



## COUNCIL WORK SESSION

Wednesday, February 01, 2023

### APPROVED MINUTES

#### MEMBERS PRESENT

Mayor Rick Scholl  
Councilor Patrick Birkle – via Zoom  
Councilor Mark Gundersen  
Councilor Brandon Sundeen

#### MEMBERS ABSENT

Council President Jessica Chilton

#### STAFF PRESENT

John Walsh, City Administrator	Brian Greenway, Police Chief
Kathy Payne, City Recorder	Bill Monahan, Attorney
Lisa Scholl, Deputy City Recorder	Tina Curry, Event Coordinator
Suzanne Bishop, Library Director	Amy Lindgren, Municipal Court Judge

#### OTHERS

Steve Topaz  
Brent Keller  
Mr. Lintz  
Iris Wu, Mackenzie  
Jeff Humphreys, Mackenzie

#### CALL WORK SESSION TO ORDER – 3:26 p.m.

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

- ◆ Steve Topaz. Mr. Topaz stated he called the Coast Guard yesterday about how the inspection is going for the new boat. He read aloud excerpts from their responses which indicated the stability test was still pending and was scheduled for February 16; the vessel was in Pensacola; once the test and required calculations are completed, the stability letter will be provided. He noted when people asked if the vessel was in Portland, the answer had been yes. He noted spending decisions made over the last four years on things like the Public Safety Facility, storm drain repairs needed because of poor engineering, and new sewer and sanitation, would add a total of \$88 to water bills over several years. He listed his estimate of total revenue received for parking on public property during Spirit of Halloweentown. He posed the following two questions: was the parking concession advertised or given to a friend; and with public property generating about half a million dollars, should it not be required to publicly disclose the total revenue.

#### DISCUSSION TOPICS

##### 1. Annual Report from City Forester - **Brent Keller of Mason, Bruce & Girard**

Brent Keller reviewed his report, included in the archive packet for this meeting. He discussed a review of the 2022 "Salmon" Timber Sale, which went well, and planned activity for 2023, which included the following:

- Reforestation of Douglas Fir seedlings.

- A potential timber sale farther to the north was estimated to produce about \$1 million of income.
- About 10 years of brush needed slashing by hand as City property is not typically sprayed.
- Replacing a large fish pipe that has failed.
- Continue development of a management plan to be reviewed by the Council, which began in 2022. This would serve as a reference when transitions happen in staff or on councils.
- He also reviewed the timber market analysis, the recent harvest history, and future harvest estimate. He recommended a sale this year and could submit a proposal for Council review.

Mayor Scholl agreed that was a good idea, especially with projects coming up that need funding. It is also a good idea to have a record of the management plan as Mr. Keller mentioned.

City Administrator Walsh stated it is also important to get into the sustainable yield plan to bring back a balance.

## **2. Semi-Annual Library Department Report - *Suzanne Bishop, Library Director***

Library Director Bishop reviewed her report via PowerPoint; both were included in the archive packet for this meeting. The library focuses on access, including for the unhoused community and kids in the school districts. She noted the success of The Makerspace and recognized the work of the reference librarians. Highlights of her report included:

- The big initiative this year is updating the Strategic Plan. The Library Board is meeting with stakeholder groups and key people in the community and doing a survey online to get input from City employees. The Library Board will draft the Plan in March to then be submitted to Council for approval.
- She discussed the goals set in the previous Plan which will be used as a guideline going forward:
  - Lifelong learning.
  - The library as a community/cultural center.
  - Access to library services. She noted the library is a safe space.
  - Communication.
- The library has completed two and continues to work on the remaining items from the 2022-2024 City Workplan.
- She discussed engagement and classes in The Makerspace which included developing and enriching partnerships with the business community. The library's highest priority was finding sustainable funding for this program.
- She reviewed the youth services. The library will do the Summer Reading Program which is so important to all families.
- Library visits have increased, almost one visit per capita. St. Helens is unique in the number of people who use the library and its services.
- Overdue fines were eliminated, which she felt added to the increase in visitors.
- She thanked the Library Board. They are looking for another Board member.
- Friends of the Library is a nonprofit organization that raises funds exclusively to support the library, and they have little libraries all over town. They will continue to restock the Senior Center library.
- She recapped the Summer Library Challenge totals.
- She discussed the work of the library's 15 active volunteers.
- She reviewed community engagement with the library.
- She discussed the library's collections which total more than 40,000 items, not just books. They have increased digital library resources, added access to three major databases and a patron donation which allowed the library to renew its Ancestry.com subscription. There is also a plan to share resources with other local libraries to expand offerings.
- The library serves their patrons in a variety of ways, and highlighted that it was a safe space, for teens in particular.

- The library held the first annual Repair Fair in 2022.
- She went over the library's key priorities of permanent funding for the Makerspace tech position, completing the five-year Strategic Plan, the 2023 Genealogy Conference, expanding programs for youth, and programs for adults.
- The library's success would not happen without their staff, Board, Friends of the Library, volunteers, and Council.

Councilor Birkle is meeting with Ms. Bishop monthly. He is excited to be their Council liaison.

### **3. Semi-Annual Municipal Court Report - Judge Lindgren, City Administrator John Walsh**

Judge Lindgren reviewed her report which was included in the archive packet for this meeting:

- The former governor issued a Remission Order as she left office in December 2022, that waived many Municipal and Circuit Court fines for individuals with specific circumstances. Many of these cases were in collections. Due to time and money collection agencies spent on collecting, the fees had to be pulled back. She noted most of the courts really try to work with people to pay the fines and find alternative arrangements. Governor Brown's press release stated that the forgiven fees did not include felonies, misdemeanors, or cases involving public safety. Oregon City's case list did include misdemeanor cases. St. Helens did not waive the fees in those cases. In her opinion, cases involving careless driving, speeding, and cell phone tickets do involve public safety. She noted the Order does not mean the people get to drive, only that the fines are considered paid in full. People need to go to the DMV to find out what they need to do.
- She updated a number of St. Helens Municipal Court's orders. They included an attempt to get the information the DUII services provider needed to appropriately monitor the cases for the Court.
  - Judge Lindgren confirmed in every case the client signed a release of information so that the courts could be notified of noncompliance with DUI agreements. Columbia Community Mental Health (CCMH) advised they were told by the Oregon Health Authority that if a court requires it, then it is coerced. In her opinion, that is not true. She agreed with Councilor Gundersen that it does not make sense. She is in contact with Judge Thompson in Washington County who is really on top of the issue and is meeting with Circuit Court judges to inform them of what has been going on.
  - Mayor Scholl stated the intent of Measure 110 is not just checking a box on a form that the person is enrolled in treatment. Oregon already fails in drug and alcohol treatment.
- She started a juvenile safety traffic program which means the Court waives the fines or fees associated and it's a shorter class.
- The updates to the Violations Bureau Order also created a clearer Fix-It Ticket Program, which means the violations clerk can take care of the ticket at the window.
- The pre-trial release order was updated to match the Circuit Court of who gets released when and under what conditions.

City Administrator John Walsh spoke about the value of having a Municipal Court and how it is important to the community.

Judge Lindgren added what she loves about municipal courts is being able to take the time with people and shared a story about a 17-year-old with a speeding ticket who was working 40 hours a week to pay for her braces. She also announced the Court was able to perform weddings.

### **4. Update on Public Safety Facility Project**

Mr. Walsh introduced the architects in attendance in person and on Zoom, representing Mackenzie Inc. He quickly reviewed the scope revision.

Jeff Humphreys, Mackenzie, updated the Council on the Public Safety Facility project via PowerPoint, included in the archive packet for this meeting. They are roughly at the halfway point. He reviewed the design work that has been done. The City requested changes, and revisions were made to meet current needs, preserve the right of way, and budget constraints.

The cost is forecasted at about \$18.5 million. As a developed concept, the project cost grew to about \$20.6 million. The City decided to make some adjustments to bring the cost down to a target of \$12.6 million.

Construction should be able to start in early 2024 with a completion date in the summer of 2025.

After the completion of the new schematic design, Mackenzie will come back to Council with the total cost and the revised schedule moving forward which will probably be in about three months.

Mr. Walsh said the thing not talked about was the project delivery method and how to move forward.

Mr. Lintz spoke about construction cost and the request for proposal (RFP) process, noting the contractor assumes all the risk with the design-bid-build. He clarified the RFP is put out for general contractors who compete on the basis of their fee, their qualifications, and their general conditions. Once the project has enough documentation, the general contractor asks for multiple bids for carpeting, ceiling tile, etc. Ninety percent of the job is competitively bid.

Mayor Scholl asked if design-bid-build is the best process financially. The City has already spent \$1 million reconfiguring. Mr. Humphreys noted the City has been directing the process. He explained with the way market conditions are right now, the City should consider design-bid-build because the materials can be ordered while the design work is being completed and it is value-driven, not just cost. They are seeing fewer contractors bidding on projects. The other challenge is severe labor and material shortages. Mr. Lintz confirmed the City controls the way the general contractor is selected. The City will narrow those down based on their qualifications and fee. Mayor Scholl stated he wants to ensure the City has a relationship with the contractor prior to their seeking multiple bids for the rest of the work.

Councilor Birkle appreciated the Mayor's caution, although he was persuaded design-bid-build might be the best process given the School District is experiencing constant changes in their programming due to lack of materials right now with construction of the new high school. Regarding how the flood plain was addressed in the site plan, Mr. Humphreys clarified the concept they developed was positioned on the site to be out of the wetland on one side and stay away from the flood plain on the other. Because there is a history of pooling water on Old Portland Road and on Kaster Road, they would extend an emergency access road up the back side. That would probably still be the strategy, but because the building was getting designed to be smaller, it would be farther away from the wetland and flood plain.

Mr. Walsh clarified the \$500,000 for design revisions was already part of the project budget, part of the \$12.6 million.

Mr. Lintz noted he was an architect and has a master's in business and architecture, but his whole career has been as an owner's representative. His only interest in this process was the City's interest. His experience allows him to know where the risks are and what are the best value and best price so that he can advise the City.

Mr. Humphreys added that they are in the project for the City and want to deliver the project St. Helens needs. They were really excited about the former design, but they understand it needing changed to fit the bill.

Mr. Walsh will work with Legal to make sure the project team was complying with the code and following the process.

**5. Report from City Administrator John Walsh**

Mayor Scholl pushed Mr. Walsh's report, included in the meeting packet, to the evening meeting.

- One addition to the regular session agenda for Council's approval was a Memorandum of Understanding with St. Helens Police Association.

**ADJOURN** - 5:03 p.m.

**EXECUTIVE SESSION** - Cancelled

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor