



COUNCIL REGULAR SESSION

Wednesday, March 17, 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

Brian Greenway, Police Chief
Jenny Dimsho, Associate Planner
Tina Curry, Event Coordinator

OTHERS

Tim Goodman	Autumn Oliver
Jerry Cummings	Howard Blumenthal
Richard Mason	Michael Bailey
Nancy	Heidi Oliver
John	Crystal Sharp

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

PLEDGE OF ALLEGIANCE

Mayor Scholl recited the Pledge of Allegiance.

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

- ◆ Jerry Cummings. He is speaking on the proposed Public Safety Facility. He toured the existing police facility and was astonished. The circumstances they are under to serve in their jobs is extraordinarily difficult. He is grateful that the City is looking at this new facility. This is an urgent need. Suspects and victims are in close proximity to each other while being interviewed. There is an inability to handle evidence. It is in the best interest of the city, law enforcement, and community to do this. The City's elected leadership needs to step forward and get it done.
- ◆ Richard Mason. He would like to know why the Codes are not being enforced on the City docks. He has brought this to the Council's attention and the City Manager, and it is being ignored. If it is not a high priority, why doesn't somebody just tell him?

Mayor Scholl confirmed it is a high priority. They are working with legal counsel to draft language to allow increased enforcement. There are additional dock rules to follow with the Marine Board. Discussion ensued about dock enforcement.

Chief Greenway explained that the City's Code Enforcement Officer does issue citations. This is a person's residence. They can only enforce the Code as it is written. Legal counsel is conducting research. They cannot tow things or arrest people because they do not like them there. Staff is talking about how boats will be monitored. The biggest challenge is that City docks are free. As much as it is a problem, this is not a priority over 911 calls. However, he is not discounting this. They have to work together on a solution.

Discussion ensued about towing boats. Legal counsel will continue working on the Code amendment.

- ◆ Michael Bailey. He reached out to City Administrator Walsh and Event Coordinator Curry earlier this week. He is proposing an off-the-wall idea of turning the Veneer property into an automotive park. Friday night Cruisin' the Gut gets bigger every year. They will likely have large memorials for Craig Coughlin and Tony Cole. He is not condoning illegal activity on the street, but it happens. They would like a place it could be done safely, away from the general public.

Council President Morten asked if they looked at the County Fairgrounds. Michael said no, they have a dirt facility. He is talking about short distance drag racing, drifting, burnouts, etc., which requires asphalt. The closest drag strip is Portland International Raceway (PIR) and they are not accepting spectators.

Discussion ensued about the Waterfront property development. It is too much liability for the citizens to have it there.

- ◆ Howard Blumenthal. At the Parks and Trails Commission meeting, he has been reporting yard debris, plants, tree limbs, etc. being dumped at Grey Cliffs Park. It is the neighbors on top of N. River Street dumping it over the cliff. It is a City park now. He suggested a fence and a letter to the neighbors because they are not adhering to the signage.

Council President Morten acknowledged that the ordinance is being abused since there is clear signage. He agreed with sending a letter to those residents clearly explaining the rules.

Mayor Scholl said it sounds like it is organic material. He cautioned that if it is done for one City property, that it be done for every property in the city. Who will be the person to notify everyone?

Howard responded that if it is legal to dump there, then he will bring his grass clippings there as well. Mayor Scholl argued that it is composting material. It is being done by adjacent property owners, not people across town.

Discussion ensued about dumping.

Mayor Scholl expressed his frustration that Council President Morten did not handle the issue after hearing about it at the Parks and Trails Commission meeting, and instead had it brought before a Council meeting.

DELIBERATIONS

1. Annexation of 35526 Firway Lane (Sell)

City Administrator Walsh emailed a copy of the McNulty Water Agreement to the Council. Associate Planner Dimsho reported that the requirement for connecting to City water does not apply in this case because the water line is 1,000 feet away.

Motion: Motion made by Councilor Topaz and seconded by Mayor Scholl to approve the annexation of 35526 Firway Lane. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

2. Annexation of 58830 Firlok Park Street (Frank)

Motion: Motion made by Councilor Topaz and seconded by Councilor Birkle to approve the annexation of 58830 Firlok Park Street. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

ORDINANCES - First Reading

1. **Ordinance No. 3260:** An Ordinance Granting Comcast of Delaware, II, Inc. a Non-Exclusive Franchise and Right to Continue to Operate, Construct, and Maintain a Cable System in the City of St. Helens, Oregon

Mayor Scholl read Ordinance No. 3260 by title for the first time. The final reading will be held at the next regular session.

RESOLUTIONS

2. **Resolution No. 1912:** A Resolution of the City of St. Helens City Council Authorizing Application for an Infrastructure Finance Authority Loan to Design and Construct Riverfront District Public Infrastructure

Mayor Scholl read Resolution No. 1911 by title. **Motion:** Motion made by Councilor Chilton and seconded by Councilor Topaz to adopt Resolution No. 1912. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

3. Contract Extension with Hasa, Inc. for Sodium Hypochlorite at WWTP
4. Covenant to Bind Property for N. 7th Street Affordable Housing Project
5. Contract Payments

Motion: Motion made by Councilor Birkle and seconded by Councilor Chilton to approve '3' through '5' above.

Discussion. Councilor Topaz referred to item '4' above. He has concerns about parking and would like to see a better description. Mayor Scholl pointed out that this request is to just bind the properties. It is not for the buildings.

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

CONSENT AGENDA FOR ACCEPTANCE

6. Library Board Minutes dated December 14, 2020 and February 24, 2021
7. Parks & Trails Commission Minutes dated January 11, 2021
8. Planning Commission Minutes dated February 9, 2021

Motion: Motion made by Councilor Birkle and seconded by Councilor Topaz to approve '6' through '8' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

9. Council Work Session, Executive Session, Special Session, and Regular Session Minutes dated March 3, 2021
10. OLCC Licenses
11. Accounts Payable Bill Lists

Motion: Motion made by Councilor Birkle and seconded by Councilor Topaz to approve '9' through '11' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS**Proposed Bench Donation on River Street**

Motion: Motion made by Councilor Chilton and seconded by Councilor Topaz to approve the bench site as proposed. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Concept Designs for Sand Island Campground Picnic Shelters and Cabins

Mayor Scholl pointed out that the City does not pay for this proposal. The holder of the lease is requesting approval to add two picnic shelters and six cabins.

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to approve the concept design as submitted. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

MAYOR SCHOLL REPORTS

- Activity on the Waterfront Property is increasing.
- He wants to return to in-person meetings. He requested staff report back with a plan at the next meeting. It is better for Council to meet in-person.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- He has received a couple calls from community members stating that the City is not following the Charter adopted by citizens. It was discussed during the retreat. He would like to review the Charter compared to how they function.

Mayor Scholl reminded the Council that they all have a copy of the Charter in their Council handbook.

Councilor Chilton asked what the complaints were referring to? Council President Morten explained that voters amended the Charter in 2014 to specify the City is to have a Commission form of government. He has responded to citizens by saying the City is a hybrid form of government and they have a governing policy that appoints a city manager to oversee daily operations. Citizens respond that it is illegal because the voters passed something else. He would like to review it again as a Council. Mayor Scholl pointed out that Walsh is a city administrator and not city manager. Discussion ensued.

City Administrator Walsh suggested having the City's attorney review the Charter and policies with Council to be sure it is being followed.

Councilor Topaz reported...

- He has no doubt that a new police station is needed. However, someone pointed out to him that the sales agreement for the grow facility at the old mill site was just recently signed. They asked how much money the City has received from it so far. He would like to know how much money was received back to 2018. People are very interested in money coming in and how it is being spent.

Councilor Chilton reported...

- Apologized to people listening. That was an absolute circus how Council members handled themselves. They need to do better.
- She reached out to a few downtown businesses to discuss upcoming projects. A lot of them were not aware of the projects. She reminded the Council and the City to be respectful of current businesses as well as future. They need to be part of the discussion.

Councilor Birkle reported...

- He suggested Council members take turns reading the Council mantra at the beginning of meetings. The reminder would be helpful.

- Planning Commission met last week. He had the great joy of spending 13.5 hours on Zoom and Google Meets that day. The Commission spent a great deal of time looking at the proposed Code changes in response to House Bill 2001. Planning staff worked hard to prepare and present those changes. The Commission did have some minor comments or thoughts about it. Overall, it was good work. It will come before Council as a public hearing on April 7.
- He is looking forward to staff's report on returning to in-person meetings.
- He participated in two of the Public Safety Facility engagement events last Saturday. Staff has done a good, thorough job presenting this information. He encouraged residents to participate. Everyone he has spoken with supports the new facility. The crucial question is how it will be funded. He encouraged citizens to call him and other Council members.

OTHER BUSINESS

Mayor Scholl apologized to Council President Morten. He did not mean to come across that way. He also apologized to citizens for his behavior.

ADJOURNMENT – 8:23 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor