



# COUNCIL REGULAR SESSION

Wednesday, January 06, 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, Assistant City Administrator  
Kathy Payne, City Recorder  
Mouhamad Zaher, Public Works Director  
Sue Nelson, City Engineer  
Jacob Graichen, City Planner

### OTHERS

Durell Kearsley	Rich Bailey
Brady Preheim	Scott
Dean Kampfer	Jaime

### CALL REGULAR SESSION TO ORDER – 7:00 p.m.

### PLEDGE OF ALLEGIANCE

Mayor Scholl said the Pledge of Allegiance.

Following the Pledge of Allegiance, the video from this afternoon's swearing in was played.

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

No visitor comments.

### DELIBERATIONS

#### 1. Exemption from Competitive Bid Requirements for Campbell Park Sport Court Installation Project

Motion made by Councilor Topaz and seconded by Councilor Birkle to approve the exemption from competitive bid requirements for Campbell Park Sport Court Installation Project. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

### RESOLUTIONS

#### 2. Resolution No. 1909: A Resolution Appointing a Budget Officer for Fiscal Year 2021-22

Councilor Topaz read ORS 294.414(4), "Appointive members of the budget committee may not be officers, agents or employees of the municipal corporation." Is that a conflict for appointing Assistant City Administrator Brown?

Mayor Scholl read Resolution No. 1909 by title. Motion made by Council President Morten and seconded by Councilor Chilton to adopt Resolution No. 1909.

Discussion.

City Administrator Walsh clarified that there is a difference between the budget committee and budget officer. A task of the budget committee is to appoint an officer. He has been a budget officer at past organizations. The finance director is typically the budget officer.

Councilor Topaz asked if the budget officer has a vote. Walsh said no.

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

### **AWARD BID/CONTRACT**

3. SCADA Upgrade Project at the Water Filtration Facility to Advanced Electrical Technologies for \$146,940

Motion made by Council President Morten and seconded by Councilor Topaz to approve '3' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

### **APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

4. Dedication Deed for Portion of Lot 1 Ellsberg Subdivision on N. Vernonia Road for Public Use
5. Agreement with Lane Council of Governments for Compensation Survey for Non-Represented Employees
6. Agreement with Kittelson & Associates, Inc. for Assistance with Oregon Community Paths (OCP) Grant Application & Implementation

Motion made by Council President Morten and seconded by Councilor Topaz to approve '4' through '6' above.

Discussion.

Councilor Birkle recognized the generosity of property owners to provide sidewalks on N. Vernonia Road.

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

### **CONSENT AGENDA FOR ACCEPTANCE**

7. Parks & Trails Commission Minutes dated October 12, 2020
8. Library Board Minutes dated November 9, 2020

Motion made by Council President Morten and seconded by Councilor Topaz to approve '7' and '8' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

### **CONSENT AGENDA FOR APPROVAL**

9. Council Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated December 16, 2020

Motion made by Council President Morten and seconded by Councilor Topaz to approve '9' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

### **WORK SESSION ACTION ITEMS**

#### Oregon Street Right-of-Way (ROW) Dedication

- ◆ Rich Bailey. He pointed out that the ROW dedication is 5% of their property. That is very valuable for highway frontage. It will limit the number of storage units by moving the fence and allowing sufficient turning space. He estimates the financial impact to be about \$100,000 for something that might not happen. There are a couple conditions in the Code that address not adding more residential traffic to industrial property on the highway. It is not made for residential. It is intended for industrial equipment. The intersection near there is already bad.

- ◆ Durell Kearsley. Agreed with the burden it places on them. Displacing 100+ homes in Crestwood is likely not going to happen in their lifetime. It is more likely that their property will sell and change use before that happens.

Rich added that there is not much buildable land left on Madrona Court because of the wetlands.

City Planner Graichen summarized that a vote is needed if the Council chooses to reject the ROW dedication. He referred to the three findings reviewed during the work session as a basis for that decision. Rich and Durell are in support of the rejection of the ROW dedication.

Motion made by Council President Morten and seconded by Councilor Chilton to deny the ROW dedication.

Discussion.

Councilor Birkle asked if the rejection would allow the owners to build as they propose. Graichen clarified that it could be developed either way. They are challenging the condition of the ROW dedication. This is to decide if the appeal needs to go to the Planning Commission. If the Council agrees with Rich and Durell, then the appeal would be mute and that would be the end of it.

Councilor Birkle expressed reluctance this afternoon, citing the need for due process through the Planning Commission. In this case, he has no qualms voting in favor of the rejection.

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

Graichen requested a vote in support of the following findings:

1. The multitude of residential dwellings that use this leg of Oregon Street, though significant in quantity as it relates to the city's street standards, are all within a manufactured home park. The park's private street system is similar to this leg of Oregon Street lacking defined non-motorized passageway improvements such as sidewalks.
2. The adjacent railroad right-of-way provides some passive (unimproved but accessible) relief for the existing 40' wide public right-of-way width of Oregon Street and there has been no indication from the railroad operator or owner of obstructing use of the railroad right-of-way adjacent to Oregon Street.
3. The subject property has redevelopment potential in the future when right-of-way dedication requirements can be considered again.

Motion made by Mayor Scholl and seconded by Council President Morten to approve the findings above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### Council President Appointment

Mayor Scholl would like to nominate Councilor Morten. He has served the longest and has the most in-depth knowledge. Councilor Birkle agreed.

Mayor Scholl did a roll-call vote to appoint Councilor Morten as council president.

Councilor Birkle – Morten

Councilor Chilton – Morten

Councilor Topaz – Topaz

Mayor Scholl – Morten

Council President Morten accepted the appointment. He would be honored to continue serving. He appreciates the confidence from the two new council members. Teaming with council, staff, and crew

members, outside agencies, and municipalities is extremely important. It is also important to involve oneself in community outreach and prepare yourself to be mayor at any time. It is all about "we" and not "I."

#### Council Appointments

Mayor Scholl made the following appointments:

Public Works and Administration – Mayor Scholl and Council President Morten

Police – Councilor Chilton

Planning Commission – Councilor Birkle

Library – Councilor Topaz

Boards and commissions are staying status quo.

Councilor Chilton expressed interest in eventually serving on the Parks & Trails Commission. Mayor Scholl informed the Council that they are welcome to attend other meetings and talk to staff about areas they do not oversee.

Discussion ensued.

#### **MAYOR SCHOLL REPORTS**

- Welcomed Councilor Chilton and Councilor Birkle.
- 2021 is starting out very fast. There are a lot of moving parts. It might get worse before it gets better. He is here to represent each and every citizen of St. Helens. It feels good to have another term underneath his belt. A lot of big changes are going to be happening for the citizens.
- Happy New Year!

#### **COUNCIL MEMBER REPORTS**

Council President Morten reported...

- Congratulations to Councilor Birkle and Councilor Chilton!
- He remembers being in their shoes 12 years ago.
  - He campaigned to open the waterfront. He was appalled that they only had about four feet to access the docks. Since then, Grey Cliff Waterfront Park has expanded, and the Boise plant and Boise Veneer plant was purchased. They now have over a mile of waterfront. The Council made it happen. It feels amazing to see things moving forward.
  - He also campaigned for safety. The enthusiasm for the new police station is great. It should attract people to our city.
- He feels so good to be part of this council.

Councilor Topaz reported...

- During a meeting a year ago, he brought up the need to do a tourism director RFP. He requested that RFP be done now. To make the job better, he requested an outside audit of tourism.
- They have a lot to do and need a 20-year plan with all the projects that are coming up. They need to find ways to clip them together.

Councilor Chilton reported...

- She is really excited and nervous at the same time. She takes this job very seriously. She is pleased that St. Helens residents believes in her. She hopes she can come in, bring some livelihood, and continue the journey they have already begun. She is excited about serving as a liaison to the Police Department. That is a passion of hers. She is happy to support them with the proposed new facility. She will work to make sure their needs continue to be met. This will be a transition for her and family, but she is looking forward to it.

Councilor Birkle reported...

- Thanked the citizens of St. Helens for their vote of confidence. He is here to serve the residents of St. Helens and make a place of safety and health. He and his wife moved here 29 years ago with a three-year-old and three-week-old. They were looking for a place to raise their children without having to move. He hopes that St. Helens can continue to be that place.
- Great thanks and appreciation to the staff for helping with the transition - City Recorder Payne, Government Affairs & Project Support Specialist Barry, and City Administrator Walsh. He has a great respect for all the City employees. What they are doing is for the good of the City. As an educator, his approach is to ask questions. He ensured staff that if he is asking questions, it is to become informed. He promises to come prepared to meetings. If he has questions, he will seek that information prior to the meeting.
- Thanked the Council for welcoming him. He has hopes and dreams but does not have an agenda. He understands he is only one of five. Even though there may be decisions he does not like, he will support the decisions made by the majority.

Mayor Scholl report that the Council will be talking about their mantra, expectations, and conduct during the retreat. Councilor Birkle touched on much of what they will be discussing.

#### **OTHER BUSINESS**

Mayor Scholl thanked staff. They do a fabulous job and are appreciated.

#### **ADJOURN – 7:58 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor