



COUNCIL WORK SESSION

Wednesday, January 15, 2025

APPROVED MINUTES

MEMBERS PRESENT

Mayor Jennifer Massey
Council President Jessica Chilton
Councilor Mark Gundersen
Councilor Russell Hubbard
Councilor Brandon Sundeen

STAFF PRESENT

John Walsh, City Administrator	Jacob Graichen, City Planner
Kathy Payne, City Recorder	Gloria Butsch, Finance Director
Lisa Scholl, Deputy City Recorder	Amy Lindgren, Municipal Court Judge
Joe Hogue, Acting Police Chief	Nolan Cochran, TMDL Coordinator
Suzanne Bishop, Library Director	Ashley Wigod, Contracted City Attorney

OTHERS

Steve Topaz	Brady Preheim	Ron Trommlitz
Robyn Toschi	Steve Toschi	Jane Garcia
Wayne Mayo	Adam	Michelle Millar
Mitz	Marci Sanders	Richard Mason
Jenn	Michelle	Stephanie Patterson

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

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

- ◆ Steve Topaz. Recommended a town meeting to review 2024 construction projects, changes during construction, issues with toxic material removal, and findings affecting future Waterfront projects. He also requested Executive Session minutes on the Police Chief's removal, a forensic audit of City finances, and the project management qualifications of City Administrator Walsh and Associate Planner/Community Development Project Manager Jenny Dimsho.
- ◆ Ron Trommlitz. Wanted the media to investigate the City's actions in the 2-million-gallon reservoir rehabilitation failure and the City Administrator's handling of the W-449 contract, noting he had not received the City Attorney's billed amounts for work on the W-449 contract as requested. He believed the City Administrator and School Board Superintendent were withholding information from the public.
- ◆ Robyn Toschi. Wanted increased transparency and accountability under the new City leadership. She asked that Council ensure members of the public are not bullied for making records requests; forego the final reading of Ordinance No. 3306 and instead design Building Code around architectural standards; and restore the plan for the Millard Road property to the original 64 single-family homes on R-10 lots. She also asked to be considered for all future ad-hoc committees.

- ◆ Steve Toschi. Stated that Ordinance 3306 contradicted the City's goal of prioritizing economic prosperity. He discussed the Planning Department's change to the Millard Road property plan from a 64-lot development to 90 mobile homes, noting the State's mandate for manufactured homes. He claimed Rick Scholl had violated the law by failing to disclose his financial interest in Ordinance 3306 and noted local high school students were protesting ethical concerns. He urged Council to reject Ordinance 3306 and to initiate Urban Renewal and Budget Committee meetings immediately.
- ◆ Brady Preheim. Said the investigation into a scandal involving the Police Chief and Mayor Massey would not be stopped by the Police Chief's resignation. Mayor Massey should apologize to City Administrator Walsh or fire him like she said she would. Chief Hogue should be hired as the permanent Police Chief. He supported the request for Tammy Maygra to attend Executive Sessions as a member of the news media, and he made suggestions for amending the Chronic Nuisance Ordinance.

COUNCIL ASSIGNMENTS

Council President Chilton accepted assignment to the Administration Department, Community Development Department, and Public Works Department.

Councilor Sundeen accepted assignment to the Police Department and Parks and Trails Commission.

Councilor Gundersen accepted assignment to the Planning Commission, Administration Department, and Columbia River Fire and Rescue.

Councilor Hubbard accepted assignment to the Planning Commission and Administration Department.

Mayor Massey accepted assignment to the Administration Department, Public Works Department, Library Department, Library Board, Community Development Department, and Tourism.

DISCUSSION TOPICS

1. Municipal Court Semi-Annual Report - Judge Amy Lindgren & Prosecutor Sam Erskine

Judge Lindgren presented her report, noting an increase in prosecuted crimes and violations compared to previous years and uncertainty over whether crime rates had risen, or police investigations had intensified. She noted the potential for dedicated traffic officers, which could qualify for grant funding. Addressing Jail finances, she stated that Sheriff Pixley doubted sufficient cuts could be made to sustain operations. The plan involved increasing Federal Marshall inmate beds while reducing or eliminating space for local offenders to maintain Jail operations without personnel cuts.

Acting Police Chief Hogue added Sheriff Pixley had offered to meet with Council about the upcoming changes occurring in March in response to Jail finances.

