

# City of St. Helens

## CITY COUNCIL

### Regular Session Minutes

April 1, 2015

**Members Present:** Randy Peterson, Mayor  
Doug Morten, Council President  
Keith Locke, Councilor  
Susan Conn, Councilor  
Ginny Carlson, Councilor

**Staff Present:** John Walsh, City Administrator  
Jon Ellis, Finance Director  
Kathy Payne, City Recorder  
Margaret Jeffries, Library Director  
Terry Moss, Police Chief  
Neal Sheppard, Interim Public Works Co-Director  
Sue Nelson, Interim Public Works Co-Director

**Others:** Emily Braman      Al Petersen      Joe Mauck      Silken Taylor



**7:00PM – Call Regular Session to Order – Mayor Peterson**

**Pledge of Allegiance – Mayor Peterson**

### **Proclamations**

- A. Autism Awareness Month (April) & World Autism Awareness Day - April 2, 2015
- B. National Public Safety Telecommunicators Week - April 12-18, 2015
- C. National Library Week - April 12-18, 2015
- D. National Volunteer Week - April 12-18, 2015

Mayor Peterson read each proclamation, a copy of which is included in the archive packet for this meeting available at City Hall.

### **Invitation to Citizens for Public Comment**

♦Emily Braman. She is a citizen of St. Helens and used to serve on the Library Board. She thanked the Council for the Autism Awareness Month (April) & World Autism Awareness Day Proclamation. Currently, one in 68 kids are diagnosed with autism. For boys, it's one in 42. She is the mom of a child with a disability. She sees how autism and other disabilities affect families on a daily basis. She works for an agency called F.A.C.T., which supports families in the area. They want families to know that having a child with a disability does not limit the kind of fun you can have. We have scheduled coffee with parents and a pool party at Eisenschmidt. It's important to have a community that welcomes all disabilities.

♦Al Petersen. He sent the Council an email about trash. At the latest SHEDCO meeting they had a significant discussion about trash. He strongly recommends the City provide a trash can at the corner of 9<sup>th</sup> Street and Columbia Blvd., next to the art bench. That area is known to accumulate trash, based on the close proximity to the school. Related to that, he read the report on the street sweeper purchase. He suggests purchasing an alternate trash collecting street sweeper. A street sweeper seems to come down his street on a weekly basis. However,

this is not the season leaves. The report said that leaves are clogging up the street sweeper. That cannot be the case at this time. The agenda also includes street overlay projects. He hopes that includes a plan for street trees.

He was unable to attend last night's Budget Committee meeting. He reviewed the packet. It appears that staff is recommending elimination of the funds for the Main Street Coordinator and to use the funds for planning stuff instead. Mayor Peterson said there is no plan to eliminate the Main Street Coordinator position. Al re-emphasized that he is opposed to the elimination.

#### **Hearing – Redetermination of Grass/Weed Abatement Issue at 215 S. 18th Street**

Finance Director Ellis explained the weed abatement process. The property has sold since weed abatement letters were issued. The seller did not disclose the issue with the buyer. The lien process had not been initiated before the property sold. The new owner, Joseph Mauck, is understandably upset about it now.

Council President Morten asked when the owner was notified. Ellis said the first letter was sent in June. The abatement was done August 11. The property sold October 14.

♦Joe Mauck. There were 65 days between the time City was invoiced and paid for the abatement until the owner was billed. That was two months that the City did not do anything. If they had acted on it sooner, it would have been handled before it was sold.

Ellis agreed that was a good point. Unfortunately, with a shortage of staff and following the Code, it was delayed. They are amending the Code to move the process along quicker.

Joe said the Code allows the Council to determine the amount. It does not have to reflect the actual bill. He is paying for someone else's negligence.

Mayor Peterson understands that the lien is attached to the property. In this situation or a similar situation, he does not think we should go after the new owner. It is the responsibility of the person who made the mess. He recommends that we forgive the amount to Mr. Mauck and chalk it up as the cost of doing business. If we have the ability to attach the lien quicker, then that would help. We have Codes to follow and it takes time. We should not penalize the new owner.

Councilor Locke and Councilor Carlson both agreed.

Ellis pointed out that this does set a precedence. In the future, this process is planned to be used on the sewer laterals project. Mayor Peterson believes we have time to set up a lien process for those instances.

**Motion:** Upon Conn's motion and Locke's second, the Council unanimously forgave the debt on this instance, and pointing out that it does not set a precedence for the future.

Joe thanked the Council.

#### **Ordinances – Final Readings**

A. **Ordinance No. 3182:** An Ordinance Vacating a Portion of the South 4th Street (Winter Street) Right of Way

Mayor Peterson read Ordinance No. 3182 by title for the final time. **Motion:** Upon Locke's motion and Conn's second, the Council unanimously adopted Ordinance No. 3182. [Ayes: Locke, Carlson, Conn, Morten, Peterson; Nays: None]

## **Resolutions**

A. **Resolution No. 1695:** A Resolution to Amend Resolution No. 1454, the Business License Fee Schedule, Regarding the Late Renewal Fee

Mayor Peterson read Resolution No. 1695 by title. **Motion:** Upon Locke's motion and Carlson's second, the Council unanimously adopted Resolution No. 1695. [Ayes: Locke, Carlson, Conn, Morten, Peterson; Nays: None]

### **Award Bid for Eisenschmidt Lane Sidewalk Construction and AC Overlay Project**

Eisenschmidt Lane is a short roadway located approximately 550 feet south of Columbia Boulevard off of S. 12<sup>th</sup> Street. The roadway is only 280 feet long but is the primary access to Civic Pride Park and Eisenschmidt Pool, and is also used as the main egress route for school busses and parents dropping off students at the adjacent Lewis & Clark Elementary School. Many students walk along the north side of the road where there is a paved pathway separated from the vehicle lanes by a broken and disjointed curb line. In addition to the sub-standard walkway, the roadway pavement is showing extreme distress and is developing a small sink hole. This project will replace the paved walkway with a new 6-ft wide sidewalk and repave the width of Eisenschmidt Lane.

Plans and specifications were released for bids on March 10, 2015. Complete submitted bids were opened publically at 2 p.m. on March 31, 2015 with the following verified results:

<b>FIRM</b>	<b>LOCATION</b>	<b>BID</b>
TFT Construction, Inc.	Scappoose, OR	\$48,912.50
Brix Paving Northwest, Inc.	Tualatin, OR 97056	\$80,565.73

The pre-bid estimate range was \$44,000 to \$48,000. The project is identified in the current 2014/2015 Budget as the Eisenschmidt Sidewalk/Overlay project.

### **Recommendation:**

Award the contract for the Eisenschmidt Lane Sidewalk Construction and AC Overlay Project, R-623 to TFT Construction, Inc. as the lowest responsive bidder and authorize the Mayor to execute a Construction Contract for the Eisenschmidt Lane Sidewalk Construction and AC Overlay Project, R-623. Contract will be at the rate prescribed in that firm's submitted bid, plus standard contingency.

**Motion:** Upon Conn's motion and Carlson's second, the Council unanimously awarded the contract for the Eisenschmidt Lane Sidewalk Construction and AC Overlay Project, R-623, to TFT Construction, Inc.

### **Award Bid for St. Helens Street AC Overlay Project, 13th Street to Milton Way**

#### **Background:**

St. Helens Street between N. 13<sup>th</sup> Street and Milton Way is classified by the Transportation System Plan as a Minor Arterial and is the primary route from the business district and the Riverfront District to Highway 30. It has not received any major maintenance for approximately 20 years, when a crack sealing project was performed to prolong the surface of the roadway. The road has been showing signs of distress and is in need of pavement preservation measures. An asphalt overlay project was initially put into development in 2013 but was put on hold while other utility maintenance could be completed so the new asphalt will not need to be disturbed once the overlay is completed. Those repairs and upgrades are now complete and the plans and specifications for the St. Helens Street AC Overlay Project have been finalized.

The project was released for bids on March 10, 2015. Complete submitted bids were opened

publically at 2:15 p.m. on March 31, 2015 with the following verified results:

<b>FIRM</b>	<b>LOCATION</b>	<b>BID</b>
TFT Construction, Inc.	Scappoose, OR	\$190,978.00
S-2 Contractors, Inc.	Aurora, OR	\$219,706.50
Lakeside Industries, Inc.	Portland, OR	\$219,761.00
Brix Paving Northwest, Inc.	Tualatin, OR	\$227,792.82
Hoss Paving, Inc.	North Plains, OR	\$243,172.00

The pre-bid estimate range was \$185,000 to \$205,000. The project is identified in the current 2014/2015 Budget as the St. Helens Street Overlay project.

**Recommendation:**

Award the contract for the St. Helens Street AC Overlay Project, 13<sup>th</sup> Street to Milton Way, R-622 to TFT Construction, Inc. as the lowest responsive bidder and authorize the Mayor to execute a Construction Contract for the St. Helens Street AC Overlay Project, 13<sup>th</sup> Street to Milton Way, R-622. Contract will be at the rate prescribed in that firm's submitted bid, plus standard contingency.

**Motion:** Upon Conn's motion and Locke's second, the Council unanimously awarded the contract for the St. Helens Street AC Overlay Project, 13<sup>th</sup> Street to Milton Way, R-622, to TFT Construction, Inc.

**Award Bid for Purchase of Street Sweeper**

**Background:**

Among the many vital services provided by the Public Works Department is street sweeping. Although some may think of this process as non-essential and for beautification only, the reality is that without this service the City's storm drain system would quickly become overwhelmed with trash, debris, and leaves, and would cease to function. The result would be a far larger degree of flooding in neighborhoods throughout the City and much higher costs associated with cleaning and maintaining the storm system. The department's one street sweeper has been in service for six years and has been utilized on a near-daily basis. The replacement of the sweeper is included in the approved 2014/2015 Budget for \$275,000.

State contracting law allows utilization of a cooperative procurement process for obtaining competitive bids to streamline the purchasing process and save costs. Competitive bids for the required equipment were received by the National Joint Powers Alliance (NJPA) through Enviro-Clean Equipment, from Gresham, Oregon. The low bid was provided by Atlantic Machinery Inc. at a total amount of \$216,542.00, less the trade-in for the existing sweeper of \$40,000.00. The total of the new sweeper purchase nets to \$176,542.00. Legal counsel has reviewed the bidding and purchasing process utilized by NJPA and determined that it satisfies all state and local requirements.

**Recommendation:**

Council award bid for the street sweeper purchase to Enviro-Clean Equipment Inc. through the NJPA purchasing program in the amount of \$176,542.00.

Councilor Locke asked if natural gas sweepers were looked at. Interim Public Works Co-Director Sue Nelson said they did look at those. When doing a comparison, the extra cost to purchase natural gas plus the extra maintenance was not worth the cost difference.

**Motion:** Upon Locke's motion and Conn's second, the Council unanimously awarded the bid

for the street sweeper purchase to Enviro-Clean Equipment Inc. through the NJPA purchasing program in the amount of \$176,542.00.

#### **Approve and/or Authorize for Signature**

- A. Right-of-Way Dedication Deed for Tract A of Green Tree Acres Subdivision
- B. Mutual Aid and Assistance Agreement for the Provision of Emergency Services Related to Water and Wastewater Utilities (Oregon Water/Wastewater Agency Response Network – ORWARN)
- C. Contract Payments

**Motion:** Upon Conn's motion and Carlson's second, the Council unanimously approved 'A' through 'C' above.

#### **Appointments to City Boards/Commissions**

No appointments.

#### **Consent Agenda for Acceptance**

- A. Arts & Cultural Commission Minutes dated February 5, 2015
- B. Accounts Payable Bill List

**Motion:** Upon Locke's motion and Carlson's second, the Council unanimously accepted 'A' through 'B' above.

#### **Consent Agenda for Approval**

- A. Council Work Session and Regular Session Minutes dated March 18, 2015
- B. OLCC License
- C. Accounts Payable Bill List

**Motion:** Upon Carlson's motion and Locke's second, the Council unanimously approved 'A' through 'C' above.

#### **Council Reports**

**Mayor Peterson** reported...

- He asked Ellis if the lien for 215 S. 18<sup>th</sup> Street has already been attached to the property? Ellis said it has not yet.

**Councilor Conn** reported...

- Nothing to report.

**Council President Morten** reported...

- He apologized to Walsh for his misunderstanding of the citizen's group. He thought it was finished.

**Councilor Carlson** reported...

- Thanked Emily for speaking tonight. They are working together on grant opportunities for play equipment for the disabled.
- Tomorrow is World Autism Day. The campaign is "Light it Up Blue." Wear something blue.

**Councilor Locke** reported...

- We have talked about trash cans several times in the past. We just determined recently that we would get rid of some because they were being abused and was costly. He would love to have trash cans all over but some people still throw stuff on the ground even if there's a can right next to them.

Councilor Morten asked for input from Nelson about trash can abuse. Nelson explained that it is a problem with existing cans. Crews recently found about 40 pounds of dirty cat litter in one

of the Campbell Park cans. Now they have to find a way to pull it out without the bag breaking. They often find household garbage in the cans. People don't always use the cans even if they're right next to it.

Councilor Locke is also disgusted by the dog waste that is left on the ground even when people are within walking distance of waste bags.

Councilor Carlson expressed frustration that we have benches but not a garbage can near them. Other cities manage to clean garbage off the sides of the road but we can't seem to. She suggested street sweeping every other week and clean-up garbage on the opposite week.

Mayor Peterson would like staff to investigate costs to add garbage cans.

- Commended Moss and his staff for all of the work they have done over the last couple weeks. It is very appreciated.

### **Department Reports**

**Police Chief Moss** reported...

- The folks at our Columbia 911 dispatch center are undervalued and underappreciated. His staff certainly appreciates the work they do. The proclamation is very nice.

**Interim Public Works Co-Director Nelson** reported...

- She requested a motion to declare the old street sweeper surplus.

**Motion:** Upon Locke's motion and Conn's second, the Council unanimously declared the old street sweeper as surplus.

**Library Director Jeffries** reported...

- Nothing to report.

**Finance Director Ellis** reported...

- Al spoke of the additional fund request for Planning. He will send an update to the Budget Committee retracting that.

**City Recorder Payne** reported...

- Nothing to report.

**City Administrator Walsh** reported...


- Nothing to report.

**Adjourn** - There being no further business, the meeting adjourned at 7:53 p.m.



ATTEST:

  
Kathy Payne, City Recorder

  
Randy Peterson, Mayor