



COUNCIL REGULAR SESSION

Wednesday, June 16, 2021

APPROVED MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Patrick Birkle
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Brian Greenway, Police Chief
Jenny Dimsho, Associate Planner/
Community Development Project Manager

Mouhamad Zaher, Public Works Director
Jacob Graichen, City Planner
Crystal King, Communications Officer
Sue Nelson, City Engineer
Tina Curry, Event Coordinator

OTHERS

Art Leskovich
Josh Brown
Brady Preheim
Andrew Schlumpberger

CALL REGULAR SESSION TO ORDER VIA ZOOM – 7 p.m.

PLEDGE OF ALLEGIANCE

VISITOR COMMENTS – *Limited to five (5) minutes per speaker*

Mayor Scholl reported that Officers Coy and Howell normally observe an elderly citizen on a daily basis near IGA, where they stop to get sandwiches for lunch. They did not see him for a few days, so researched where he lives, and went to his home. After knocking, they heard a faint thumping and forced entry into the home. They found him on the floor. He had suffered a massive stroke on Sunday. They called the paramedics, and he was transported. This is only part of the reason it is important to retain officers long-term. They make relationships and notice when things are different. He is hoping for a speedy recovery!

- ◆ Brady Preheim. First, he complained about the internet and audio issues at the City, after all the money spent on a new IT person. There should not be any more excuses. Second, he reminded Councilor Chilton that reading is a requirement for her position. It takes time to be a city councilor. She needs to research before making comments. Third, he asked if anyone has noticed if Councilor Topaz is following the censure. He finds it hard to believe that the censure makes a difference. Who is in charge of policing that and for ensuring that he abides by those terms? If he does not, what steps are taken?

Mayor Scholl responded to the question about the censure. Councilor Topaz is allowed to come in and check his mailbox. He has done that and has made some short talk inside City Hall. Mayor Scholl

reminded Councilor Topaz that he needs to schedule a meeting if he needs to talk to someone at City Hall.

WORK SESSION ITEMS CARRIED OVER

Public Safety Facility Timeline and Next Steps

Deputy City Administrator Brown reviewed a draft timeline for the next couple years. A copy is included in the archive packet for the work session.

- The consultant's timeline is an estimate.
- A resolution for the revenue bond is expected to come to the Council in July.
- A resolution for the public safety fee is expected to come to Council in November.
- Anticipating that the public safety fee will begin in January 2022.
- Anticipating the receipt of the initial funding in September/October with the first payment due in June 2022.
- Hoping to award the construction bid in January 2023.
- Expect it will take about a year to construct the building.

Discussion of public safety fee. It is estimated to be between \$2-4 with a 30-year sunset unless it can be paid off sooner. Councilor Birkle expressed his hesitancy to exceed a \$2 fee. Mayor Scholl suggested \$3 for 30-years to provide cushion and not exhaust other funding sources.

Review New Records and Evidence Specialist Job Description

Police Chief Greenway reviewed the proposed changes to the job description. A copy is included in the archive packet for the work session. He is not requesting additional staffing. This modifies the job description to be consistent with the work being done by clerical staff and allows them to handle and transport evidence, which will alleviate the need to call officers in from the road for evidence processing.

Review Grant Application

City Recorder Payne reviewed the modified application. A copy is included in the archive packet for the work session.

Councilor Topaz was concerned about the short window of time to apply. Payne reminded him that Council discussed opening the process twice a year.

Council was in favor of the application. Mayor Scholl does want to retain flexibility when they are approached for time-sensitive funding. Councilor Chilton understands but wants to be sure they are consistent by strongly encouraging nonprofit groups to follow the process.