Judge Lindgren said she planned to meet with Sheriff Pixley and Acting Police Chief Hogue about finding ways to manage the issue, namely finding a holding space either permanently or at a daily rate. Failure to address Jail operations could threaten public safety, such as seen with increased crime in Oregon City and Gladstone where the jails did not have space to hold offenders. She described the positive impact the Jail had on the St. Helens community since people knew they would be held for crimes or not appearing. She confirmed without local holding cells, offenders would be booked and released, though overnight holds would still be required in the case of domestic violence. She can provide a graph showing violation and crime comparisons over the last few years. She recommended going to the Police Department for data regarding the types and locations of calls and added that the Police had implemented the electronic citation system which would hopefully improve officer safety. She clarified that both the Municipal Court and Circuit Court had received aid and assist cases, and described the conditions for

those cases being dismissed, noting the evaluations to continue prosecuting those cases were very expensive.

2. Planning Department Fee Schedule Update - *City Planner Jacob Graichen*

City Planner Graichen stated the proposed fee schedule would be adjusted to include a line item in response to Senate Bill 1537 Section 38 which allowed developers to seek Administrative-level Variances rather than going through the Planning Commission, with up to ten adjustments allowed per eligible project and no Code amendment required. Applications for Administrative Variances for eligible projects could begin this year, and he described multiple ways the Variances could be applied. Resolution 2035 would be on the agenda for the regular session tonight.

3. Request to Proceed with Adoption of Economic Opportunities Analysis and Water, Storm Sewer, and Sanitary Sewer Master Plans into the Comprehensive Plan - *City Planner Jacob Graichen*

City Planner Graichen stated the City had received a grant to update the Economic Opportunity Analysis (EOA), which had not been updated since 2009. He noted the EOA would be integrated into the Comprehensive Plan along with the currently adopted Water, Sanitary Sewer, and Stormwater Master Plans.

4. Discussion of Ordinance No. 3306 - *City Planner Jacob Graichen*

City Planner Graichen reviewed the amendments to Ordinance No. 3306, noting the State had mandated allowing manufactured prefabricated structures, but provisions were also included in the ordinance for single-room occupancy (SRO) and multifamily housing. He gave background on the residential Code amendments, the State mandate to allow duplexes, and the existing City Code allowing a duplex or two detached units interchangeably. The idea was to apply multifamily housing standards to all developments of three units or more, regardless of the units being attached or detached. He noted applying multifamily housing standards would not change the density requirements or create micro-lots and the standards would only be applicable where multifamily housing was already allowed.

Council and staff discussed the complexities of Ordinance 3306, touching on the topics of maintaining the parking requirement of one parking space per rented room except in the downtown and Houlton St areas; the potential impacts of multifamily developments and SROs on street congestion; considering the application of multifamily standards to SROs; the lack of regulations for SROs and the need for more tools to address community issues and compliance; facilitating Fire Marshall and Building Division safety inspections for SROs; and SROs as a potential solution for homelessness.

City Planner Graichen talked about the complexity of aligning St. Helens' Code with State mandate to allow manufactured homes/prefabricated structures, with one potential exception being manufactured homes/prefabricated structures were not allowed in historic districts or near historic landmarks.

Council expressed concern about the potential for manufactured homes outside of mobile home parks having negative impacts on surrounding property values and it was suggested that the ordinance could be configured with strict provisions.

City Planner Graichen explained that the City would have to allow the siting of manufactured homes and prefabricated structures on all land zoned to allow development of single-family dwellings. If clear language were put into the Development Code stating manufactured homes were not allowed in St. Helens outside of a trailer or manufactured home park, the Code would then be forwarded to the Department of Land Conservation and Development (DLCD) to be checked for compliance with the State. If the Code was not sent to DLCD and the City was faced with a challenge, the issue could potentially be appealed to the State and reversed, and the City would have to allow the use and would also be liable for attorney fees. He clarified that the mandate applied only to manufactured homes made after 1976, not mobile homes or trailers

Contracted City Attorney Wigod noted other cities across the State were affected by the mandate and had to update their Codes. She could ask a land-use attorney for advice regarding options for designing land-use rules for manufactured homes in the city while complying with State law.

Council and staff discussed the poor vision for economic vitality within Ordinance No. 3306, and the concern that City architecture would be defaced by manufactured homes and people could be deterred from choosing to live in St Helens. Calling upon neighboring cities who were struggling with the mandate to see how they were responding could be helpful. Support was expressed for the mandate to allow mobile homes and trailers in manufactured home parks.

City Planner Graichen shared maps of the historic district and landmarks in St. Helens. He stated around 5,000 property owners were sent a notice regarding SRO allowance to prepare the way for imposing additional regulations and providing defense against potential challenges. A special notice was also sent specifically to residents in the highway commercial zone to set a cap of no more than two units per lot.

City Planner Graichen recommended that Council reject Ordinance No. 3306 and provide direction to make a new ordinance with the desired components, noting staff appreciated any work that could be salvaged. He outlined the four separable components of Ordinance No. 3306:

- Rules for multifamily detached units.
- Rules regarding manufactured prefabricated structures which were required by State law but could be delayed.
- Rules regarding SROs which could be removed but would leave the Code silent as to SROs while the State could potentially remove parking requirements from SROs.
- Basic housekeeping items and the highway commercial zoning density cap.

5. Review of Final Partition Plat for OYO Hotel/Village Inn - *City Planner Jacob Graichen*

City Planner Graichen reviewed the Final Partition Plat for the OYO Hotel and Village Inn. The Mayor's signature was required to accept the right-of-way dedication along Brayden Street because it did not meet the minimum width standard due to building location. He confirmed there was an entrance on Highway 30 and both adjacent parcels had access to Brayden St consistent with access management practices. He noted Highway 30 was a major arterial road, and the goal was to ensure a secondary road was available.

6. Discussion regarding Adoption of a Chronic Nuisance Premises Code (Beaverton's Code attached)

Wayne Mayo stated Beaverton's Code 1040 worked well as a tool for the Police and landlords who were stuck with tenants creating chronic nuisance problems, especially in low-income housing, despite multiple Police calls.

Mayor Massey had researched the topic of chronic nuisance premises in other municipalities due to being aware of a specific apartment complex which was a very frequent location for law enforcement calls, with no ramifications for repeat calls. A nuisance ordinance would provide landlords with a tool to be able to weed out and choose tenants.

Wayne Mayo explained nuisances were often criminal in nature. Most of the ordinance language was options for the judge to either give more leeway or raise fines in the case the landlord was complicit in the nuisance. He explained people were not usually afraid to call the Police, but the ordinance would give the landlord the opportunity to go before a judge to get rid of tenants who caused serious problems. He confirmed under the ordinance, tickets with fines would be written to the landlord beginning on the fourth Police call and additional fines applied for repeat calls within a certain period. The judge would have the ability to increase or decrease the fines based on the circumstances, and the nuisance ordinance would be applicable to non-profit establishments. Beaverton had been using these ordinances with

success to address situations where Police were being called to the same housing complex ten times per day. This ordinance gave Officers the option to either issue a citation or report the nuisance to Code Enforcement.

Contracted City Attorney Wigod talked about the effectiveness of nuisance ordinances and highlighted the importance of communicating with property owners to solve repeat offenses. She recommended working with Beaverton staff to see what they liked or did not like in implementing their Code, and she would work with City staff on creating the new ordinance.

City Administrator Walsh explained the administrative aspects of nuisance ordinances were likely handled through Code Enforcement in other cities. He noted he did not want people to be deterred from calling the Police.

Wayne Mayo explained a judge would make the right decision case-by-case and a single mom experiencing domestic violence would not likely be given a citation. He suggested contacting Beaverton Police to see if the fine was affecting how people were responding to law enforcement. He agreed to provide a highlighted copy of the ordinance to Wigod.

Acting Police Chief Hogue talked about repeat Police visits being made in response to domestic violence. An ordinance with the right wording could be very effective, but he agreed the messaging could be misinterpreted in cases where Police calls could incur fines. The ordinance applied well to drug dealing and fights, but dwellings with families required careful consideration. He noted security alarms each had a permit, and the permit number was documented when Police calls were made to be used later for billing.

Council discussed repeat issues with false alarms which cost time and effort from Staff and Police. Hopefully, a progressive fee schedule would motivate businesses to address with repeat false alarms. The City could draft an ordinance with the right messaging in collaboration with the City Attorneys and the Police who could help create enforcement based on issues they saw in the community. It was important to ensure people were not afraid to call the Police, as well as being able to remove tenants who were causing a nuisance. It was mentioned that this topic had been discussed at the recent League of Oregon Cities meeting, and that fining landlords put pressure on housing complexes to practice good management and tenant selection

Hogue suggested creating a notification system to inform landlords how to follow up about Police visits. He agreed to look at other municipality's ordinances to consider potential concerns from the Police Department. He noted it would be good to have someone act as liaison between apartment complex management and Police Officers, and confirmed Police Officers were asked to serve on a lot of committees. He had seen a presentation from Police in Corvallis about creative strategies to fine owners of student housing who lived somewhere else, and he would reach out to the Corvallis Police to get more feedback.

7. Consideration of Application from Tamara Maygra of Odd Friday Talk Radio & St. Helens Update to Qualify as a Representative of the News Media to Attend Council Executive Sessions

Contracted City Attorney Wigod stated the Attorney General had amended the guidance for designating news media representatives attending Executive Sessions, and she advised postponing further news media representative decisions until she could review the new rules and provide guidance to Council. Ms. Maygra had been notified the application would not be reviewed until she could go over the rules.

8. Discussion regarding Meeting Schedule

Mayor Massey proposed holding two meetings per month alternating between City Council work sessions and regular sessions, with any urgent decisions to be made via Special Session. This schedule would allow time between the work sessions to do research and validate the information before making a

decision at the regular session and may reduce impact to staff preparing packets for meetings. She also suggested changing to an evening start time for meetings. She clarified that Council could address the same number of items by starting earlier to dedicate more time to work sessions. Proactive planning could ensure items still made it onto the agenda. Holding later work sessions could allow working people to attend meetings and stay informed.

Councilor Sundeen stated meetings were difficult to attend at 2 p.m., and more citizens and students could attend if meetings were held at a different time.

City Administrator Walsh noted cities that did not do work sessions had longer meetings to cover the same information. The current model was somewhat exhausting and took a lot of staff time, but Council may not want to lose the second regular session per month as decisions needed to be made at a regular cadence.

City Recorder Payne noted the proposed schedule may make preparing packets a little easier, but the same number of items would be involved. She talked about the impacts of operating in a City Administrator form of government where most decisions were taken to Council. She encouraged keeping a consistent meeting start time to avoid having to send notifications and suggested bringing the meeting schedule proposal to department heads to discuss the possible impacts of having longer between meetings.

Council continued to discuss possibly changing the schedule for meetings with the hope to relieve staff burden and better accommodate Council, noting schedule decisions could be discussed at the Strategic Planning session and modified as needed. For now, moving the start time one hour later would make it easier for Councilor Sundeen to attend meetings.

City Administrator Walsh stated putting two agendas together for one meeting could be too much information and could potentially cause project delays. He explained that an item being on the agenda did not obligate Council to vote on matter, though he acknowledged some matters were time sensitive. He proposed amending Council Operating Rules to change the work session time to 3 p.m.

9. Report from City Administrator John Walsh

City Administrator Walsh reviewed his report with comments and questions from Council and staff as noted:

- Waterfront Redevelopment District work was in progress with concrete going down in the plaza today.
- Public Works had replaced a water main valve at the S 1st Street/St. Helens Street intersection and now a contractor would put in a full concrete intersection, closing the intersection and rerouting traffic through River Street and out onto 2nd Street.
- Treadway had removed Christmas decorations and were working toward future events including 13 Nights and Independence Day.
- The lease agreement for the Masonic building would be on tonight's regular session agenda.
- Treadway was interested in taking over the administrative aspects of Citizen's Day in the Park which had been a huge burden on staff. Citizen's Day in the Park was not in the original contract with Treadway so the contract may require adjustment.
- He had met with Interim Superintendent Steve Webb and Acting Police Chief Hogue about the School Resource Officer position. The School District was asked to be the first to approve the intergovernmental agreement about the School Resource Officer, which will then come to Council for approval. The School District will discuss funding the School Resource Officer on January 22, 2025.
 - Acting Police Chief Hogue confirmed the IGA would begin at the start of the next school year. He explained getting a lateral hire would still require onboarding and training, or a local Officer may be interested in the position. He noted during the summer the School Resource Officer could do patrol or participate in summer camps. He hoped to recommend some job description language changes to define the new position.

- Mayor Massey recalled a presentation given by Police Officers at the library three years ago about the dangers of drugs, and the presentation was very well received by the community. She hoped the program could be presented again to educate the public.
- Council President Chilton noted the Public Health Department may be willing to participate.
- Hometown Heroes banners would be added to the downtown summer banner series.
- He met with the Police Station design team. The Gable Road site had become more complicated than anticipated and neighbors had been vocal about site suitability. The survey, Geotech, and environmental study had already been completed for the Gable Road site, and he listed alternative sites for the Police Station.
 - Council was interested in going back to the Planning Commission with a site selection process at a special meeting on February 5, 2025.
- Consultants would present an update on the Central Waterfront project on March 5, 2025, or March 19, 2025, to talk about the status of the lagoon, the findings of the report, and the potential options for the project moving forward.
- Project Arcadia was moving forward but was delayed due to an indemnification agreement. The City was working with them to get the Title 5 Air Quality permit boiler permits, and the other required permits. An extension agreement would be coming out by the next meeting and Arcadia would begin paying for the utilities beginning February 1, 2025. Office Max had remained unresponsive.
- He met with department heads, supervisors, and some staff members and everyone took the DISC personality assessment and participated in a team building exercise and talked about the state of the City. The team building was excellent, and he would like to do that exercise with the entire staff. He described the steps of the team building exercise where groups were separated by personality type.
- The Strategic Planning meeting would be held on January 31, 2025 from 10 a.m. to 4 p.m.
- No executive session would be held today.

ADJOURN – 4:20 p.m.

EXECUTIVE SESSION – None

Respectfully transcribed by ABC Transcription Services LLC and submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne
 Kathy Payne, City Recorder

/s/ Jennifer Massey
 Jennifer Massey, Mayor