



COUNCIL REGULAR SESSION

Wednesday, April 07, 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
Joe Hogue, Police Lieutenant
Jacob Graichen, City Planner

Jenny Dimsho, Associate Planner
Crystal King, Communications Officer
Tina Curry, Event Coordinator
Bill Monahan, City Attorney
Matthew Kahl, City Attorney (arrived at 7:24 p.m.)
Peter Hicks, City Attorney (arrived at 7:31 p.m.)

OTHERS

Tim Goodman	Autumn Oliver	Sean Edging, DLCD
Shauna Stroup	Erin Salisbury	Judy Thompson
Brady Preheim	Tammy Maygra	Bob Brawand

CALL REGULAR SESSION TO ORDER – 7:09 p.m.

PLEDGE OF ALLEGIANCE

Mayor Scholl recited the Pledge of Allegiance.

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

- ◆ Brady Preheim. He is not happy about the City allowing Comcast to give away their local office. He wishes more thought had gone into allowing that.

Brady read the Mayor's statement into the record from when he ran for Mayor. Brady declared that he will not vote for anyone on the Council again if they choose to make a decision on the Public Safety Facility without going to the voters. The people need to make the decision. There are fewer police officers now than in 2011. He does not support the new building, but would support some maintenance upgrades, increasing the size of the locker room, and fencing. Two weeks ago, Councilor Topaz put out false information by saying the building was \$4-8 million. The numbers have only been released recently. That needs to be made clear, as well as letting the people vote.

- ◆ Erin Salisbury. Thanked the Mayor and Councilors for allowing her to speak. She loves the opportunity to follow up after Brady's comments. She was a member of the Ad-hoc Committee. She has been a resident of Columbia County since 2006. Her husband has been an attorney in Columbia County since 2000. They have a very diverse law practice. She does not live within the city limits and cannot vote for council members or City tax levies. However, she and

her husband own a piece of property in St. Helens, which is used for his law practice. They would be affected by any property tax measures. There were other members on the Ad-hoc Committee who had business interest in the city but did not live within the city limits. The citizens elected the Council to represent them and make decisions. The Ad-hoc Committee was overwhelmingly in support of the Public Safety Facility moving forward. Anyone who has seen and toured the current police station knows that. She urged the Council to use their elected representational powers to make a decision. Staff has done a phenomenal job of doing the groundwork. The Ad-hoc Committee recommends using the utility bill for a Public Safety Fund. That was the most equitable way to distribute the cost, as well as accounting for growth. Putting it out for a vote only delays the decision. She sees no reason to spend more of the City's resources.

- ◆ Shauna Stroup. She feels going out for a public vote would be most prudent for a new Public Safety Facility. The community feedback is that this is being pushed through. There is no doubt that a better facility is needed. There is quite a bit going on in the community. The agendas are not being uploaded onto the website. There is a public hearing on April 21, but she cannot find any information out about it. She called to find out what today's public hearing was about and was told it was in regard to the new Public Safety Facility, which it was actually about the proposed Code changes. It used to be posted a month in advance but has not been lately. She also asked why the Oregon Department of Transportation recently put in two traffic counters on N. Vernonia Road and S. Vernonia Road.
- ◆ Tammy Maygra. She asked for the Council to allow the public to vote for the proposed Public Safety Facility. They are the ones paying for it. That shows them that the Council is interested in their opinions. After she toured the current police station, she agreed with the need for a new facility. It is ratty looking and not a good representation of our City.

DELIBERATIONS

1. Amendments to the St. Helens Community Development Code

Mayor Scholl expressed his appreciation of the thorough job City Planner Graichen and the Planning Commission did.

Councilor Birkle participated in the Planning Commission deliberation as the Council liaison. He admires the work Planning staff did on the Code amendments. He supports the recommendation of the Planning Commission and staff.

Councilor Chilton does not agree with the tandem parking. She does not see the need for it at this time. Other than that, she agrees with the recommendations. City Planner Graichen pointed out that they are not mandated to allow tandem parking. They are recalibrating the Code and that was germane discussion. The motion could be to accept the staff recommendations, except for tandem parking allowances. Councilor Chilton agreed with that recommendation. She sees the problems associated with tandem parking.

Council President Morten agreed with Councilor Chilton about tandem parking. He acknowledged the hard work done by Planning Commission.

Mayor Scholl clarified that tandem parking would have to be approved by staff in certain situations. Graichen responded that it would only be allowed in cases that the attached single-family dwelling lot width was 39 feet or less in width.

Mayor Scholl agreed with staff's recommendation, and allow tandem parking as explained by Graichen.

