



COUNCIL WORK SESSION

Wednesday, February 03, 2021

APPROVED MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten (arrived at 1:35 p.m.)
Councilor Patrick Birkle (left at 3:08 p.m.)
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Mouhamad Zaher, Public Works Director
Sue Nelson, City Engineer
Jacob Graichen, City Planner
Rachael Barry, Government Affairs & Project Support Specialist

Brian Greenway, Police Chief
Margaret Jeffries, Library Director
Bill Monahan, City Attorney
Mike De Roia, Building Official
Sharon Darroux, Engineering Project Manager
Crystal King, Communications Officer
Jenny Dimsho, Associate Planner
Tina Curry, Event Coordinator

OTHERS

Judy Thompson
Al Petersen
Claire Catt

Brady Preheim
Josh Brown
Dean Kampfer

Brent Keller
Nathan Smith
Kanale Tumlinson

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

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

- ◆ Brady Preheim. He is here to talk about the Police Station. The Chronicle conducted a poll and 82% of the people surveyed did not approve of a utility fee to pay for it. He talked about when the new jail was being built. He was the only voice in the community that protested the jail. He stated at that time that they would come back for money. It took several years, but now we pay for it in taxes. We spend our money to house federal prisoners. The proposed police station is 10 times the size of the existing facility. This is the worst time to do it. Businesses are closed, people are unemployed, and there are record numbers at the food bank. He finds it annoying that they do not know exactly what the building will cost. It will be about \$20 million. He asked for Assistant City Administrator Brown to apologize for the classist statement about renters using more police services. He did a public records request, and nothing was on record. It was offensive.
- ◆ Nancy Whitney. She objects to the 22,000 square foot new police station. The proposed site is in a flood plain. The Ad-Hoc Committee members included people who live outside City limits. She is tired of the same people serving on these committees. There are 34 businesses in St. Helens that have shut down. This town is dying and needs help. The population has declined. The Police Department has fewer officers now than 12 years ago, plus there has been an increase in property

taxes. This can go before the people for a vote. She asked the Council to re-think what they are doing.

- ◆ Judy Thompson. She is here to talk about Main Street and SHEDCO. She became involved with them in 2013 when she began cleaning up and planting flowers in the planters around town. SHEDCO Member Steve Topaz found out she was doing that and invited her to a meeting at Kozy Korner, and she has been involved ever since. She expressed the importance of having a dedicated Main Street employee. It would help connect downtown and uptown. A functioning Main Street would also be appealing to Waterfront developers. She thanked everyone involved in the process of revitalizing the program.
- ◆ Al Petersen. He is the former SHEDCO Chair. New officers were elected at their last meeting. Dana Lathrope is the Chair, Doug Boyes is the Vice Chair, he is the Treasurer, and Judy Thompson is the Secretary. The Board chose to do that in the spirit of the intent of the MOU. The MOU was created to revitalize SHEDCO, restructure the Board, and move forward in a positive fashion. He agreed with everything Judy stated. He became involved in SHEDCO in 2007, which was shortly after it started. At that time, the meetings were held at City Hall. There were complaints from the public about it not being a City committee, so they moved the meetings to Kozy Korner. He is in favor of the MOU. He understands using the City of Independence as a model. He gave staff credit for their work and willingness to make amendments. The SHEDCO Board has tentatively approved the MOU.
- ◆ Nathan Smith. He reported a change in management at Hudson Garbage. He will be stepping away from the district. Josh Brown will be the new District Manager. Kanale Tumlinson will be the new Site Manager.
- ◆ Josh Brown. He is currently overseeing the Portland operation. Kanale will oversee the day-to-day operations and be the Site Manager. Josh grew up in the garbage service in Nevada and has been around it his whole life. He has worked for Waste Connections for 14 years, since selling their family's company. He is looking forward to working with everyone out here.
- ◆ Kanale Tumlinson. He has worked for Hudson Garbage for six years. He is the new Site Manager and will be working with the local municipalities and events. He has lived in St. Helens for 13 years. He looks forward to working closer with the City and Council. He is available by phone and email if anything is needed.
- ◆ Scott Vawter (received via email). *I have lived in St. Helens for the past 6 years, the last 3 in the McCormick Park neighborhood area. I just wanted to let you and the other members know how much we appreciate what you and the Police Force do to keep us safe. I am sure you are aware of the drug sales and usage in our area. My family and several of my neighbors are in full support of the new station and large police force in our town.*
- ◆ Jerrame Stout (received via email). *Hello, I have lived in St Helens for 15 years now. I am a current homeowner living in the McCormick park neighborhood. My family and local neighbors fully support anything we can do to support the new facility. We fully support our law officers and respect them. We have a serious problem in our neighborhood with a known drug selling trap house on Dubois Ln. Seems now our neighborhood battle has gotten more difficult with the ease of drug laws. We are looking for help. It brings a lot of unwanted traffic into our neighborhood. The problem is serious with these people poisoning our community with meth and transients*

overflowing the house. We will be fully involved with these upcoming meetings and support a bigger police presence in our community. Please forward to whom it may concern. Thank you. Backing the blue.

