

# City of St. Helens City Council

Regular Session Minutes

March 20, 2019

---

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

**Members Absent:** Councilor Ginny Carlson

**Staff Present:** John Walsh, City Administrator  
Kathy Payne, City Recorder  
Matt Brown, Finance Director  
Margaret Jeffries, Library Director  
Neal Sheppard, Public Works Operations Director  
Sue Nelson, Public Works Engineering Director  
Tina Curry, Event Coordinator

**Others:** Dan Davis                      Christine B.  
Lei Jacob                              Caroline Fridley

- 1) **7:00 p.m. - Call Regular Session to Order**
- 2) **Pledge of Allegiance**
- 3) **Visitor Comments - Limited to five (5) minutes per speaker**
  - ♦ Dan Davis. He is a new St. Helens resident. He recommends the Council pursue a municipal broadband utility. Has it been explored?

Council President Morten responded that there has been very little discussion about it. It's a minimal investment and is a great resource for residents. When they looked at it before, residents were paying \$120-130 to Comcast and could reduce to pay \$35-40 to the City.

Dan reviewed the benefits:

- Net neutrality gives everyone the same speed and benefits.
- The speed is pretty incredible. Comcast is about 120 megabits per second. Fiber is 100 gigabits right now and is predicted to approach 1,000 gigabits.
- Security and privacy. Private companies have our data. This would be a public utility, we would own it, and control who has access to the content.
- Reliable
- Affordable
- Accessible, equal access for everyone. Could offer subsidies to schools, low income, etc.

Michael Hannah is the campaign manager for Broadband PDX. He has done Hillsboro and is working on Multnomah County now. Dan encouraged the Council to pursue this. He offered to help and bring Michael to the table.

Council President Morten talked about the poles being owned by Columbia River PUD, PGE, and Century Link. Dan suggested a feasibility study be done. City Administrator Walsh pointed out that the County is conducting a broadband study now. There is federal funding available.

Council agreed to have Michael Hannah make a presentation. City Administrator Walsh will be the contact.

4) **Resolutions**

4.a Resolution No. 1837: A Resolution to Adopt City Council Operating Rules and Procedures for the City of St. Helens, Superseding Resolution No. 1468

Mayor Scholl read Resolution No. 1837 by title. **Motion:** Upon Locke's motion and Morten's second, the Council unanimously adopted Resolution No. 1837. [Ayes: Scholl, Locke, Morten, Topaz; Nays: None]

4.b Resolution No. 1838: A Resolution Adopting the City of St. Helens Governing Policy

Mayor Scholl read Resolution No. 1838 by title. **Motion:** Upon Morten's motion and Locke's second, the Council unanimously adopted Resolution No. 1838. [Ayes: Scholl, Locke, Morten, Topaz; Nays: None]

4.c Resolution No. 1839: A Resolution of the City of St. Helens City Council Authorizing Application for Grant to the Oregon Parks and Recreation Department

Mayor Scholl read Resolution No. 1839 by title. **Motion:** Upon Morten's motion and Locke's second, the Council unanimously adopted Resolution No. 1839. [Ayes: Scholl, Locke, Morten, Topaz; Nays: None]

4.d Resolution No. 1840: A Resolution Determining that a Nuisance Exists Upon Property Located at 35418 Helens Way Within the City of St. Helens and Directing that Notice to Abate the Nuisance be Posted on Said Premises

Mayor Scholl read Resolution No. 1840 by title.

Councilor Topaz requested removing the resolution until the City cleans up rotting paper cylinders on our own property. He suggested a youth group help and the owner pay for the dumping fee at the Transfer Station. He wants the City to set a good example first.

Council President Morten reminded the Council that a motion and second needs to happen first, then discussion.

**Motion:** Morten moved to adopt Resolution No. 1840. Locke seconded.

Discussion. Councilor Topaz spoke of a tenant that is overloading a large piece of our property that is growing every day. It is rotting and smelling. It's not a good example to go after smaller citizens until we address the larger issue. He understands it is a problem and should be cleaned up.

Mayor Scholl pointed out City Ordinances address residential neighborhoods differently than industrial property. Councilor Topaz argued that it's a bad example to the community. Councilor Locke pointed out that it's not being ignored.

City Recorder Payne spoke of 35418 Helens Way. Code Enforcement Officer Marimar Moreno has been in contact with the property owner. He has ignored all of her efforts, which is why it's at this point. Councilor Topaz understands and would prefer the owner clean it up with a youth group and pay for it. He continued to point out the rotting paper on the City's property.

Council President Morten pointed out that DEQ and the Fire Marshall have been involved regarding removing the paper on the City's leased property. They have agreed to remove it. Councilor Locke said they agreed to have it removed by June. It has decreased a little bit over the last few months. He agreed with Topaz's concerns to address that property. However, these are two different things. Councilor Topaz wants to make sure the public knows that we are handling the paper on the City's property.

**Vote:** Ayes: Scholl, Locke, Morten; Nays: Councilor Topaz; motion carries.

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

- 5.a Management & Operations Agreement with Columbia Pacific Food Bank for Management and Operations of the CDBG Grant and Food Bank
- 5.b Agreement with Mackenzie Engineering, Inc. for Professional Consulting Services Related to the Feasibility of a New Police Station
- 5.c Contract Payments
- 5.d Agreement with RV Park Consulting Inc. for Feasibility Study for RV Park at 1850 Old Portland Rd.
- 5.e Ground Lease with Sand Island Campsites, LLC for Sand Island Marine Park

**Motion:** Topaz moved to remove item '5d' above. No second. Motion dies.

Discussion. Councilor Topaz explained that '5d' is worded as being a Feasibility Study but when you read the agreement, it is written as the beginning of a construction process. It needs to take into account the Riverfront Connector Plan. He went on to explain the need for its removal. The Feasibility Study should take into account community social acceptability, how it will affect traffic, cut off the expansion of the industrial site, expansion of McCormick Park, and parking. He's not opposed to the study, just the proposed verbiage.

Mayor Scholl explained that an RV park has been discussed at length. Councilor Topaz said he doesn't want to stop the process but wants to amend the agreement. Discussion ensued.

City Administrator Walsh talked about the negotiating agreement with the developer of the Waterfront Property. The developer wants to understand the market. They have done a hotel feasibility analysis. This is one of the first steps to initiate the process. Suggested passing Topaz's concerns on to the consultant to incorporate into their review, as long as it doesn't add cost.

**Motion:** Upon Morten's motion and Locke's second, the Council approved '5a' through '5e' above, noting Councilor Topaz's comments regarding '5d' and Walsh's suggestion to pass those on to the consultant. [Ayes: Scholl, Locke, Morten; Nays: Topaz]

6) **Consent Agenda for Acceptance**

- 6.a Library Board Minutes dated February 11, 2019
- 6.b Planning Commission Minutes dated February 12, 2019
- 6.c Housing Needs Advisory Committee Meeting #2 Minutes dated February 12, 2019
- 6.d Parks & Trails Commission Minutes dated February 11, 2019

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

7) **Consent Agenda for Approval**

- 7.a Council Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated March 6, 2019
- 7.b OLCC Licenses
- 7.c Revised Court Clerk Job Description
- 7.d Accounts Payable Bill Lists

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

8) **Mayor Scholl Reports**

- Attended the annual COLPAC meeting. He looks forward to bringing more information back to the Council about an opportunity zone.
- Was glad to have Patrick Trapp here to report. Relationships with the County, Port of Columbia County, and neighboring cities is stronger than it has been. It's time to make Columbia County a destination.
- Welcomed Dan Davis!
- Anticipating the results of the Housing Needs Analysis.
- Community Action Team (CAT) is moving forward with their 16-unit project.
- Oregon needs 30,000 approved units to meet housing needs.
- Tonight is the Worm Super Moon.
- This is a busy time of year for him with his landscaping business and City projects.
- The City is doing a lot of things.
- He is proud to be part of the City. The staff rocks!

9) **Council Member Reports**

Council President Morten reported...