Councilor Birkle understands the concerns of Council President Morten and Councilor Chilton but stands by the Planning Commission and staff recommendation.

Councilor Topaz is not in favor of tandem parking. It is okay for short-term visitors but a mess for full-time residents.

Discussion ensued about tandem parking.

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to accept staff recommendations, except for tandem parking allowances. **Vote:** Yea: Council President Morten, Councilor Topaz, and Councilor Chilton. Nay: Mayor Scholl and Councilor Birkle

ORDINANCES – Final Reading

2. **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 final time. **Motion:** Motion made by Councilor Birkle and seconded by Council President Morten to adopt Ordinance No. 3260.

Discussion.

Council President Morten acknowledged the flexibility and deliberations they had with Comcast. They showed good faith in going forward with the demands that were asked.

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

ORDINANCES – First Reading

3. **Ordinance No. 3261:** An Ordinance Vacating a Portion of S. 2nd Street Right of Way

Mayor Scholl read Ordinance No. 3261 by title for the first time. The final reading will be held at the next regular session.

4. **Ordinance No. 3262:** An Ordinance to Annex and Designate the Zone of Certain Property at 35526 Firway Lane

Mayor Scholl read Ordinance No. 3262 by title for the first time. The final reading will be held at the next regular session.

5. **Ordinance No. 3263:** An Ordinance to Annex and Designate the Zone of Certain Property at 58830 Firlok Park Street

Mayor Scholl read Ordinance No. 3263 by title for the first time. The final reading will be held at the next regular session.

RESOLUTIONS

6. **Resolution No. 1913:** A Resolution to Adopt an Updated City of St. Helens Personnel Policies and Procedures Handbook, Superseding Resolution No. 1893

Mayor Scholl read Resolution No. 1913 by title. **Motion:** Motion made by Councilor Birkle and seconded by Councilor Chilton to adopt Resolution No. 1913, amending Section 003(H) Religious Observances Leave and Accommodation Policy to include the word "practices" as well as beliefs and observances and to amend the last sentence to read, "Request for religious leave or accommodation should be made with your immediate supervisor. If the employee's request does not contain enough information for the City to make a determination on the accommodation request, and the City has a reasonable doubt as to the basis of the accommodation request, the City may make a limited inquiry into the facts and circumstances of the accommodation request." **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

7. Intergovernmental Agreement with St. Helens School District for School Resource Officers
8. Agreement with WEST Consultants, Inc. for Milton Creek FEMA Letter of Map Revisions

9. Contract with A West Pacific Contractors LLC for Playground Equipment and Fall Protection Installation at McCormick Park
10. Contract Payments

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '7' through '10' above.

Discussion.

Councilor Chilton asked about the St. Helens School District agreement for School Resource Officers. Assistant City Administrator Brown explained that they currently have an IGA with the School District. The School District pays a portion of their salary and benefits. This is updating and extending the agreement, as well as additional language and clarification for City staff and the School District.

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

CONSENT AGENDA FOR APPROVAL

11. Council Work Session, Executive Session, Public Hearings, and Regular Session Minutes dated March 17, 2021
12. OLCC Licenses
13. Accounts Payable Bill Lists

Motion: Motion made by Council President Morten and seconded by Councilor Birkle to approve '11' through '13' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

Public Safety Facility

Mayor Scholl would like staff to look at every option for the fee and return with a recommendation.

Councilor Chilton agreed. She would like to move in the direction of the Public Safety Fund.

Councilor Birkle expressed his appreciation of the visitor comments regarding whether or not they should go to the public for a vote. Prior to the election and joining the Council, he probably would have agreed with going to the voters. However, he has been persuaded through the process of the Ad-hoc Committee, participating in the forums, and speaking with residents and business owners. He would like to see the staff give the Council recommendations to move forward with the establishment of a Public Safety Fund.

Councilor Topaz thinks the population has actually voted. He does not think they need to go through the paperwork and expense of running it down the ballot box.

Council President Morten said he has always been an advocate of the voting process and listening to the public through the ballot box. However, studies, citizen input, work done by consultants, and the recommendation by the Ad-hoc Committee shows the need and cannot keep getting put off. This is a safety issue. They are losing their effectiveness of efficient policing. He agrees with the recommendation to move forward with the Public Safety Fund. This is the best, most efficient, and most effective way of doing this.

City Administrator Walsh explained that creating the Public Safety Fund now, will not prevent the Council from going out for a vote later.

Consensus of Council to proceed with the recommendation.

Strategic Action Plan Updates – continued from Work Session

Brown explained that Council technically approved this already tonight. It was to hire a hydrologist to review and redo the 500- and 100-year floodplain lines on the FEMA map in coordination with Planning staff.

Councilor Topaz asked Graichen if the 500- and 100-year floodplain is mainly because of the creek. Graichen said yes. Councilor Topaz asked that because the creek has been moved around during the time the mills have been there. Is it possible to remove the 500-floodplain by re-rooting or digging the creek deeper? Or is that outside of the law? Graichen responded that it is possible that they would have to mess with the creek. They believe that the reason the floodplain balloons at that point is because of the bridge. That may be a choke point in a flood event. It is a fish-bearing stream. He hopes they do not have to mess with the creek to change the map.

Discussion ensued about the creek and fish regulations.

City Administrator Report – continued from Work session

- They have been super busy. The new world of infrastructure funding has staff scrambling to work on projects. They are working with legislatures to receive additional funding.
- Waterfront projects are moving along. The Technical Advisory Committee will meet on April 14.
- Locates are being done for the Veneer property streets project.
- April 13 and 27 - Budget Committee meetings.
- April 15 – Council Special Session to discuss tourism.
- April 21 – Council Public Forum for a central waterfront update. Working with a film crew to produce a short documentary on that project.
- Still working on a plan for fireworks.
- Working with Sheri on the Main Street Program.
- The boat and dock saga continues. They are working on a registration process for incoming boats and assigning a staff member to oversee that.
- Working with CCET to apply for Travel Oregon grants. They are looking for funding for transportation back and forth to Sand Island but decided to support the Sand Island Campground and their park development plans.
- Through the Tourism program, Tina is organizing a community garage sale on June 19 to support the Kiwanis. There will not be a parade again this year due to COVID.

MAYOR SCHOLL REPORTS

- Meeting with Western Fireworks on Friday to talk about 4th of July logistics.
- Need to continue receiving vaccinations, wearing masks, and washing your hands.
- He and Walsh are going to meet with NEXT Renewable's Executive Board.
- Continuing to foster relationships with the Port and new businesses.
- The housing market is phenomenal right now.
- Continuing to stay in contact with the other elected officials in the area.
- Things are happening and the city is growing.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- Celebrates the development of the Parks and Recreation Division. Congratulations to Shanna Duggan! It is exciting to see her enthusiasm and partnership with the School District.
- He hopes everyone is taking note of the Highway 30 corridor on the north side and the south side. Kudos to Public Works for continuing to have pride and clean it up. The community is benefiting from it.
- He acknowledged the volunteers who are taking care of each other during COVID. There was talk in the past about recognizing community service groups, including Kiwanis, Rotary, and Lions Club. City Engineer Sue Nelson asked ODOT if they could display a sign recognizing those groups along the highway. It was unanimous to put it in front of the Chamber building. He would like to proceed with the plaque placement, which was approved by ODOT. He suggested discussing it at the next meeting or directing Public Works Director Zaher to work on it.

Mayor Scholl agreed with directing Zaher to work on it since it has already been approved by ODOT. He appreciates the work of the volunteers and agreed that it was a unanimous approval from the former Council to proceed.

Councilor Topaz reported...

- The Library is preparing to open for limited hours.
- He would like a way to access the City from Highway 30 over the railroad. Now is the time to do it with federal funding.

Councilor Birkle reported...

- He participated in the Nob Hill work party on Saturday. It was great having Scout groups there to help. Scappoose Bay Watershed Council will be coming back with plants.
- It is wildflower time in the St. Helens parks. The downside is the invasive species that are taking over parks space and yards. He encouraged people to weed out the invasive plants to make room for the native plants.
- He did some homework after Council President Morten expressed concerns from citizens that the Council is not conforming to the City Charter. As far as he can tell, they are in conformance with the Charter. He suggested holding a Public Forum to help explain the Charter and how the City conforms to it.

Councilor Chilton reported...

- She echoed the appreciation of volunteers. She and her family attended the drive thru MEGGA Egg Hunt this year. There were a lot of volunteers and it was a great event.
- Enjoying watching youth sport events happening again.
- The weather has been great. She has started her garden.
- Continuing public outreach with community members regarding the Public Safety Facility.
- Looking forward to the Budget Committee meeting and tourism workshop next week.
- Thank you to the citizens who trust her to represent them to make hard and swift decisions to benefit the community.

OTHER BUSINESS

ADJOURNMENT – 8:33 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne
Kathy Payne, City Recorder

/s/ Rick Scholl
Rick Scholl, Mayor