



# COUNCIL WORK SESSION

Wednesday, May 18, 2022

## APPROVED MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Patrick Birkle – 1:10 p.m.  
Councilor Stephen R. Topaz  
Councilor Jessica Chilton

### STAFF PRESENT

John Walsh, City Administrator  
Kathy Payne, City Recorder  
Lisa Scholl, Deputy City Recorder  
Mouhamad Zaher, Public Works Director  
Matt Brown, Finance Director

Sharon Darroux, Engineering Manager  
Brenda Herren-Kenaga, Interim Library Director  
Crystal King, Communications Officer  
Bill Monahan, City Attorney  
Tina Curry, Event Coordinator

### OTHERS

Lynne Pettit  
Amy Bynum  
Richard Mason

**CALL WORK SESSION TO ORDER** – 1:00 p.m.

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

- ◆ Stephen R. Topaz. He wants to read two legal documents that have future repercussions into the record. One is from the Oregon Government Ethics Commission. Case No. 22-027XSM.

Mayor Scholl called for point of order. He can bring it up during his report tonight. Councilor Topaz argued that it needs to be discussed prior to the Engineer Fees and Audit Services. Do they not want to hear the legal things? Mayor Scholl repeated that it can be brought up during his report tonight. He needs to ask in advance for something to be added to the agenda.

Mayor Scholl asked everyone to think about where they were when Mount St. Helens blew.

### DISCUSSION TOPICS

#### 1. **Library Board Annual Report POSTPONED TO JUNE 1, 2022**

#### 2. **Review Proposed Updates to Engineering Fees - *Mouhamad and Sharon***

Public Works Director Mouhamad Zaher and Engineering Manager Sharon Darroux reviewed the proposed fee amendments. A copy is included in the archive packet for this meeting. The fees have not been updated in 18 years and are critical to support Engineering services. That is an approximate revenue loss of \$1.2 million.

Proposed fees:

- Right-of-Way Permit
  - \$100 fee

- Waive for projects with a value less than \$1,500. Mayor Scholl recommended amending the waiver to \$2,000 to be consistent with doubling the fee.
- Pavement Disturbance
  - \$100 fee
  - Waive for project with a value less than \$1,500

Zaher emphasized the need to regularly update fees. Council President Morten suggested the Finance Director regularly review the fees for updates.

- Plan Review for Public Improvements fee
  - 2% Based on Engineer's Preliminary Project Cost Estimate for Public Improvements
  - Councilor Topaz suggested the review be done by a tech to save cost. Darroux explained that it is required to be reviewed by an Engineer. Walsh added that the proposed fees are based on cost recovery.
- Public Improvements Construction Permit Fee
  - 3% Based on Engineer's Final Project Cost Estimate for Public Improvements
- Fee for Additional Plan Reviews
  - \$120/hour
- Fee for Building Permit Services
  - \$320
- Blasting Permit Fee
  - \$1,200
  - Mayor Scholl asked them to contact the City of West Linn to find out why they charge per cubic yard of material. Councilor Topaz asked if they receive assistance from a State geologist who specializes in blasting. Zaher responded that they are required to consult with DOGAMI if they disturb more than an acre of land. Darroux added that the City administers the permit. The City does not pay additional fees to the State.

Council President Morten asked who is responsible for waiving or reducing fees. Zaher responded that Council would do that.

### **3. Review Proposed Bench Donation in McCormick Park Dog Park**

Council President Morten reported that the Parks & Recreation recommended approval of the bench. The Parks Field Supervisor would be the best to recommend a bench location.

This will be voted on at tonight's meeting.

### **4. Review Request for Proposals for Audit Services - *Matt***

Finance Director Matt Brown reported that Council directed staff to bring back a draft RFP for audit services.

Councilor Topaz referred to 'C' on page 40. He would like it to include a list of scheduled money coming in and delinquent fees, such as property being leased, attorney legal fees, etc. Brown asked what the auditors would be looking at. Councilor Topaz explained that it would show if we were not receiving payment for property or services. Brown said that would be an agreement between the lessee and lessor. Councilor Topaz would still like to the accountant to show it. Brown said the Finance Director is responsible to report missing payments to the City Administrator. Councilor Topaz wants that proof to show that staff did the job. Mayor Scholl said that Councilor Topaz is asking for this under a personal agenda. The information is available and is not being hidden. There is no conspiracy to hide things. He can see that Councilor Topaz is referring to ACSP. Councilor Topaz argued that it is not necessarily them. There is also someone doing salvage work. Mayor Scholl said the audit is going to catch it if there's missing money. This is an RFP for audit services. That is not part of the discussion. Brown suggested they discuss adding it when the Council reviews the scope of services. Councilor Topaz wants it in the

RFP now. Mayor Scholl asked if that is typical. Brown said no, but there are circumstances in every city that they want them to look at, which is why it would be in the scope of services. Councilor Chilton pointed out that the information Councilor Topaz is requesting can be gotten from Brown at any time. Councilor Topaz disagreed. He has asked publicly and has been taken to the Ethics Commission for asking. Mayor Scholl pointed out that he was taken to the Ethics Commission because of his conduct of approach. This brings up that Councilor Topaz's censure ends tomorrow, so needs to be discussed tonight. Council determined that the staff's complaints had merit. Councilor Topaz asked them what the results were of the Ethics Commission complaint. They each received a copy.

Mayor Scholl brought them back to the topic. There was no objection from Council to proceed with the RFP. Mayor Scholl, Walsh, and Brown will review and rate the submittals.