Strategic Action Plan Items

- The St. Helens Industrial Park RFQ closed. Staff is reviewing the submittals and will make a recommendation to Council in July.
- The Millard Road property RFQ closed. Those results will come to Council in a report from Walsh or Dimsho.
- Reviewed proposed upcoming changes in the parks:
 - Begin replacing wooden picnic tables with metal picnic tables
 - Surplus wooden tables will be offered to nonprofit organizations
 - ADA tables will be added to Columbia View Park and McCormick Park
 - Replacing barbecues
 - Replacing trash cans with ones that have rainproof covers
 - The Parks & Trails Commission is in favor of the changes

Council President Morten talked about a recent time that there were a couple hundred people at the 6th Street Ballfield, but only one port-a-potty. Who facilitates the need for those? Does the Parks &

Recreation Division process permits? Brown responded that they do. The Park reservation lists how many people are expected to attend, which triggers a requirement for the applicant or City to request port-a-potties.

Council President Morten asked if the process is different for service organizations to hold meetings in the parks and waive the permit fee. They are the ones helping with park cleanup and maintenance. Brown suggested they contact Parks & Recreation Manager Shanna Duggan. She is communicating with other agencies to see what they offer. They do want to honor organizations that give volunteer hours. They will be creating a policy.

- The problem that was experienced with Zoom during the work session was a Comcast issue and not something IT could fix. A video and audio company is coming in on Thursday and Friday to prepare the Council Chambers for in-person meetings. He needs direction from Council of whether to continue or discontinue using Zoom. Even without Zoom, they will still be able to stream live meetings to the website via YouTube. Staff's recommendation is to go away from Zoom and go back to in-person meetings the way they used to be. They can still use Zoom in the Council Chambers, but it is more cumbersome to do in-person and Zoom at the same time.

Mayor Scholl is in favor of going back to in-person meetings the way they were. If they expect a large attendance, they can use the Recreation Center.

Councilor Birkle likes the possibility of continuing to use Zoom at the same time as in-person meetings. It allows people with mobility problems or unavailable to attend for other reasons the opportunity to participate. Mayor Scholl said they have allowed people to phone-in for those circumstances in the past. Brown added that people can still submit written letters and be read into the record. Councilor Birkle just wants to be sure they are communicating the other options available to provide input.

ORDINANCES – Final Reading

- 1. Ordinance No. 3267:** An Ordinance to Annex and Designate the Zone of Certain Property at 58551 Kavanagh Avenue

Mayor Scholl read Ordinance No. 3267 by title for the final time. **Motion:** Motion made by Councilor Topaz and seconded by Councilor Chilton to adopt Ordinance No. 3267. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

ORDINANCES – First Reading

- 2. Ordinance No. 3268:** An Ordinance to Annex and Designate the Zone of Certain Property at 35111 Six Dees Lane

Mayor Scholl read Ordinance No. 3268 by title for the first time. The final reading will be held at the next meeting.

- 3. Ordinance No. 3269:** An Ordinance to Annex and Designate the Zone of Certain Property at 505 N. Vernonia Road

Mayor Scholl read Ordinance No. 3269 by title for the first time. The final reading will be held at the next meeting.

RESOLUTIONS

- 4. Resolution No. 1923:** A Resolution Determining that a Nuisance Exists Upon Property Located at 496 S. 13th Street within the City of St. Helens and Directing that Notice to Abate the Nuisance be Posted on Said Premises

Mayor Scholl read Resolution No. 1923 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1923. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

5. Resolution No. 1924: A Resolution Authorizing a Transfer of Appropriations within a Fund for Fiscal Year 2020-2021

Mayor Scholl read Resolution No. 1924 by title. **Motion:** Motion made by Councilor Chilton and seconded by Councilor Topaz to adopt Resolution No. 1924. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

6. Resolution No. 1925: A Resolution of the St. Helens City Council, Amending the City Employee Compensation Plan for Fiscal Year 2021-2022

Deputy City Administrator Brown read Resolution No. 1925 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1925. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

7. PUBLIC COMMENT - Increase in Garbage & Recycling Rates

Public Comment – None

Resolution No. 1926: A Resolution Establishing Garbage & Recycling Rates and Superseding Resolution No. 1859

