



COUNCIL REGULAR SESSION

Wednesday, April 06, 2022

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
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Jacob Graichen, City Planner
Jenny Dimsho, Associate Planner

OTHERS

Steve Toschi	Gerry Carnahan	Ellie Luke and Family
Jennifer Pugsley	Andrew Niemi	Olivia & Everette Fantus and Family
Jane Garcia	Chase Berg	Lily Drew and Family
Ali Hasenkamp	Shawn Clark	Morgan Lee and Family
Cory Englehardt	Dena Womack	Taylor Rose Parsons and Family
Hayden Stram and Family	Katelyn & Addison Wells-Callow and Family	

CALL REGULAR SESSION TO ORDER – 7 p.m.

PLEDGE OF ALLEGIANCE

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

- ◆ Jennifer Pugsley. She had follow-up questions from the Urban Renewal Agency meeting regarding the loan. Does the interest accrue from the beginning of the loan for those three years? Is it paid in the form of draws?

City Administrator Walsh responded that it is .6% interest rate on the amount that is drawn. Associate Planner Dimsho added that it's about \$120,000 in interest during those three years. That's included in the loan.

ANNOUNCE & AWARD PRIZES TO "IF I WERE MAYOR..." STUDENT CONTEST WINNERS

Mayor Scholl announced and awarded the prizes to the "If I Were Mayor..." Student Contest winners. First place winners won \$150. Their entries will compete for a prize at the State level. Second place winners won \$50. All participants received a certificate and a swag bag containing a coupon for a free book at the Friends of the Library book sale, water bottle, tote bag, book light, buttons, pens and pencil, lanyard, postcard, lip balm, and candy. Mayor Scholl invited all participants to join him for a pizza lunch to be scheduled in the summer.

Grades 4-5 Poster Category:

First Place Winner – Ellie Luke

Second Place Winner – Everette Fantus

Participant – Lily Drew

Participant – Morgan Lee

Grades 6-8 Essay Category:

First Place Winner – Taylor “Rosie” Parsons

Second Place Winner – Olivia Fantus

Participant – Addison Wells-Callow

Grades 9-12 Digital Presentation Category:

First Place Winner – Hayden Stram

Second Place Winner – Katelyn Wells-Callow

DELIBERATIONS**1. Planned Development (Zoning Overlay) at the current northern termini of N. 8th and 9th Streets lying north of Deer Island Road (North 8th Street LLC - Shawn Clark)**

Planning Commission unanimously recommended approval with the condition that no development allowed under this Planning Development (overlay zone) shall preclude manufactured homes. This includes development standards and other factors such as use restrictions the developer may place on themselves.

Councilor Birkle acknowledged that this is for the overlay and not the development. The Planning Commission did their due diligence considering the application.

Council President Morten acknowledged that the presentation was done well. He thanked the local Engineering firm for their work.

Councilor Chilton appreciated the care given to the wetlands and community.

Councilor Topaz asked about the value of the land. City Planner Graichen said they don't typically address that. Andrew Niemi mentioned in the public hearing that it was the Planned Development Overlay that made it work. They've been working on this a long time and have spent a lot of money dealing with wetland mitigation.

Councilor Topaz talked about migratory birds. Graichen said the Army Corps of Engineers often consults with Fish and Wildlife. They would have mentioned it if there were concerns. He pointed out that the ponds are being left alone. Councilor Topaz suggests that it will add value to the property.

Motion: Motion made by Council President Morten and seconded by Councilor Chilton to approve the Planned Development (Zoning Overlay) as recommended by Planning Commission. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

2. Second Amendment to Agreement with Otak for S. 1st and Strand Streets Road and Utility Extensions Project
3. Revocable License Agreement with Soltronox LLC for ATM Located on City Property at 277 Strand Street
4. Intergovernmental Agreement to Transfer Tax Increment Revenues of the St. Helens Urban Renewal Area to the City of St. Helens to Pay a Special Public Works Fund Loan
5. Amendment No. 1 to IGA with State of Oregon for Disposal of Surplus Vehicles, Heavy Equipment, Titled Trailers, & Watercraft
6. Agreement with Western Display Fireworks for 4th of July Fireworks

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '2' through '6' above.

Discussion.

Councilor Chilton pointed out that it looks like the fireworks will be set off from a barge. Mayor Scholl confirmed that Wilsonville Concrete Products has offered to barge them in. They will be loaded at Even Construction. It frees up the entire island and brings the show closer to the citizens.

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

CONSENT AGENDA FOR ACCEPTANCE

7. Parks & Trails Commission Minutes dated January 10, 2022
8. Parks & Recreation Commission Minutes dated February 7, 2022

Motion: Motion made by Councilor Birkle and seconded by Councilor Chilton to approve '7' and '8' above.

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

CONSENT AGENDA FOR APPROVAL

9. South County Leadership Collaborative Special Session Minutes dated March 3, 2022
10. OLCC Licenses
11. Accounts Payable Bill Lists

Motion: Motion made by Councilor Chilton 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

Initiation of Public Right-of-Way Vacation

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to initiate public right-of-way vacation proceedings pursuant to ORS 271.130 to vacate two street segments: The entire 7th Street right-of-way of the South St. Helens addition to St. Helens, Oregon, lying northeast of the Kaster Road right-of-way; and the extension of the S. 16th Street right-of-way, lying south of the East Street right-of-way within the St. Helens Subdivision, St. Helens, Columbia County, Oregon, as dedicated by Columbia County Deed Book 272, Page 970."

Mayor Scholl clarified that this is not the normal 7th Street. It's across from Johnny's Tavern.

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

Water Leak Adjustment

Mayor Scholl reported that the line cracked right at the cup link. Staff recommends adjusting it to the normal rate. It exceeded the dollar amount allowed by staff.

Motion: Motion made by Mayor Scholl and seconded by Councilor Topaz to adjust the bill down to the normal rate. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Tram

Motion: Motion made by Mayor Scholl and seconded by Councilor Birkle to register the tram with DMV as a slow-moving vehicle and obtain the needed insurance coverage.

Discussion.

Councilor Topaz asked for the definition of a slow-moving vehicle. Mayor Scholl said it goes about 15 MPH. It's probably for insurance and liability purposes. Event Coordinator Tina Curry added that it will have a license plate.

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

Sanitary Sewer Deficiency & Development Guidance

Mayor Scholl spoke of the sewer line capacity not being able to handle future growth. The last Sewer Master Plan was done in 1989. They are now trying to remedy a \$10-15 million upgrade to meet future capacity needs. There was discussion during the work session about an in-leu-of fee, which Steve Donovan recommended they consult with an attorney about. Graichen reviewed the options:

- Do nothing;
- Delay/disallow development; or
- Create an impact fee-in-leu-of improvements as a condition of land use approval

Councilor Birkle asked if it's an option between raising System Development Charges (SDCs) or creating the fee-in-leu-of. Graichen said they have done both in limited respects as it pertains to transportation. It's a question of whether Council wants staff to do that. If they do, they're relying fully on SDCs and utility rates to make up for deficiencies. It's always subject to challenge.

Councilor Chilton wants to make sure the money is saved to fix the problem. Graichen said they would work with Finance to make sure it's allocated for only that project. Mayor Scholl said it's not just a \$15 million project. He talked about all the future development that will potentially be catastrophic to the system if they do nothing.

Councilor Topaz said they have a problem and need to determine how to pay for it. Mayor Scholl added that it needs to pay for itself. Their predecessors should have taken care of this years ago. Now they must fix it. SDC rates are low compared to other cities. He has a piece of property to develop and will probably have to pay them.

Graichen asked if anyone is in favor of delaying or halting development. No Council members were in favor of that option.

Graichen asked if they want to do nothing and allow SDCs and user rates to take care of it? No response.

Graichen asked if staff should consider impact fees in-leu-of, as a condition of land use approval? Mayor Scholl is in favor of that. They can't use SDCs for existing infrastructure. Councilor Chilton is in favor of an in-lee-of fee if they track the money to fix the problems. Mayor Scholl emphasized the need to justify the fee.

Councilor Topaz asked if there are any other ways to raise money for the project. Walsh said they are looking for grants. Graichen added that there are also DEQ loans. Mayor Scholl wants to be proactive at pushing sewer towards Scappoose. Councilor Topaz suggested that unincorporated areas pay a higher rate to help pay for it.

Motion: Motion made by Mayor Scholl and seconded by Council President Morten to direct staff to figure out an in-leu-of fee, talk to legal counsel, and present their recommendation to Council. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

COUNCIL MEMBER REPORTS

Council President Morten reported...

- Lynn Chiotti requested a replacement for Sue Nelson on the Traffic Safety Commission. He will get more information from Lynn.
- Toured the new Food Bank. It's a wonderful, upscale renovation. It should be open to the public in June.
- He found out today that there is already a Parks Master Plan in place, which Steve Donovan was very impressed with. Associate Planner Jenny Dimsho helped create it when she was part of the RARE AmeriCorps Program. It's a sustainable document that staff can make amendments to for

now. It is available to view on the City's website or can be requested in paper form. Most of the urban trail will be handled by Public Works since it's in the public right-of-way.

Councilor Topaz reported...

- The mayor talked about advertising and patting themselves on the back. He recently heard on the radio that Intel is going to hurt four counties because of what it's doing. Columbia County was not mentioned as one of those. They need to figure out how to get in that loop because it does affect them.
- Sauvie Island did a study and found that mercury is a new problem in the Multnomah Channel. Since they can pump water out of the Channel and sell it for irrigation, do they have a good water analysis? The EPA is aware of the findings. It mainly involved farmland.
- The City's legal group is in the appeal process about the cost of litigation with Boise Cascade because of the sale of marijuana. How much money has the City spent on legal fees and other expenses for the marijuana property? And how much money have they received in rent?
- If the next pandemic comes through, do they have a plan or will they be told what to do by the State?
- Tourism should be advertising the good fishing on the river right now. Mayor Scholl requested Event Coordinator bring back the salmon dome and story.
- Received a survey for Broadband from Deputy City Administrator Matt Brown. When did his title change? Walsh noticed it as well.

Councilor Chilton reported...

- Softball and baseball are underway. She has been spending a lot of time at the fields.
- Recently visited the Botanical Gardens for a nature walk with her kid. It was beautiful.
- Attended the LEPC meeting with the County, which is the law enforcement commission for the County. It includes judges and representatives from the DA's office, police departments, and Sheriff's Office. She is looking forward to being more involved.
- Judge Grove will be retiring at the end of the month. He's been a huge supporter of all people in the community. She hopes to see people come together and wish him well. His retirement party is April 29 in Columbia View Park.
- They continue to work on the Riverfront Development. She is excited about the proposals and seeing ideas come to life.
- Budget discussions are coming up. She is open to conversations and answering questions from community members. She recommends people go back and listen to the work session to hear about the problems with sewer, stormwater, and water. She appreciates the presentations and transparency.

Councilor Birkle reported...

- He talked about the need for financing maintenance and upgrades to sewer, stormwater, and water. This is all based on master plans that were completed recently and available for review. Executive summaries for each help explain the need. They can't put this off if they want to continue to have a high quality of life and protect the safety and health of the environment and citizens.
- Spent spring break visiting their daughter in New York City. It was a wonderful experience, but he was happy to be back in Columbia County. He will share some ideas he gleaned there.
- Will continue to participate in the CERT training. He has received great information about the importance of being prepared for natural disasters or other threats. He won't be able to attend the Boards and Commissions Reception because of a training that night.
- Attended the St. Helens High School groundbreaking. He spoke with architects, developers, and construction people. They all had great things to say about Planning and Building Division staff.

He is very appreciative of the work the City is doing to help them move forward. They can be proud of the new high school.

- He joined a couple work parties at Nob Hill Nature Park. Over 50 volunteers participated. It was good to see a mix of ages.

Councilor Topaz reported...

- He mentioned a request to find out what costs have been incurred to sell the property. Can they make a request to Finance Director Brown to generate a report of costs since 2017? Mayor Scholl will try to get a ballpark.

Council President Morten reported...

- Thanked Councilor Birkle for reporting on Nob Hill Nature Park.
- Attended a two-day Diversity, Equity, and Inclusion (DEI) training. It focused on serving everyone responsibly. Equal means that everyone gets the same; equity means that there are adjustments made so everyone has the same opportunity. It was one of the best workshops he has attended.

MAYOR SCHOLL REPORTS

- Nice to see the "If I Were Mayor..." Student Contest participants here. Congratulations to all of them. He looks forward to having lunch with them.
- Citizens Day in the Park, June 25, 2022, 11 a.m. – 2 p.m., McCormick Park
 - Requested assistance from Council to help solicitate donations from businesses. Distributed a spreadsheet with business names and letters of request for each.
 - Encouraged organizations and businesses to participate as a vendor. There are no fees to participate.
 - Sunshine Pizza will do all the barbecuing.
 - The Decades will perform.
 - Highway 30 Cruisers is hosting a car show.
- There is not a lot of fish.
- It was an eye opener today about the work needing to be done with water, sewer, and stormwater. They'll get through it. They must make the repairs or will be fined by DEQ.
- He loves this time of year. It's busy with his landscape business, being mayor, and trying to fish.
- There are serious issues to tackle. It's vitally important to be able to explain funding mechanisms to the public.
- Two RFQs were submitted for the Riverfront Development project.

OTHER BUSINESS

ADJOURN – 8:32 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor