



COUNCIL WORK SESSION

Wednesday, February 21, 2024

APPROVED MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Jessica Chilton
Councilor Mark Gundersen
Councilor Russell Hubbard
Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Mouhamad Zaher, Public Works Director
Suzanne Bishop, Library Director

Gloria Butsch, Finance Director
Bill Monahan, Contracted City Attorney
Matthew Kahl, Contracted City Attorney
Tina Curry, Contracted Event Coordinator

OTHERS

Steve Topaz	Brady Preheim	Ron Trommlitz	Steve Toschi
Melanie Olson	Jane Garcia	Jak Massey	MM
Jenni Gilbert	Paul Vogel	Richard Mason	Michelle
Bmitch	Jennifer Massey	Erin Salisbury	RLT
Zoom User	Arthur Leskowich	Stephanie Patterson	

CALL WORK SESSION TO ORDER – 2:00 p.m.

VISITOR COMMENTS - *Limited to three (3) minutes per speaker*

- ◆ Ron Trommlitz. The 2-million-gallon water reservoir rehabilitation failure report was being held hostage. The use of client privilege was setting a precedent, giving rise to mistrust of John Walsh's actions of solving the rehabilitation failure. Walsh obviously did not feel compelled by transparency to explain the need for client privilege. Mr. Trommlitz appreciated the newspaper printing his opinion and he hoped to create interest in the W-449 contract procedures. The reservoir rehabilitation failure deserved an in-depth investigative news story. Silence was complicit. People had threatened to sue Mr. Trommlitz to intimidate him. Facts and truth were important, and the public had been deceived about the Walker consultants' report.
- ◆ Steve Topaz. The presentation from Maul Foster about the lagoon had been delayed. The report's purpose was to turn the lagoon into a waste dump, not to investigate feasibility. Many of the proposed tests for the lagoon had not been done or had been marginal in execution, but the tests had revealed that structures on the site would need extensive foundation work due to soil conditions, and that the levy could fail if an earthquake occurred. He talked about the PVC liner failure and the core tests showing it was still hot under the lagoon and gases were being released. He noted the depth of the canyon under the lagoon was 383 feet. He stated there had been no mention of how the sewer treatment plant would be handled. A Department of Environmental

Quality (DEQ) sedimentation remediation study on the former Boise White Paper Mill site had stated that the St Helens site was not acceptable for placing soils from Portland Harbor.

- ◆ Brady Preheim. Mr. Preheim spoke about the City's financial deficit as discussed at the last Budget Committee meeting. He did not see any panic and that concerned him. He hoped financial problems would be solved with the solar company. City finances needed to be addressed. He was concerned with the Columbia Economic Team (CET) report. The Economic Team had complained that the Tourism Director did not want to meet with them or share information. Economic development got way more money than Tourism, which produced its own revenue. He was interested in public meetings law, and believed Mr. Toschi should be able to be here, as it was clear that he had the right. He said realtors had been involved in a shady dirty dirt deal. He was hopeful the City could learn from its mistakes. A contract for the Tourism Director was needed right away.
- ◆ Steve Toschi. Called in as a citizen who had been studying City finances to share his opinion on the funds for the loan payoff. The law being considered to shift the funds from a police station to other applications was necessary at this time.

DISCUSSION TOPICS

1. **Semi-Annual Report from South Columbia County Chamber of Commerce - *Jak Massey, Executive Director***

Executive Director Jak Massey reviewed her report. A copy was included in the archive packet for this meeting. A few highlights were Coffee & Commerce events, Happy Hour events, ribbon cuttings, new memberships, the monthly newsletter, attendance of 272 people at last year's Awards Banquet, capital improvements including a new furnace/air conditioning unit and IT upgrades, a new merchant services provider, Board member changes and new ambassadors, and local media partnerships.

Ms. Massey encouraged the Council to attend the Annual Awards Banquet on March 23, 2024 at the Columbia County Fairgrounds where ten awards would be presented to citizens and local businesses. She discussed award sponsorship levels and opportunities to promote businesses at the event. She encouraged the City to consider sponsoring an award.

City Administrator Walsh talked about the 50% email click rate and noted he gets double emails from the Chamber. Ms. Massey would continue making changes to improve membership communications.

Last year, the City sponsored two tables. Further sponsorship would be discussed.

2. **Semi-Annual Report from Columbia Economic Team - *Paul Vogel, Executive Director***

Paul Vogel reviewed his report. A copy was included in the archive packet for this meeting. He also brought up Public Works Director Mouhamad Zaher to provide an update on Project Sprint which had begun in June 2023.

Public Works Director Zaher noted the following:

- All stakeholders met on January 10, 2024 to discuss technical challenges.
- The project made tremendous progress working with partners including Columbia County, Business Oregon, and the Columbia River People's Utility District (CRPUD).
- The letter of intent (LOI) had been renewed on January 17, 2024.
- The project was entering the last phase to negotiate lease terms, consider commercial water and utility rates, and involve PGE in the parcel to bring more power.
- The existing LOI would expire on March 31, 2024 and they hoped a decision would be made before that date.
- The support from the Council and City Administrator Walsh was instrumental.

Mr. Vogel reviewed the slides he had distributed to the Council. A few highlights were the Project Sprint update, site development needs, grants pursued, partnerships, initiatives to expand energy infrastructure, tourism branding, and business recruitment, retention, and expansion. He discussed the process, strategies, and outcome of creating a new tourism logo and shared a video featuring Columbia County's new branding campaign.

Mayor Scholl thanked Mr. Vogel for his support and assistance with Project Sprint.

City Administrator Walsh introduced Melanie Olson and commended her work on infrastructure projects. Ms. Olson discussed the Regionally Significant Industrial Sites (RSIS) and stated it had been proposed to restart the program as a tool to support communities.

Mayor Scholl stated St. Helens was a great place to live near the salmon on the Columbia River, being 1.5 hours from the coast or the mountains, and only 45 minutes away from downtown Portland. Mr. Vogel agreed and stated the branding process was about aligning with what people wanted to see.

Council President Chilton asked what had been worked out with Portland Community College (PCC) regarding the workforce for Project Sprint. Mr. Vogel said he had met three times with the PCC workforce specialists to pull together similar programs with nearby community colleges. He discussed the advanced manufacturing programs at other community colleges which would be involved in the project. PCC had offered to provide a lobby for training fairs and hiring, and they had been connected with the regional Work Force board. Everything was pending a decision. PCC had a larger enrollment than all four universities and had the student base to provide a trained workforce for the project.

Mayor Scholl said the Council would be getting a presentation about the power issues in the area tonight from the CRPUD. Public Works Director Zaher agreed that power was the major issue.

Councilor Hubbard had asked the CRPUD to speak tonight. The prospective site was served by Portland General Electric (PGE). Mr. Vogel discussed the complexity between energy service providers in the area.

3. Review Proposed Amendments to SHMC 13.30 - St. Helens Public Safety Fee - *City Administrator John Walsh*

City Administrator Walsh invited City Attorney Monahan and Finance Director Butsch to participate in the conversation and he talked about what would be allowed by the proposed amendments for the public safety fee. Finance Director Butsch added that the collected funds would fill the gap for 2024 to hire officers now, and that in subsequent budgets the rate of \$10 would only pay for the debt service. City Administrator Walsh explained this was because the City had borrowed interest for the first couple years. Finance Director Butsch noted the proceeds had earned a significant amount of interest.

Council President Chilton asked whether the amendments would allow the funds to be used for other police-related projects. City Administrator Walsh confirmed that was correct. No decisions had been made about increasing fees on utility bills.

Councilor Sundeen stated the funds would fill an immediate need but would not continue long-term. Finance Director Butsch confirmed that was true unless the fee was increased to fill the gap for a longer term.

Council President Chilton understood the money that had already been generated for the Police Station would continue to go to the Police. City Administrator Walsh said the funds could also be used to pay the debt service. Finance Director Butsch affirmed that the bond proceeds were not being used in any other way, and this was simply to repurpose part of the Public Safety Facility Fee for Police services.

Council President Chilton clarified that the changes were all related to the Police and would add the choice to use the funds for capital costs, acquisition, improvement, replacement, or construction of the

Public Safety Facility. Finance Director Butsch confirmed. City Administrator Walsh said changing the fee would require a public hearing.

Councilor Hubbard asked if staffing needs would be met. Finance Director Butsch stated the current \$10 fee could fill the gap in staffing to get more officers hired and equipped in the short-term.

Council President Chilton understood they had voted to keep the \$10 fee for the Police Station, and she did not know why there was confusion.

4. Review Request for Proposals for Realtor Services - *City Administrator John Walsh*

City Administrator Walsh stated the realtor services would help to get the Millard Road property and other City properties on the tax rolls. The process would allow the City to see who could bring about the property's highest and best use.

Two Council members were needed to participate on the selection committee. Council President Chilton suggested that Councilor Hubbard serve on the selection committee, and he consented to do so. Mayor Scholl also agreed to serve on selection committee.

City Administrator Walsh discussed the need to do a request for proposal (RFP) process for the Tourism contract to comply with independent contractor law.

5. Review of Public Meetings Law and Executive Sessions - *City Attorney Bill Monahan*

City Attorney Monahan stated that in 2023 the Oregon Legislature created requirements that all elected members of city councils participate at least once in a new training provided by the Ethics Commission. The trainings were still on hold to complete the rulemaking. He also noted the Ethics Commission would be more diligent in ensuring compliance with public meeting laws, and Executive Sessions were becoming more of a focal point.

City Attorney Monahan reviewed the Council's ability to hold executive sessions as stated under ORS 192.660 Section 2. He gave a presentation regarding executive sessions via PowerPoint. A copy of the presentation was included in the archive packet for this meeting. He discussed allowing members of the news media to attend executive sessions, and determining who was a representative of the news media. He noted that Steve Toschi had requested to be admitted to executive sessions as a representative of the news media. He discussed the exceptions to news media attending executive sessions, the requirement not to disclose information covered by executive session privilege, and the importance of avoiding topics that did not fall under executive session privilege.

City Attorney Monahan stated the Ethics Commission could investigate whether a member of the news media had been excluded. He discussed the news media attendance policy created by the League of Oregon Cities and he acknowledged the widely varied credentials of news media representatives. He cited the Ethics Commission's advice to drastically limit the use of confidential information to prevent potential misuse. The City could not apply sanctions or limit the number of news entities in attendance at executive sessions, and they would have to rely on the good faith of members of the news media not to disclose information discussed during executive sessions.

City Attorney Monahan confirmed Oregon was the only State with transparency laws allowing news media representatives to attend executive sessions. There was a higher duty of care for elected officials in Oregon to carry out their business in the view of the public. There had not been many issues with using the news media attendance policy created by the League of Oregon Cities.

City Attorney Monahan stated virtual City Council meetings had been mandated by the governor after covid. The City had to rely on the good faith of news media representatives attending executive sessions virtually that they were alone and were not recording the meeting.

City Attorney Monahan was uncertain how many cities had been challenged by the Ethics Commission regarding news media representative qualifications. He stated the Council would determine who was a news gatherer on a case-by-case basis.

6. Report from City Administrator John Walsh

City Administrator Walsh provided his report. Highlights of his report with input from the Council were as follows:

- Project Sprint was exciting.
- Project Arcadia planned to make a proposal for the paper machine building. It would take time to solve the power issues and get the buildings back into proper condition for operation.
- Work was being done on the budget impact for this year. Short- and long-term changes were being considered to ensure the continuing fiscal health of the City.
- Programs and projects had been brought back slowly after the loss of funding and 30 percent of City staff members in 2011-2012.
- City Administrator Walsh was hopeful that the current projects would only create a short dip in finances.
- The Council and City Staff would participate in the realtor selection process to avoid calling a special meeting. The Tourism RFP selection process could also be a hybrid process between the Council and staff. The Council would be given recommendations by Staff in either case.
- The Council had given the direction to withdraw the Kaster Road location from the Police Station siting project. The City must officially withdraw by the end of March to avoid a LUBA process.
- The withdrawal had been based on attorney recommendations regarding the high cost to proceed during the current budget crisis.
- It would be helpful to hear again from the attorney who had made the recommendation.
- City Administrator Walsh would ask City Planner Graichen to come to a future meeting to give a presentation on the options for moving forward.
- New opportunities for Police Station site selection had been identified.
- The site at Columbia Blvd. would work, but it would need sewer modifications.
- Other sites were being considered, including Pittsburg Road and Highway 30.
- The Community Center could be remodeled and expanded to serve as the Police Station, and Community Center activities could be moved back to the Recreation Center.
- Architects had expressed concern over the seismic condition of the Community Center and Recreation Center buildings.
- County Commissioners had proposed using the site next to the Jail and Sheriff's Office, but that site may have some floodplain concerns.
- How many potential sites did the Council want to consider?
- If the existing construction plans could be used at the selected site, it would bring a significant cost savings.
- Ensuring the site selection was done legally and involving the Planning Commission early. Police Station site selection could be discussed at the joint meeting with the Planning Commission in March.
- The Police had liked the idea proposed at a union meeting to remodel the Recreation Center. The Police just wanted a facility that fit their needs.
- Architects had proposed demolishing the current Recreation Center and building a seismically resilient Police Station. Demolishing the current buildings would not save money.
- The purpose behind the Recreation Center location was the proximity to schools, and demolishing the buildings would defeat the purpose.
- Having an ad hoc committee review potential sites.
- None of the sites stood out as good options, and new ideas were welcome.

- The committee had originally selected the site at Columbia Blvd. as their top choice, but the Police did not like the site.
- City Administrator Walsh could arrange a meeting with the Planning Commission to continue the discussion of possible sites for the new Police Station and the constraints of each site.
- The regulations in the State and City Building Codes applied to a 100-year floodplain.
- At the Kaster Road site, the building and back driveway would be out of the 100-year floodplain, which had not flooded in Mayor Scholl’s lifetime.
- It would be a mistake to withdraw the site from going through the LUBA process.
- Avoiding controversy or fighting.
- Floodplains were just lines on a map used to restrict what was allowed in certain areas.

ADJOURN – 4:19 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne
Kathy Payne, City Recorder

/s/ Rick Scholl
Rick Scholl, Mayor