Mayor Scholl read Resolution No. 1926 by title. **Motion:** Motion made by Councilor Topaz and seconded by Councilor Chilton to adopt Resolution No. 1926. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

8. Agreement with Columbia Humane Society for Community Service Workers
9. Extension of Agreement with Shannon Kmetc for Pro Tem Judicial Services
10. Extension of Concession Agreement with World Wide-ATM for ATM at 277 Strand Street
11. Extension of Contract with CBM Systems, LLC for Janitorial Services
12. Agreement with Mark Comfort for Clean-Up of Various Properties, including Declared Nuisance Properties
13. First Amendment to Agreement with Keller Associates, Inc. for Sanitary Sewer and Stormwater Master Plans Updates
14. Agreement with Brown & Caldwell for Consulting Services for NPDES Permit Renewal Negotiations and Implementation
15. First Amendment to Ground Lease with 7th Street Container Lofts LLC
16. Contract with Edge Development for Campbell Park Sport Court Project
17. Appeal AP.1.21 of Partition PT.1.21 City Council Findings and Fact and Conclusions of Law
18. Contract Payments

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '8' through '18'.

Discussion.

Councilor Chilton asked for an explanation of '8' and '9.' Walsh explained that '8' is an agreement to allow community service workers to work their hours at the Columbia Humane Society. Brown explained that '9' is for a pro tem judge in the case that the current judge is not able to conduct a trial due to a conflict of interest.

Councilor Birkle asked what janitorial services CBM provides. Brown explained that it is janitorial services for all the City's public buildings.

Councilor Topaz asked for an explanation of "clean-up" on '12.' Walsh responded that it is a time and materials contract allowing the City to use Mark Comfort to do the clean-up of properties. That work gives the City the authority to lien the house if the clean-up expenses are not paid for by the owner.

Vote: Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

19. Appointments to Library Board

Motion: Motion made by Councilor Chilton and seconded by Council President Morten to appoint Jana Mann, Robert Dunn, and Diane Wiener to the Library Board. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

20. New Water System Operator II Job Description
21. New Records and Evidence Specialist Job Description
22. Declare Surplus Property - Public Works Vehicle
23. Accounts Payable Bill Lists

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '20' through '23' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

Approval of Open Container Policy for City Events

Mayor Scholl confirmed that this was done at past events and there were no problems. Alcohol monitors will still be on site observing. He wants to incorporate 4th of July tailgating.

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to adjust the open container area to include the boundaries of the park and include the Waterfront property on the 4th of July. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

MAYOR SCHOLL REPORTS

- 4th of July is going to be a great show. He is meeting with Western Display Fireworks on Saturday to discuss the logistics. Some of the former supporters are stepping up to help. He hopes to see a community organization step up to take it over.
- Citizens Day in the Park is on August 7. Council is holding a special planning meeting in McCormick Park on July 14 at 6 p.m.
- He and Walsh walked the Waterfront property with the Columbia River PUD Board. It was good to review the site with them and build that relationship.

Walsh requested direction from Council following the Riverfront road alignment public forum.

Motion: Motion made by Mayor Scholl and seconded by Council President Morten to approve the west alignment.

Discussion.

Councilor Topaz does not like either one of them. He has been pushing to get the road closer to the river to view from your vehicle. Council President Morten is not in favor that. Councilor Topaz sees it as a tourism mechanism to attract people. He did not see anything that was special to St. Helens in the proposals. He wants more public land and not residential development.

Mayor Scholl thinks the road alignment is perfect. He does not want to smell exhaust or hear bass from vehicles as he is walking along the river. He wants to hear the birds, the splash of the water, and not vehicle noise. There is probably seven or eight acres of usable public land. Councilor Topaz suggested a noise ordinance be implemented.

Councilor Chilton is conflicted. She sees the value of extending the park. The proposal is not the message they have communicated to the public. They are expecting a lot more public use at the end of the property, which is going to be left with a bike path. She is not persuaded on the road placement right now.

Councilor Birkle hears Councilor Chilton. However, even with the west alignment, everything between 1st Street and the Riverwalk is conceptual. He would also like to consider additional public space. The west alignment does give them more options for a greater amount of public space.

Mayor Scholl reminded them that this is just about the road placement. The buildings are all conceptual. It could be zoned how they see fit. Five consultants all agreed with the west alignment. Councilor Topaz said those five consultants are shadows of each other. They are all local. He expected at least one to be different. Councilor Chilton disagreed. Roy Kim talked about St. Helens like he knew the area. They were very different from the others. Councilor Topaz agreed. He is talking about the whole mass. He wanted to see a much larger variety.

Mayor Scholl respectfully requested they not talk about the consultants.

Vote: Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

COUNCIL MEMBER REPORTS

Council President Morten reported...

- He was encouraged by the public forum today. It has been a long time and it was a milestone. This is only a road alignment, and he is glad to see a decision made.
- The south end of Highway 30 looks so good. Public Works has gone all the way to the railroad tracks cleaning up the brush. City workers took a lot of pride in cleaning it up. The Chamber area also looks really good. He is very proud of the work being done by Public Works.

Councilor Topaz reported...

- There is a really good article in the Chronicle about the Library. They are working to open as much as possible. They are looking at ways to expand the popular Makerspace and STEM programs.

Councilor Chilton reported...

- The softball and baseball leagues have started up.
- She drove by McCormick Park playground today and they were pouring concrete. She is excited to see it open.
- She is looking forward to the 4th of July. She and her family will be camping on Sand Island.
- She is looking forward to her first Citizens Day in the Park. She has put some feelers out for people interested in being involved.
- She attended the Parks & Trails Commission meeting last week. She learned a lot and saw how well that Commission functions.

Councilor Birkle reported...

- He took a nice walk yesterday, including to the softball fields at Boise. He wants to make sure they replace those ballfields as the St. Helens Business Park is developed.
- Cornelius Pass is paved from Highway 30 to Germantown Road.
- He is working with Duggan to begin walking tours of Dalton Lake on the second Saturday of every month. The parks are doing great work with Dalton Lake.
- He noticed the impact the proposed public safety facility will have on trees. He hopes they will be repurposing some of that lumber to include in the facility. He suggests preserving the trees as much as possible.

- He had a nice discussion with Planning Commission Chair Dan Cary about the Council's decision on the appeal. They also discussed a joint meeting and the role of the Planning Commission liaison.
- This is Pride month. He would like to see the Council acknowledge this and other celebrations each month as they come up.
- He is hoping for a short executive session. Today is his wife's birthday. They will be celebrating their 35th anniversary next month.

Mayor Scholl asked Councilor Birkle what he discussed with Chair Cary about the appeal decision. Councilor Birkle assured Cary that the Council takes the work of the Planning Commission very seriously. Council was presented with additional arguments to take into consideration and spent a good deal of time deliberating.

Council President Morten informed Councilor Birkle that his responsibility as a liaison is to report back to the Council. He needs to share the response of the Planning Commission to the Council's decision. Councilor Birkle does not know how they feel. He only spoke with Chair Cary. He plans on reaching out to the members when he has the opportunity. They have not had a meeting since the Council's decision. He is doing his best at this time. He had nothing more to communicate than what he shared tonight.

Mayor Scholl only asked based on moving forward. The Council based their decision on facts and Codes, and not feelings. Councilor Chilton and Councilor Birkle both said that no one is arguing that. Councilor Chilton does not understand the hostility. Mayor Scholl would like to use this opportunity to educate the Planning Commission that "feelings don't matter, and ordinances do."

Discussion ensued.

Councilor Chilton left the meeting.

Councilor Topaz reminded the Council that there will be a bell ringing at 2 p.m. on 4th of July.

OTHER BUSINESS

ADJOURN - 8:54 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor