



COUNCIL WORK SESSION

Tuesday, July 16, 2024

APPROVED MINUTES

MEMBERS PRESENT

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

STAFF

John Walsh, City Administrator	Sharon Darroux, Engineering Manager
Lisa Scholl, Deputy City Recorder	Nick Ratliff, Utility Worker I
Crystal King, Communications Officer	Ryan Powers, Water Systems Operator
Mike De Roia, Building Official	Adam Raethke, Police Officer
Jenny Dimsho, Associate Planner	Ashley Wigod, Contracted City Attorney
Mouhamad Zaher, Public Works Director	Sam Erskine, Contracted Prosecuting Attorney

OTHERS

Michael Curri	Jespinosa	Susan Baker
Jim Coleman	MM	Patrick Birkle
Mitz	Vada Clark	Gin Birkle
Andy Bates	Steve Topaz	Brady Preheim
Jane Garcia		

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

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

- ◆ Susan Baker. Expressed concerns about the effects on downtown businesses without a tourism contractor in place so close to Spirit of Halloweentown, suggested waiting until October to close downtown, and asked if the City could provide help to create more events or help the businesses who depend on Halloweentown.
- ◆ Patrick and Gin Birkle. Described their work with the Oregon Community Foundation to use Birkle's stipend from his time on the Council for a donor-advised fund, the Birkle Family Environmental Education Fund, with an initial contribution of \$25,000.
- ◆ Vada Clark. Fireworks needed to be banned or limited after she had been listening to them for 13 days.
- ◆ Steve Topaz. Stated the comments he made at a previous meeting had not been recorded or entered into the record. He reiterated those comments, which were about surplus property, toxic waste at the Millard Road property, and the value of the Millard Road property. He also described the sewer plant re-permit hearing with the Department of Environmental Quality (DEQ) last week, dumping sewage in the river, and the old County Fair dump leaking into McNulty Creek.

Mayor Scholl responded that the City complied with DEQ standards and the dump had nothing to do with sewage. He invited Boise employees to testify that no sewage was beyond the Fairgrounds.

- ◆ **Brady Preheim.** Expressed frustrations about construction including that the road being built was too narrow for two lanes, explained why the City should announce whether the Sand Island Sandcastle Competition would happen, and noted it was now four weeks with no contract with Treadway for tourism when they were supposed to sign within seven days.

Public Works Director Zaher confirmed that the intersection by Cowlitz Circle and 1st Street would be a two-lane street.

DISCUSSION TOPICS

1. Employee Length of Service Recognition - Buck Tupper (15), Adam Raethke (5), Nick Ratliff (5), and Ryan Powers (5)

Mayor Scholl presented length of service awards to Ryan Powers, Nick Ratliff, Adam Raethke, and Buck Tupper. He expressed appreciation for all the awardees and the Council commended Tupper for his leadership and dedication.

2. Presentation of Strategic Networks Group Broadband Assessment and eStrategy Report - Michael Curri, SNG Founder & President

Michael Curri, SNG Founder and President, presented via PowerPoint the final Broadband Assessment and eStrategy report, highlighting background and key findings including high cost and high dissatisfaction with current broadband services and that prime workforce groups would relocate to get better broadband. He noted the data was two years old at this point and concluded with next steps.

There was discussion on the City's reason for having the assessment done, the public-private partnership necessary for digital infrastructure in the greater St. Helens area, potential funding partners, and potential financing structures.

The Council was in agreement to proceed with the next steps outlined by SNG, working with City staff and network planners to ensure the City had capacity to provide in-kind services. City Administrator Walsh confirmed a resolution authorizing staff to proceed with the private investors would be brought to the next meeting.

3. Municipal Court Semi-Annual Report - City Administrator John Walsh

Contracted City Prosecutor Erskine presented the Municipal Court Report, which included a comparison of crimes, revenue for crimes, violation, and revenue for violations between Fiscal Year 2022-2023 and 2023-2024.

Councilors and staff discussed the City's previous consideration to do away with Municipal Court, services provided by the security contractor, and the new defense attorneys.