#### **5. Discussion regarding Reappointing Chris Iverson to be City Representative on Columbia Learning Center Board of Directors**

Currently, Councilor Birkle and Chris Iverson are both City representatives. It will be voted on at tonight's meeting. Council President Morten encouraged Council to consider staff members for the position as well.

#### **6. Review "Salmon" Timber Sale Bid Documents - John**

City Administrator Walsh reviewed the bid documents. Brent Keller recommends one 69-acre cut. He envisions prices increasing in the future. Bids will be opened on July 20.

Discussion of cuts. Mayor Scholl recalls directing Brent to do two cuts. Council reviewed the minutes from Brent's February 2, 2022, report. After reviewing the minutes, it was determined that Brent was directed to investigate the market for two cuts and return with a proposal. His recommendation is to only do one cut right now.

#### **7. Update on Status of Dock Kiosk - John**

City Administrator Walsh reported...

- The kiosk has been installed
- The tech was here yesterday for training
- They are working with the Marine Board to get a cover
- There will be multiple signs posted in the area
- Working on Code amendments
- Reviewing a Professional Services Agreement for St. Helens Marina to manage dock enforcement
- Advisory Committee recommends a \$15/day based on a market rate analysis. It is not as much about a revenue as it is about improving the boater's experience. It is currently \$10/day for electricity, but they are proposing to reduce it to \$5/day.

Mayor Scholl recommends the price be based on the size of the boat. Larger boats should cost more since they take up more space.

Council President Morten talked about rafting, which is when one boat is moored to the dock, another boat tied to them, and could be even more. It is going to occur here. Walsh confirmed that anyone visiting the docks is expected to pay.

Councilor Chilton wants to see this move forward to enforce the docks.

Discussion of fees.

Councilor Topaz asked about boaters who only visit for three hours. Mayor Scholl said the ad-hoc committee discussed no fee for day use. There could be a button on the kiosk for day use.

Councilor Chilton asked who monitors the kiosk. Mayor Scholl said it would be St. Helens Marina if they sign an agreement to manage dock enforcement. Councilor Chilton suggested St. Helens Marina determine if they think the fee is adequate. It can be adjusted as needed.

Richard Mason, who is on the ad-hoc committee, asked about law enforcement. Mayor Scholl reported that they met with Sheriff Pixley. Some of the St. Helens Police Officers could be trained. Walsh added that there is a civil path for the dock master to issue tickets and cite into court. The police will come if there is a crime. Council President Morten asked if there is enough staff to enforce it. Can the County have marine volunteers help with enforcement? Mayor Scholl said yes. Council President Morten suggested someone at the Marina be deputized to do that. That can be discussed at the next ad-hoc committee meeting. They meet next on June 14.

Walsh said there will be cameras to view the docks. They will also have appropriate signage indicating cameras. Whoever is monitoring the docks will be able to view the cameras and kiosks.

### **8. Review Proposed Changes to Universal Fee Schedule - John**

Walsh reviewed the proposed changes to the Universal Fee Schedule.

- Library Fees
  - Remove overdue fines
- Municipal Court Fees
  - Remove expungements per State law
- Engineering Fees
  - As presented by Zaher and Darroux
- Parks & Recreation
  - Remove Rental Addition items
- Docks
  - Dock moorage fee discussed

**Break** – 3:00 p.m.

Mayor Scholl announced that they will keep the dock fee at \$15/day now to move forward with the fees as proposed.

### **9. Report from City Administrator John Walsh**

- Public hearing for boat purchase at 5:30 p.m. tonight
- Riverfront developer deliberations at 6:00 p.m. tonight
- The City has a fair amount of money sitting in accounts waiting for projects. In years past, they moved that money into Bonds. He would like to bring back a policy for Bonds to earn interest. Their current policy is \$1-5 million. Councilor Topaz asked if there are any State laws restricting it. Walsh responded that they are allowed limited investments. Council President Morten reported that a former Finance Director reported on assets and fund shifts monthly. When she retired, the reports changed to quarterly. He really appreciated the monthly financial status reports and would like to see it done again. It is the Council's most important job to be fiscally responsible. Walsh said they used to make a lot of money on interest. Councilor Chilton agreed with the need to communicate more often about financing. Consensus of the Council to explore options for Bonds.

Councilor Chilton wants to talk about policing Sand Island. They are purchasing a boat and increasing the people on the Island. How are they going to police Sand Island? What is their plan? Mayor Scholl suggested that E2C provide security on the Island during events. He would police it if he was given the opportunity. Councilor Chilton does not want to wait for another incident to discuss it. Council President Morten pointed out that theft has decreased since the camping area was privatized. It helps immensely to have a person there. They have gotten rid of homeless camps there and reduced theft. Mayor Scholl said it is usually handled by someone showing up in uniform to de-escalate the issue. Councilor Birkle

agreed with the need for a plan and to communicate it. Mayor Scholl said real enforcement only comes from an officer and they do not have a lot of backing. No one wants to stick their neck out. The Police Department is not stepping up. He will talk to them since they have an IGA with the County and there are boats available there. The County is also saying they do not have the funding. They do not know if they can commit to it. They are spending a lot of money for policing, plus they pay money to the County. Councilor Birkle agreed that they cannot promise anything. They should state what they intend to do. Councilor Topaz suggested using security services. Council President Morten talked about the garbage the Parks staff used to have to bring back from Sand Island on the barge. It really helps having someone there. Councilor Chilton just wants to be sure they are discussing a solution.

**ADJOURN** – 3:35 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne  
Kathy Payne, City Recorder

/s/ Rick Scholl  
Rick Scholl, Mayor