- ◆ Claire Catt. She loves listening to meetings and hopes more citizens will become involved and provide input. However, that is difficult when the meetings do not stream live. Not everyone has the capacity to access Zoom. She hopes there will be Facebook or YouTube access for citizens by the next meeting.

Assistant City Administrator Brown acknowledged that the YouTube link on our website is not working. Deputy City Recorder Scholl is working with Municode to repair it.

DISCUSSION TOPICS

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

1:21 p.m.

City Forester Brent Keller reviewed his report. A copy is included in the archive packet for this meeting. They have been managing the City's property since 2006.

Discussion of timber harvest and sales. The market is at a peak right now. Brent recommends cutting 50 acres. Out of 340 acres, there is 170 acres that is currently marketable.

City Administrator Walsh thanked Brent for working to move the City back to a sustainable path. The revenues have helped the City plan for the upcoming Waterfront development. He agreed with Brent's recommendation.

Discussion ensued about the amount of timber to harvest. Prior to tonight's meeting, Brent will email more information to Walsh detailing the differences with cutting more than 50 acres. There is a lot of uncertainty with the market. However, there are mills that prefer to purchase larger stands.

This will be further discussed tonight.

2. Library Department Semi-Annual Report - *Library Director Margaret Jeffries*

1:58 p.m.

Library Director Jeffries reviewed a PowerPoint presentation. A copy is included in the archive packet for this meeting.

- Modified library services during the pandemic
- Library upgrades while they are closed
- Creation of a Makerspace
- Library programs are tax supported

Councilor Topaz talked about all the work that went into the upgrades at the Library. They are planning in the midst of a pandemic. They have built some incredible screens to separate public computers.

3. Review Main Street Memorandum of Understanding (MOU) - *John/Rachael*

2:15pm

City Administrator Walsh reviewed the MOU.

- The City has supported the Main Street Program in the past.
- There are differences in the proposal from the past partnership.
- The agreement renews annually.
- SHEDCO is in the process of re-branding to St. Helens Main Street Business Alliance.
- Maintain records.
- Make recommendations and provide annual reports to the City.

- Follow the trade-marked program.
- Advocate for revitalization.
- The City will hire a half-time employee to support the program.
- Proposing an office space in the downstairs part of the Masonic Building. It will be a Tourism and Main Street shared office.
- A Council liaison will be provided.
- The City will provide funding in the annual budget.
- The City will reimburse the insurance expense.
- They will create a Board structure.
- Agree to a code of conduct.
- Assign a designated spokesperson.
- Have a nondisparaging agreement.
- Maintain records that the City has a right to review.
- Work in good faith to bring back the program.
- Nondiscrimination, accessibility, and inclusion language.

The City needs to create a job description. Walsh proposes the person begin in the new fiscal year.

Mayor Scholl talked about this proposal being based on the City of Independence. This is very different than the previous program.

Councilor Birkle is happy to see the City at this point. He attended a SHEDCO Board meeting and was impressed by the membership. They have a willingness to move ahead and work positively with the City. He is hopeful for positive things. He thanked everyone for bringing this together.

Council President Morten asked how often SHEDCO will meet. Mayor Scholl said they met once a month in the past. They will likely be the same.

Mayor Scholl reminded Council that they need a liaison. Council President Morten suggested appointing one person and having a backup as well.

The MOU will be on tonight's agenda.

4. Review Proposed Waste Management Drop Box Franchise Renewal Agreement - John

2:30 p.m.

City Administrator Walsh introduced Dean Kampfer from Waste Management. They have been working on renewing the Drop Box agreement. It was last renewed 10 years ago.

Attorney Bill Monahan reviewed the draft agreement. The company did a good job updating the agreement to make it more modern. Insurance was increased and changes were made to address issues if they arose.

There were no concerns from Council. It is on tonight's agenda for approval.

5. Review of Proposed Amended Job Descriptions - John/Kathy

2:35pm

City Administrator Walsh reviewed the memo to Council. Non-represented employees reviewed their job descriptions and made amendments. A copy of the memo and amendments are included in the archive packet for this meeting.

Councilor Topaz requested a clean copy of the old version and proposed version.

City Recorder Payne added that the amendments are to update the job descriptions to show what the employees are actually doing. It has been 18 years since some of these job descriptions have been updated.