- Library Director Jeffries approached him about the resolution he recommended during the work session for the City to take a public stance of opposition to racial bigotry and ethnic hatred. It is good timing with the Columbia County Reads program topic of Oregon Slavery. He asked Jeffries to report on it further.

Councilor Topaz reported...

- He raised concerns about the legality of having a sidewalk with bicycles on it in the Connector Plan. He thanked Walsh for the information about paths. It's a two-way street with regulations. He talked about the different bikes included in the study. They will need to remove rock to have adequate width.

Councilor Locke reported...

- The renewable biofuel they're going to be making at Port Westward is not going to be delivered by rail. Most of it will go down the river by barges. They are not requesting an

Enterprise Zone. They will pay their taxes with no discounts. Over a billion dollars is being invested.

- County Commissioner Henry Heimuller suggested having a sign on the back of all the city and county diesel vehicles that says renewable fuel is being used. Henry is going to look into it further.

#### 10) **Department Reports**

Public Works Engineering Director Nelson reported...

- Nothing to report.

Public Works Operations Director Sheppard reported...

- Nothing to report.

Library Director Jeffries reported...

- All of the libraries in Columbia County are having a program in late April called Columbia County Reads. The books are already available for check out. One book is nonfiction and the other is fiction that addresses the history of slavery in Oregon. Council President Morten suggested a resolution or proclamation supporting anti-hate and anti-bigotry at the end of the program. Jeffries suggests a proclamation be done in advance of the program. The proclamations would be printed and on display at the front counter. It could also be read in advance of the event. It's another way to promote awareness.
- Discussed the process of applying to place donated items on public property versus the process in the Municipal Code for placing art on public property. Two different groups have created Little Free Libraries. You are technically not a "Little Free Library" unless you pay a fee to that organization and they issue a plaque identifying it as one of their own. They list the physical location on a website. There are currently two here that are not part of that organization. The Arts & Cultural Commission (ACC) has supplied material costs for high school students to make three in their woodshop class. One was placed in Grey Cliffs Park. The process for donated items was not followed. The Friends of the Library wants to place one in Walnut Tree Park. They are trying to figure out the process. She doesn't see these as art. Rather than going through the public art process, she proposes they use the application for Donated Items on Public Property. It would only apply if its placed on City property.

Council President Morten agreed that it's not art. It does need to go through the Parks & Trails Commission for a recommendation. Jeffries added that the husband of one of the ACC members did create one as well. It involves copyrighted images of Dr. Seuss illustrations. They have received permission to use those.

**Motion:** Upon Topaz's motion and Morten's second, the Council unanimously agreed to follow the process for Placement of Donated Items on Public Property. The Little Free Libraries were determined to not be considered art, thus not following the process for art donations. [Ayes: Scholl, Locke, Morten, Topaz; Nays: None]

Finance Director Brown reported...

- Nothing to report.

City Recorder Payne reported...

- Nothing to report.

Event Coordinator Tina Curry reported...

- A new Salmon Festival prop will arrive in the center of the Plaza around 2 p.m. tomorrow.

City Administrator Walsh reported...

- Chamber of Commerce Banquet tomorrow night.
- Planning staff has heard comments about the slope and width of the multi-use path as part of the Riverfront Connector Plan. There will be a conversation about that during the next public hearing.
- Time to initiate a plan for fireworks on 4<sup>th</sup> of July. Last he heard, it was going to move back to the island. It does have additional expense and logistics to work out. Western is looking at sharing a barge with Rainier. Fireworks would be shot from the barge.

11) **Other Business**

**Motion:** Morten moved to direct staff to create a proclamation or resolution of anti-bigotry and anti-ethnic hate in conjunction with the Columbia County Reads program. Scholl seconded.

Discussion. Councilor Locke read their Code of Ethics. He suggested amending the Code of Ethics to include it. Payne advised that this is different and would stand out on its own. It makes a statement. Code of Ethics is more for day-to-day operations, employee behavior, and Council behavior.

**Vote:** Ayes: Scholl, Locke, Morten, Topaz; Nays: None; motion carries.

12) **Adjourn** – 8:09 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

  
Kathy Payne, City Recorder

  
Rick Scholl, Mayor