4. Building Division Semi-Annual Report - Building Official Mike De Roia

Building Official De Roia presented via PowerPoint the Building Division report covering January to June 2024, reviewing permit activity, Intergovernmental Agreements (IGAs), an update on State Building Code which included the new IGA for e-permitting and electronic services which would be on tonight's Regular Session agenda, and completed recertification training. He also highlighted rulemaking coming out of the State this year specific to the Building Codes Division and reviewed building projects underway around the city, concluding with plans in the second half of 2024 to review and propose Code changes which the Council suggested should involve the Planning Commission.

Questions from the Council were addressed confirming all the administrative costs still remain at Columbia City as they do that part, that a state ready-build plan for developers would reduce plan review time and would include a public comment period, and that De Roia was in favor of the minor label

program. He further confirmed there was an empty parcel in between Fast Lube and Dairy Queen who had shared pedestrian access to the right-of-way that needed built.

5. Discussion on Special Procurement for Undergrounding Electrical Services on the S. 1st Street – Strand Street Road and Utilities Extension Project - Public Works Director Mouhamad Zaher and Engineering Manager Sharon Darroux

Public Works Director Zaher reviewed via PowerPoint the special procurements rules, the status of the Waterfront Project which was 70 percent complete, upcoming improvements and work, the procurement timeline for undergrounding the electrical services, price negotiations, and a summary of the findings for the special procurement. Staff recommended approval at tonight's Regular Session to move forward with the undergrounding.

Questions and comments from the Council were addressed about the inlay of basalt into the sidewalks, the intersection work, and confirming the final price was for all construction plans, which the 31 percent savings in cost came from a year of rough negotiations, and that Moore Excavation, Inc. (MEI) would return to complete the work.

6. Discussion regarding Lumen's Refusal to Cooperate with Downtown Construction Projects - Public Works Director Mouhamad Zaher and Engineering Manager Sharon Darroux

Public Works Director Zaher described how Lumen had fought with the City the last two years claiming the undergrounding project was a beautification project which meant the City should pay to have Lumen do any undergrounding work. The City had explained the undergrounding was a Capital Improvement Project and sent Lumen warning letters as Lumen had no franchise agreement with the City. The City got some traction, but Lumen was still moving too slowly which was the genesis of the resolution on tonight's Regular Session agenda.

It was confirmed Lumen was an internet service. Initially the City told them to provide services so the undergrounding could be figured out, but Lumen said that was not possible because their service was proprietary. Engineering Manager Darroux added background information about further lack of cooperation from Lumen. She believed with the resolution, written by Jordan Ramis, Lumen would start cooperating.

Public Works Director Zaher confirmed staff had consulted with the City Attorney about the matter.

3:35 p.m. - Break

7. Report from City Administrator John Walsh

City Administrator Walsh reported on the ongoing negotiations with the new events contract which would likely necessitate a special meeting, the Project Arcadia purchase and sale agreement, and the likely cancellation of the Sandcastle festival due to logistical difficulties.

The Council and staff discussed the challenges of and possibilities for transporting attendees by boat, stipends paid to the organizer and carvers, and discussing next year's event with the new events contractor.

City Administrator Walsh also reported on library staffing needs and passed out the League of Oregon Cities ballot of priorities to identify the top five issues the City would like to focus on.

There was discussion on the Supreme Court's Grants Pass decision, acclimating the new events contractor with Spirit of Halloweentown, support for the event from the Public Works Department, the need to focus on revenue to ensure the City could support Spirit of Halloweentown, and postponing the event until October.

Council President Chilton appreciated Walsh's transparency with the social media accounts and the Wauna account, finding it unfortunate the City had to try to get back something that belonged to it.

ADJOURN – 4:29 p.m.

EXECUTIVE SESSION

- Real Property Transactions, under ORS 192.660(2)(e)
- Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Lisa Scholl
Lisa Scholl, Deputy City Recorder

/s/ Rick Scholl
Rick Scholl, Mayor