

City of St. Helens City Council

Regular Session Minutes

January 16, 2019

Members Present: Mayor Rick Scholl
Council President Doug Morten
Councilor Ginny Carlson
Councilor Keith Locke
Councilor Stephen R. Topaz

Members Absent: None

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder
Matt Brown, Finance Director
Margaret Jeffries, Library Director
Neal Sheppard, Public Works Operations Director
Sue Nelson, Public Works Engineering Director
Brian Greenway, Police Chief

Others:

Ben Torres	Avery Gatlin	Jacob Erceg
Parker Miller	Ryan Hastings	Kruze Katzenmeyer
Cade Duarte	Lisa Loundree	Kris Loundree
Weston Miller	Maddie Fuller	Art Leskowich
Terry McGettigan	Cheryl Morrissey	Elizabeth Gonzalez
F. Brandon	Shauna Harrison	

- 1) **Call Regular Session to Order - 7:00 p.m.**
- 2) **Pledge of Allegiance**
- 3) **Visitor Comments - Limited to five (5) minutes per speaker**
 - ◆ **Shauna Harrison.** She is here today in regards to '4F' on the agenda. She is in complete support of the project but there is a lack of a storm drain system proposal in it. There are massive water culverts from Oakwood to N. Vernonia to Campbell Park. It's a lot of water for a lot of properties. She is also concerned about the minimal lighting on that road.

Public Works Engineering Director Nelson explained that the sidewalk in the location mentioned will not impact the existing storm drainage system. It will be built behind it in the existing right-of-way. There will be drainage allowances for the yards where the sidewalks will be constructed. They are not changing the structure of the road at all.

Shauna repeated her concerns that the ditches are already overran and will flow out during heavy rains. Wouldn't this be a good opportunity to fix that? Nelson responded that this is not the appropriate project to address that. This is a project for safe passages for pedestrians along that road. The street portion will have to be re-done as part of the storm drainage and they don't

have funding to address that now. Public Works Engineering Director Sheppard added that it will not impact what's existing. The issue at Clark's corner is actually an issue downstream that backs up. Shauna understands but sees this as the perfect time to fix the storm drainage issue also. The kids won't be able to pass it when it floods over.

- ◆ Art Leskowich. He is here today in regards to '4B' on the agenda. The City will receive \$500,000 to pursue turning the lagoon into a landfill.

Walsh clarified that it's to explore the idea. Art went on to say the \$500,000 is coming from the Portland Harbor Clean-up Fund through Division of State Lands. Has anyone seen the Statement of Work? Walsh explained that it would come after the agreement is signed.

Art still sees a lot of confusion. He read an excerpt from the December 19 work session minutes, Council President Morten states, "He doesn't know where Topaz's comment about putting "toxic waste" into the lagoon comes from. They have not talked about receiving toxic waste in the community." He would like that clarified before approving the minutes. Council President Morten responded that they have not talked about receiving toxic waste. Councilor Carlson added that dredge spoils are not toxic waste by definition. Art argued that the Council has talked about toxic waste. Toxic means contaminated. If the sediments were not contaminated, they could be open water disposed of. Morten argued that there are different forms of contamination and toxic has to be one of the worst. Art expressed that he does not feel the Council has the best interest of the community at heart.

Mayor Scholl informed Art that the EPA, the Army Corp of Engineers, State of Oregon, Portland Harbor, and Riverkeepers will be watching this project. That sediment is doing more harm to us floating down the river than a solid, encapsulated on the side of the river. The City will go through this property with guidance from agencies, consultants, and the public. Testing still has to be done. The lagoon is 39 acres and two-thirds larger than it needs to be now that the Boise Paper Mill gone. It needs to be downsized.

Discussion ensued. Councilor Topaz talked about the toxic liner in the lagoon and the piles of contamination around the Mill. He had heard that they were going to bring everything from the Portland Harbor and separate it on site. The contaminated materials would be sent out. Councilor Locke clarified that the contaminated materials would be on their own barge and only uploaded to a rail car here. It won't be mixed.

Mayor Scholl clarified that the study is to check the liner, gasses, and stability. It is in the concept phase right now. Councilor Carlson also wants more information before proceeding. She pointed out the Oregon Garden and what they have done as an innovative wastewater treatment solution. This is a feasibility study to decide what is best.

Art asked if the lagoon meeting on February 13 is open to the public. Walsh responded that it will be held as an executive session. No decisions will be made.

Walsh talked about the difference between toxic waste and hazardous waste. They have never talked about accepting hazardous waste. This project is not about the Portland Harbor. It's about St. Helens and local options. Armstrong, Boise, and Pulp & Talbot properties all have clean-up needs. This is a local, close option to haul the toxic material. The toxicity is very, very low. There will be an aggressive public outreach campaign. The study is to move to the next phase. Discussion ensued about clean-up.

4) **Approve and/or Authorize for Signature**

- 4.a Agreement with Erskine Law Practice, LLC for Prosecutorial Services
- 4.b [Ratify] Agreement with Oregon State Lands for Sediment Disposal Facility Feasibility Analysis
- 4.c Grant Contract with State of Oregon OBDD for Food Bank Design & Construction
- 4.d Agreement with Jensen Strategies for Council Goal Setting Facilitation & Planning Services
- 4.e Fuel Supply Agreement with Lawrence Oil Company
- 4.f Statement of Work for Professional Services with David Evans and Associates, Inc. for N. Vernonia Road Sidewalks Preliminary and Final Engineering

Motion: Upon Locke's motion and Carlson's second, the Council unanimously approved '4a' through '4f' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

5) **Appointments to Boards/Commissions**

- 5.a Appointments to Boards & Commissions

Motion: Upon Carlson's motion and Locke's second, the Council unanimously re-appointed Audrey Webster and Sheila Semling to the Planning Commission. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

6) **Consent Agenda for Acceptance**

- 6.a Housing Needs Advisory Committee Meeting #1 Minutes dated December 11, 2018
- 6.b Planning Commission Minutes dated December 11, 2018

Motion: Upon Carlson's motion and Morten's second, the Council unanimously accepted '6a' and '6b' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

7) **Consent Agenda for Approval**

- 7.a Council Work Session, Executive Session, and Regular Session Minutes dated December 19, 2018
- 7.b OLCC Licenses
- 7.c Accounts Payable Bill Lists

Motion: Upon Locke's motion and Morten's second, the Council unanimously approved '7a' through '7c' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

8) **Mayor Scholl Reports**

Elect Council President

Councilor Locke nominated Doug Morten as President. Mayor Scholl seconded.

Councilor Topaz does not think it's appropriate for Locke to make a motion when he is resigning. Councilor Locke responded that he will be here for the next four to five months. Mayor Scholl explained that Locke can make motions as a counselor.

Councilor Topaz would like to nominate Ginny Carlson but wants to have the opportunity to talk to her about it first. It wasn't on the agenda and he didn't know nominations were happening tonight. Mayor Scholl responded that the Charter directs them to nominate a new Council President every two years. It was supposed to be done at the last meeting.

Walsh clarified that the votes need to be cast by written ballot. After tallying written votes, Doug Morten was elected Council President.

- Spoke of the earlier conversation during visitor comments. We are paying \$500,000 to see if the lagoon repurposing is feasible.
- Commended Officer Cutright and Officer Luedke. The City has been in the paper a lot for rescue missions. We have good citizens working for us.

9) **Council Member Reports**

Council President Morten reported...

- Kudos to Public Works Operations and Engineering for the notoriety in a national publication. It's nice to see the picture of the entire crew.

Councilor Topaz reported...

- Nothing to report.

Councilor Carlson reported...

- Appreciates citizen feedback.
- Disappointed when the good things get lost in the mix. The Food Bank Grant was on tonight's agenda and no one came to champion that project. There is a lot of good stuff happening. The City is the pass-through for the Grant.
- January 22 is the official ribbon cutting for the alternative school. There is a waiting list to attend. The new building will allow over 100 students to attend.

Councilor Locke reported...

- Reminded everyone in attendance about the Council's Mission Statement, "Provide a safe and healthy environment with a sound economic framework." The Council reviews the Mission Statement often and they try to do what's best for the entire community. They spend a lot of time discussing everything they do and consulting professionals.
- ACSP is hiring right now. Interested applicants can contact him and he will pass it on.

10) **Department Reports**

Chief Greenway reported...

- Nothing to report.

Public Works Engineering Director Nelson reported...

- Nothing to report.

Public Works Operations Director Sheppard reported...

- Nothing to report.

Library Director Jeffries reported...

- An intern for the STEM funding has been selected. Lillian Niemi begins tomorrow. She is involved in robotics at the high school, so fits well with the STEM programming.

Finance Director Brown reported...

- Thanked Public Works for the work done at the Recreation Center.

City Recorder Payne reported...

- Nothing to report.

City Administrator Walsh reported...

- Agreed with the importance of public safety. The project potentially receives sediment from the river. It's important to understand the definition of toxic. The study will begin to answer the questions that came up. Public engagement is part of the plan.

11) **Other Business**


12) **Adjourn** – 8:05 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:



Kathy Payne, City Recorder



Rick Scholl, Mayor