looking for sites that have been negatively affected, such as gas stations, dry cleaners, machine shops, or anything that may impede redevelopment.

A member from the audience asked how long that process will take. Otto responded that the first step is an eligibility form completed by the property owner. It is submitted to the EPA to verify that funding from the grant does not go to the party who created the contamination. It normally takes a couple weeks. It then takes about three weeks for a phase one assessment. A phase two assessment is approximately four months.

Otto referred to the brochure that explains what was presented tonight in addition to examples from other communities. He encouraged those in attendance to take them and share with interested parties.

A member from the audience asked if there are any pre-existing conditions; such as Boise since we knew it was contaminated when we acquired it. Otto said Boise is a good example. It's a known contamination site. It's eligible because phase one was done in advance of the acquisition. If the City hadn't done that ahead of time it would not be eligible.

Council President Morten asked if the Fire District has to report lead base paint, asbestos, etc. after a fire. Otto is not sure. They are not legally required to do that. The property owner is responsible for contaminants that remain.

A member from the audience asked what kind of consideration is given to drinking water sources. Otto responded that those sites are given high priority.

- ♦ Art Leskovich. He pointed out the water reserve well near Scappoose Bay. Is that still being used as potential backup? He was told by Councilor Locke that it was taken out of service because it tasted funny. It's very close to a potential contaminated source.

Public Works Engineering Director Nelson clarified that it's the Bayport Well by Bayport Marina. It has been tested and there are no contaminants. But it does seem to have taste and odor issues. It's permitted as an emergency water source. It only needs to be chlorinated if it's used for drinking water.

Councilor Topaz talked about the mills in town that no longer exist. How are the old sites considered? Otto said if there is no current responsible property owner they are considered an orphan site and there is a special Department of Environmental Quality (DEQ) program for those. Often times, there is a chain of title linked to the current owner. Is a specific site with no owner being referred to? Topaz said yes. There were mills along the railroad between Columbia Blvd. and Old Portland Road, and mills were also located on pilings that would now be under water. Otto said that any property below or near high water is considered state land and is regulated by Division of State Lands (DSL). They are typically not eligible for this program. The cleanup would be handled differently through a DEQ sediment clean-up program.

- ♦ Shauna Harrison. What if a property is in a flood zone?

Otto responded that it isn't necessarily an issue. Ordinary high water is the mark. Flood zones should be eligible. Shauna asked if the lagoon would be eligible. Topaz talked about the lagoon being below river level when it was the Frogmore Slough. It has since been raised. Who handles that or is it where it is now? Otto said it is where it is now.

A member from the audience asked about the mechanics of the grant. Otto explained that the grant was awarded in 2017, initiated in 2018, and ends in 2019 with an optional one-year extension. \$300,000 was awarded and about 50% has been expended.

A member from the audience asked if there is a per property cap. Otto responded that there is no official cap in the grant program. However, the City and the Advisory Committee have the authority to determine how much a property can receive.

Council President Morten asked if the Advisory Committee information is on the website. Associate Planner Dimsho responded that there is a project website identified on the back of the brochure. It includes notes, meeting dates, and additional information.

Councilor Carlson asked what happens if we get to the end of the grant and a property owner comes forward with a need. Are there other programs they could be referred to? Otto responded that there are programs available through the State. Dimsho added that they could reapply for the grant if they get a lot of interest and run out of funding.

3) **Close Public Forum** – 6:56 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:


Kathy Payne, City Recorder


Rick Scholl, Mayor