Councilor Birkle requested more time to review the job descriptions. He wants to fulfill his responsibility to review them completely. Mayor Scholl agreed that it was difficult to read. A lot of work went into cleaning up the language. He agreed with continuing this to February 17.

Council President Morten asked Payne how time sensitive this is. Payne responded that the draft changes have been sent to the company performing the compensation study. There are no concerns putting it off for a couple weeks.

Walsh clarified that the Community Development Director position is on there to update the current practices. Council has assigned that position to the City Administrator.

6. Discuss Replacing Keith Locke on Columbia Learning Center Board

2:46 p.m.

Discussion of the Columbia Learning Center Board. Library Director Jeffries reported that she serves on the Board. She explained that their primary purpose is to award Chance to Become Scholarships to high school students. They hold the Black Tie & Blue Jean fundraiser. However, there will not be a fundraiser held until 2022, but they will continue to issue scholarships. The awards will be done virtually. There are eight or nine Board members. The Board is waiting for the City appointee to have their annual meeting in April.

Mayor Scholl and Councilor Topaz volunteered. Council President pointed out that the City-appointed position does not have to be a Council member or employee. It can be a community member.

Councilor Birkle reported that he was involved in the beginning. He is glad to see this is continuing. It was the consensus of the Council to appoint Councilor Birkle to the Board.

Break – 2:56 p.m.

Councilor Birkle left at 3:08 p.m.

7. Strategic Action Plan Updates

3:09 p.m.

Assistant City Administrator Brown reported the following updates:

- Staff has prepared some Public Safety Facility talking points. He sent an email to Council to meet with Government Affairs & Project Support Specialist Barry and Communications Officer King.
- The Public Safety Facility information page is live on the City's website. He encouraged the Council to direct people there with questions.
- An RFP for the Millard Road property is on tonight's agenda.

8. City Administrator Report

3:10 p.m.

- Working with the Riverwalk and Street Extension project consultants.
- Attorney Bill Monahan is here to lead a brief training about serial meetings.

Attorney Monahan reported that Oregon Public Meetings Law says decisions must be made in an open public setting. There needs to be notice of the public meeting, an opportunity for the public to observe the discussion, and there may be times for the public to ask questions. Questions about serial meetings have come up more lately.

He talked about a 2015 serial meetings case in Lane County. Members of the Commission communicated offline. There were phone and email discussions about the same topic. In that case, there was an

allegation that the Commission made a determination offline about releasing a public record. That case brought up a lot of questions. In 2018, there was a Tri-Met case about collective bargaining, in relation to meetings taking place without proper notice. It was perceived that decisions were made offline. A serial meeting can take place by phone, email, in-person, etc. Whenever you have a quorum of a governing body discussing the topic, it constitutes a serial meeting. League of Oregon Cities (LOC) has a session about public meetings. Serial meetings were brought up. There is a video available on their website with questions and answers. The main thing is that you do not engage in un-noticed meeting towards deliberations. You do not have to make a decision; it could be gathering information to make a decision. The simple solution is to provide notice of the meeting and give public an opportunity to participate. Council should not use "Reply All" in an email that includes other councilors.

Mayor Scholl used River Street, overlooking Grey Cliffs Park, as an example. He may call one councilor and ask them to look and see if there is a safety issue and if it needs a rail there. He may see another councilor at the store and tell them about the danger, and then ask them to look at it. Monahan explained that there is no violation for gathering information. You cannot share your comments about how to address the issue.

Discussion of State Senators not being held to the same standards. Monahan talked about Oregon Public Meetings Law. There is no mention in the statute about serial meetings. This has arisen out of the cause. The Court is concerned about side bar conversations by a governing body.

Mayor Scholl asked if they could have a conversation about ideas. Monahan said you could have those conversations between two members, but it should not involve opinions, a decision, or a third member. It needs to come back to a work session for discussion.

Discussion ensued about social events. If they are not making a decision or asking for an opinion, there is no problem. Public perception should be a concern.

Walsh thanked Monahan for the training. "Perception is reality."

OTHER BUSINESS

3:36 p.m.

Councilor Topaz reported that Habitat for Humanity wants to talk to the Council about purchasing property. Some of the staff does not want them to talk to Council. Brown clarified that he is working with Habitat for Humanity about the three pieces of property that staff was directed to contact them about. Councilor Topaz thinks that Brown acts as the gate to Council. Brown argued out that he does not keep people from speaking to the Council.

Councilor Topaz talked about earlier discussions of harbor dredging. He gave a copy of the dredging maps to Public Works Director Zaher. He asked if those copies were passed on to Mayor Scholl. Mayor Scholl reminded him that Council reports are done during the regular session.

ADJOURN – 3:39 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor