



# COUNCIL REGULAR SESSION

Wednesday, March 20, 2024

## APPROVED MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Councilor Mark Gundersen  
Councilor Russell Hubbard  
Councilor Brandon Sundeen

### MEMBERS ABSENT

Council President Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Suzanne Bishop, Library Director  
Tina Curry, Contracted Event Coordinator

### OTHERS

Brady Preheim	Steve Toschi	Arthur Leskowich
Nick Hellmich	Steve LeSollen	Richard Mason
Zoom User	Christina Sullivan	Stephen Topaz
Robyn Toschi	Jenni Gilbert	Jennifer Massey
Jim Coleman	Molly Matchak	Jizelle Ortiz

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

### PLEDGE OF ALLEGIANCE

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

- ◆ Steve Toschi. His wife spoke at the Work Session earlier. It's important to listen and understand what she said. They are asking for the City to apply for a pause of LUBA for 45 days. It stops the attorneys and allows the parties to stop and discuss. Where do they want this to go and what will it cost? It's important to talk about what's best for the police. They need a police station that is on budget, reasonable, and satisfies Planning goals. Do they really want the Kaster Road site? He has concerns about how the project was handled. He suggested shifting the project away from Administration and to Public Works Director Mouhamad Zaher and City Planner Jacob Graichen, and directly report to Councilor Russell Hubbard for oversight. Steve prefers the Houlton site. They have spent \$2 million on the design and believes they should have been advised to get a legal opinion much sooner. This is needed for the Police.

Mayor Scholl encouraged Steve to speak with Chief Greenway about David Lince. He's in charge of the building, not City Administrator Walsh. Steve appreciates that but doesn't want to get into it. There was a time the City was advised on site selection and could have been advised to seek legal advice but was not. They need to ask how this can be brought into budget. Council is relying on information that has not been accurate.

- ◆ Christina Sullivan. Here to talk about 13 Nights on the River. She has been involved in these events for a long time and sees positives and negatives to both locations. Speaking as the person who represents the beer garden sponsor, the OLCC license for McCormick Park would be very difficult to manage. She knows softball players bring in their own alcohol. If someone leaves the park and gets pulled over, she doesn't want the sponsor's license to take responsibility. It's easier in the downtown area since it's a smaller confined space. Additional concerns are crossing the street from McCormick Park to the Recreation Center, the pathway through the park is not lit and there are homeless living there, and people need to get to and from the park safely. There is a difference between the summer events. 13 Nights on the River attendees are there to spend money at the vendors. Citizens Day in the Park attendees are coming for a free meal. Councilor Hubbard had mentioned in an earlier meeting about the possibility of allowing downtown businesses to have a vendor spot for free. That's a wonderful thought but would be offensive to those paying for it. The event coordinator is very capable and she encouraged the Council to listen to her.
- ◆ Molly Matchak and Nicholas Hellmich. They recently discovered that all the links on the Main Street website are down. Since they couldn't apply online, Molly requested an application to join but has not been given one from Erin Salisbury yet. Is there someone at the City who can help with the application and fix the website?

Mayor Scholl said Main Street is a separate entity from the City. They don't have a director right now, so it may take longer.

Nicholas shared that he applied for an open position on the Parks & Trails Commission, also has concerns about having 13 Nights on the River at McCormick Park, applied for a street closure to have a street party on John Gumm Way on July 13, and that someone is breaking into the South 4<sup>th</sup> Street community mailboxes and he hopes they are cited.

- ◆ Brady Preheim. He is disappointed that the stage has been eliminated from the Riverwalk project due to bids being off by \$2 million. It needs to be a priority. Addressing the police station, he believes they will lose the LUBA appeal and should not pursue that location. He recommends Council listen to the Event Coordinator's recommendations for 13 Nights on the River. They should have talked to her first.

Mayor Scholl responded that he brought it to her attention two weeks ago and never heard anything.

Brady went on to address the lagoon. He researched the cost of a new plant and it's over \$170 million. He suggested a regional wastewater treatment plant years ago. The Scappoose mayor was adamantly opposed to it. That mayor is gone now and they should investigate it again.

- ◆ Tina Curry. Apologized for not following up with the mayor about the 13 Nights on the River location. She will put her plans into writing and send them to Council. She understands the parking concerns and thinks they have been figured out. Canceling events due to parking will send the message that people shouldn't come downtown during construction because parking is too difficult. That will be devastating to merchants.

Mayor Scholl encouraged everyone to watch the Work Session discussion about events during construction. He consulted with Public Works and recommended Tina speak with Public Works Director Mouhamad Zaher as well. Tina pointed out that they need to have their location set soon to promote the concerts.

- ◆ Adam St. Pierre. Disappointed that they want open communication from the public but when emails are sent from the public, they don't get responses. He loves 13 Nights on the River, but as someone who works in the construction industry, they don't want events in the middle of it.

His main tourism concern is finding out who owns the funds in the Wauna Credit Union account. That needs to be clear to anyone submitting an RFP. Mayor Scholl and City Administrator John Walsh pushed to extend the tourism contract and they were also the same two people who did not respond to the question of whether they received any favoritism from contractors.

Mayor Scholl responded that he does an audit through the Ethics Commission every year, so didn't feel a need to respond to that question.

- ◆ Jenni Gilbert. She is in favor of moving 13 Nights on the River to McCormick Park for one year. She volunteers annually at one of the biggest events in Columbia County and they always run into the possibility of people bringing their own alcohol to the event. They can have additional alcohol monitors if it's a concern. Tourism's purpose is to build community. She suggested printing t-shirts to promote the one year it moved to the creek. She loves the idea of business owners having free vendor space. She also supports the 45-day LUBA delay.
- ◆ Art Leskovich. Speaking to number three on the agenda, \$172,000 will be spent for permitting. Walsh has been involved with this project for 10 years, beginning when he sent a letter to the EPA saying they want to use the site as a landfill for contaminated sediment. Reading this makes him sick. They still have not addressed the fact that the drinking water intake is a mile downstream. He agreed with Brady's cost estimate for a new wastewater treatment plant. The public won't have use of the site for decades and it will always be a dump. They will need another task to re-establish a drinking water source if the project puts contaminated sediments from a superfund site above the drinking water intake.

#### **AWARD BID/CONTRACT**

1. Award Contract to Advanced Excavating Specialists, LLC for the Riverwalk Project in the amount of \$2,996,000

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '1' above.

Discussion. Walsh explained that the funding is limited to just the riverwalk. The playground and amphitheater were not eligible for this grant.

**Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

#### **APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

2. Amendment No. 1 to Performance Agreement with Oregon Department of Energy for the Community Renewable Energy Grant Program

**Motion:** Motion made by Councilor Gundersen and seconded by Councilor Sundeen to approve '2' above.

**Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

3. Work Order Authorization for Waterfront Redevelopment - Lagoon Repurposing Project Phase 1C with Maul Foster & Alongi, Inc.

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '3' above.

Discussion. Mayor Scholl explained that they are a long way from a decision. This is focused on the integrity of the lagoon. It has been completely grant-funded.

Walsh agreed with Art on some of the elements. This has all been to determine if the project can be done safely. They learned that there are some structural integrity issues with the current berm. That changes the discussion. As Weatherby said in the presentation, it may not be feasible to move forward at some point, which is why it's broken down into tasks. This is completely grant funded. They will look at alternatives and have routine check-ins.

Councilor Sundeen appreciates Art's input.

**Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

#### **CONSENT AGENDA FOR ACCEPTANCE**

4. Parks & Trails Commission Minutes Dated February 12, 2024
5. Planning Commission Minutes Dated February 13, 2024

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve '4' and '5' above. **Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

#### **CONSENT AGENDA FOR APPROVAL**

6. OLCC Licenses
7. Accounts Payable Bill Lists

**Motion:** Motion made by Councilor Gundersen and seconded by Councilor Sundeen to approve '6' and '7' above. **Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

#### **WORK SESSION ACTION ITEMS**

##### **Leak Adjustment at 335 S. Columbia River Hwy.**

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve the utility account adjustment for 335 S. Columbia River Hwy. in the amount of \$1,623.87. **Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

##### **Leak Adjustment at 235 S. 1st Street**

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to approve the utility account adjustment for 235 S. 1<sup>st</sup> Street in the amount of \$2,250.26. **Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

##### **LUBA Appeal**

**Motion:** Motion made by Councilor Sundeen and seconded by Councilor Gundersen to direct the City's legal counsel to submit an additional 45-day delay for LUBA No. 2023-085 Toschi et al v City of St. Helens, pertaining to the Police Station proposal. **Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

#### **CITY ADMINISTRATOR REPORT**

- Waiting for a decision from Project Sprint.
- Last Friday, had a kickoff of the \$2.3 million funding from the State for the semi-conductor industrial lands program. It will be used for developing a PGE substation at the site. The State recognizes the mill site as an asset to the region.
- There have been discussions about the police station site.
- There was discussion about the police levy at the last meeting. The State was contacted to get a designation of Safe Harbor and they should have something approved to use soon.
- The City's forester should have a sale proposal ready soon.
- The budget document is getting closer. The next meeting is April 25
- Council approved a Department of Energy Grant for Columbia Learning Center. Initially, the solar panels were for the police station. However, due to the time and delay they are transferring that money to the Library. They will apply again when they're ready for the police station.
- The Economic Opportunities Analysis was approved recently, which sets economic priorities for the City. A technical advisory group will be formed as part of that. Three meetings between July and August will be held. Mayor Scholl volunteered to serve on that.
- Received a letter from DEQ earlier this week about stormwater compliance at the mill site. They are working through some things during this transition period.

- Mayor Scholl, Councilor Hubbard, and Walsh reviewed the proposals for the Realtor Services RFP. Jeff Yarbor scored the highest using a point system. He will be directed on which parcels will be marketed, including properties on Millard Road, 10<sup>th</sup> Street, and potentially 7<sup>th</sup> Street.

**Motion:** Motion made by Councilor Hubbard and seconded by Councilor Sundeen to hire Jeff Yarbor for realtor services. **Vote:** Yea: Mayor Scholl, Councilor Gundersen, Councilor Hubbard, Councilor Sundeen

- Government Affairs Specialist Rachael Barry has nine days left at the City. She will be missed.

### **COUNCIL MEMBER REPORTS**

Councilor Sundeen reported...

- Barry will be missed. She's done a lot of good for the community.
- Enjoyed the joint meeting with the Planning Commission and the report received from Main Street. He appreciates the work done by the Planning Commission.
- Parks & Trails Commission still has two openings. Nick Hellmich has applied for one of those positions.
- The next Parks & Trails Commission work party is in April at Nob Hill Nature Park.
- Attended a Police Union negotiation meeting, toured facilities with Facilities Maintenance Supervisor Buck Tupper, and met with Chief Greenway this last week. He thanked staff for their responsiveness and the work they are doing.
- There were some recent problems with traffic issues at his kids' school. He called Zaher to find out if anything could be done to help the situation. Zaher had a crew there the next day adding signage and improvements. Police increased their presence on site. It was good teamwork.

Councilor Gundersen reported...

- Planning Commission is doing great.
- He and Council President Chilton are touring Public Works with Zaher tomorrow.

Councilor Hubbard reported...

- The joint meeting with Planning Commission, Main Street, and City Council was great. He appreciates the collaboration.
- Library Board has not had a quorum for the last two meetings.

### **MAYOR SCHOLL REPORTS**

- It was a good joint meeting with the Planning Commission. The discussions about vacant storefronts and police station locations were beneficial.
- Thanked Main Street for the work they are doing.
- There is a lot of construction downtown, which is why they are talking about moving 13 Nights on the River to McCormick Park. This will be on the next agenda for discussion. He encouraged everyone to watch the discussions at today's Work Session.
- They deserve a nice waterfront and don't want to slow construction down.
- Need to move forward collaboratively on the power needs.
- Chamber of Commerce event on Saturday. Rachael Barry was nominated as Citizen of the Year.

### **OTHER BUSINESS**

**ADJOURN – 8:04 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne  
Kathy Payne, City Recorder

/s/ Rick Scholl  
Rick Scholl, Mayor