



COUNCIL WORK SESSION

Wednesday, January 20, 2021

APPROVED MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten (arrived at 1:28 p.m.)
Councilor Patrick Birkle
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
Jenny Dimsho, Associate Planner
Crystal King, Communications Officer

Sam Erskine, Prosecuting Attorney
Amy Lindgren, Municipal Court Judge
Bill Monahan, City Attorney
Mike De Roia, Building Official
Brian Greenway, Police Chief
Joe Hogue, Police Lieutenant
Doug Treat, Police Sergeant
Matt Smith, Police Corporal
Christina Sullivan, Community Development Admin.

OTHERS

Judy Thompson	Gulgun Mersereau
Duncan Brown	Shauna Stroup
Anne Debbaut	Lynne Pettit
Chris Blakney	

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

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

- ◆ Shauna Stroup. Commented on the improvements on N. Vernonia Road sidewalk. The roots from trees in front of her house were an issue this morning. She expressed concerns about ADA compliance at the corner of N. Vernonia Road and MacArthur Street. There are a lot of people who are handicap in the area. Also, there is not a clear idea of how the stormwater will be incorporated. She and her neighbors have concerns about stormwater.

Mayor Scholl agreed that the stormwater is an issue in that area. He will have Public works check the stormwater and ADA sidewalk access, and then follow-up with her.

- ◆ Ginny Carlson (received via email). *I am very intrigued by the proposal for the NEW Police Station and a SECOND time the City is adding a fee to water bills.*

It is disappointing that less than a year after Council gave an Inclusion and Equity statement that you would be considering taking on more financial risk with public money without a vote of the people.

Further, you would use incendiary language in your proposal that diminishes the working-class folks in the community, implied using more "law enforcement" inferring that if people rent or are low income, they must be criminals.

Have we forgotten the protest in our city calling for reform, I do not remember a protest for a new building?

Everyone pays property taxes, if not directly it is included in their rent, just like these fees are that the City arbitrarily imposes as something for the better. In working families when we cannot afford things we go without!

This is not the first time the City has taken liberty with hidden increases. When billing went from six times a year to 12, the late fees remained the same. Thus, if someone has to wait for paychecks or struggles instead of (\$25 each time) 150 a year in possible late fees its now 300. The City has the highest utility late fee in the community. (When I mentioned this over and over as a councilor it went unheard.)

Stewardship is basic to good governance. Imposing fees and blindly taking on more and more risk is neither stewardship nor good governance.

What is the total cost of this proposal you are committing the next generation to without their consent?

What of the annual water rate increase?

What other fees do elected officials plan to extend or slip on to our water bills?

St. Helens water bill is already more than my electric bill or my phone bill for three in my house!

Do not forget the community you serve.

DISCUSSION TOPICS

1. Employee Length of Service Award

1:06 p.m.

One employee has reached a milestone in their employment with the City of St. Helens. The following individual will receive a certificate and pin.

20 Years

Sue Nelson started working for the City's Public Works Department in January of 2001 in the Engineering Division. She is still serving in the Engineering Division of Public Works as the City Engineer.

Congratulations, Sue, and thank you for your service!

City Engineer Nelson said she has been honored to serve. It has been a fast 20 years.

2. Finance Semi-Annual Report - *Matt*

1:07 p.m.

Assistant City Administrator Brown reviewed the report. A copy is included in the archive packet for this meeting. A few highlights were:

- Revenues have remained consistent through COVID-19.
- Customers are still paying bills.
- The City is continuing not to charge late fees, per emergency declaration.
- Building permits have increased 598% over the last six years.
- The audit report will come to the Council at the second February or first March meeting. Auditors are unable to be on site and a new reporting software is being used, which has caused the delay.

Councilor Birkle asked when the Budget Committee meetings will begin. Brown responded that he would email tentative dates to Council and Board members today.

3. Municipal Court Semi-Annual Report - *Matt*

1:13 p.m.

Brown reviewed the report. A copy is included in the archive packet for this meeting. Revenues have been down the last couple years due to the gap of time former staff was not submitting overdue fines to collections. They are catching up on that again. Expenses have decreased due to only holding court once a week and the process changes made by Court staff.

4. Municipal Court Judge Report - *Judge Amy Lindgren*

1:15 p.m.

Judge Amy Lindgren reviewed her report. A copy is included in the archive packet for this meeting.

- Court is held three times a month.
- She talked about how she is able to help defendants more with the extra time.
- Due to COVID, they have not been able to hold jury trials. They hope to resume in the summer.
- They will get the cases now from Ballot Measure 110, which decriminalized drugs. Oregon Health Authority (OHA) is working on hiring people to create assessment centers. She has been working with Columbia Community Mental Health (CCMH) on the assessment process.
- Spoke about truancy court at the last meeting. She is working with Jennifer Johnson at Northwest Regional Education Service District (ESD).
- St. Helens is a Court of Record. Most Municipal Courts in Oregon are not.
 - County Circuit Court handles all felonies.
 - Misdemeanors are handled by cities.
 - You have to record everything and take notes in a Court of Record.
 - Anything in a Court of Record can be appealed directly to the Court of Appeals. If you are not a Court of Record, it can go to Circuit Court and basically start over. St. Helens does not have the extra step and is less of a drain on Columbia County Circuit Court. It also protects us from claims of abuse because everything is recorded.

Discussion ensued about Ballot Measure 110. Lindgren explained that it was framed as heavy on the rehab. Voters were likely unaware that there was already mandatory treatment for drug crimes. That treatment was much more substantive than a mandatory health assessment. Now, people can get a brief health assessment and leave. There is no follow-through beyond the assessment. It is alarming the quantity of drugs people are allowed to have. Drug court will be gutted. Lindgren encouraged everyone to read the fine print. There is nothing hanging over their head now. The citizens voted and they will implement it.

Councilor Birkle heard Lindgren's last report and had been intending to contact her. He was very impressed with her presentation about truancy. He is a teacher and shares many of those concerns. The approach is to help our children and families. Lindgren reached out to Scappoose in hopes of making it County-wide.

Mayor Scholl was disappointed with the language in the Measure. He read a list of drugs that fall under the \$100 fine or a complete health assessment. It is alarming. Why has the media not grabbed a hold of this? Lindgren added that it also affects search and seizure. It limits the police officers. It will have a huge impact on officers and case law. It is worse to not register your car than have a gram of cocaine or heroin.

Council President Morten talked about the fines being paid helping the judicial system. What does this do to the judicial system finances? Lindgren is not sure because she has never handled these cases before. It could take up a lot of the court clerk's time. Time will tell how it impacts our caseload.

Councilor Topaz asked about the effectiveness. One gram of heroin will kill someone. How will a death be handled? Lindgren said she has seen agencies go after the drug dealers when an overdose caused a death. However, she does not think courts will act on it. People do treatment when they have reached rock bottom and there is no option other than prison or jail. It takes a lot of strength to overcome addiction.

5. Prosecutor Report - *Prosecutor Sam Erskine*

1:41

Prosecutor Sam Erskine presented his report. A copy is included in the archive packet for this meeting.

- He was surprised that the number of cases they saw were higher in 2020 than 2019, even during COVID. That is representative of a healthy court and police force.
- They were unable to hold any jury trials in 2020.
- They will be working through a backlog when things re-open.
- He credits the judge and court staff for continuing to work. He works with other jurisdictions that are just stacking up.

Mayor Scholl asked how a person's right to a speedy trial is handled during a pandemic. Erskine responded that there are some getting close to time limits. New case law will likely be made with this. He expects that there will be some speedy trial issues.

6. St. Helens Industrial Business Park Parcelization Framework & Funding Plan - *John/Jenny*

1:47 p.m.

City Administrator Walsh reviewed the presentation. A copy is included in the archive packet for this meeting.

- This is the largest industrial site in the region.
- Served by rail and waterfront access.
- Access to water, sewer, and power.
- In an opportunity zone.

Associate Planner Dimsho reviewed the framework. The City received a Department of Land Conservation and Development (DLCD) grant about a year ago. That allowed them to begin planning for that property. She is requesting Council adopt the framework resolution at tonight's meeting.

- There are 37 parcels.
- Each parcel is between two and five acres, which can be combined if needed.
- A market study found that light manufacturing is the best suited use.
- A wetland delineation was done last year.
- Some undeveloped rights-of-ways could be vacated, and some could be utilized.
- Proposed pedestrian easement along Milton Creek.
- Reviewed the phases and improvements needed.

Discussion of pump stations on site. Mayor Scholl encouraged staff to re-look at the lagoon and the topography of the mill site. Pipe lays in water very easily. Pump stations may not be the most efficient.

Councilor Topaz sees three problems.

- The entire water line is contaminated.
- The lagoon is an air toxic problem. There are a lot of businesses that could not handle that.
 - Does not allow food processing.
 - The air pollution will destroy their products.
- How long will the sewer plant be there? There is contamination of the whole facility.
- The roads and rail are inadequate.

Dimsho responded that they can control who the users are on the property. Councilor Topaz asked what the 20-year plan is. The paper company is a big polluter. When are they leaving?

Council President Morten explained that high-tech companies use filtered air.

Mayor Scholl apologized and asked Dimsho to proceed. Councilor Birkle asked for the presentation to be completed as well and then open it for discussion.

Dimsho continued...

- Future phases
 - Stormwater facility
 - Another sewer pump
 - Intersection signalization
 - There are ways to share costs among multiple users, so the City is not the sole contributor.

Walsh added that Kaster Road and Kaster Spur will be merged. The development will also give access to the Port's waterfront property. Mayor Scholl asked if anyone has reached out to the Port to see if they are willing to participate. Dimsho agreed that they are a valuable partner.

Councilor Chilton asked the Council to consider the three highly used softball fields. Mayor Scholl asked if it would be fiscally responsible to hold up industrial high-tax property for ballfields. Chilton agreed that is a good point, but wants them to consider how they can be replaced. Council President Morten suggested a 4-plex be included on future park land to replace those.

Councilor Topaz talked about green space for industrial staff to take lunch breaks. Mayor Scholl responded that the Parks & Trails Commission visited the site. There is park space and trails in that area. This is a multi-million-dollar site that will be developed, bringing tax revenue.

Chris Blakney from ECONorthwest reviewed the funding strategy and recommendations included in the packet.

Mayor Scholl really likes the layout and plan. It looks doable.

Council President Morten likes the plan. He is uneasy about there not being a 20-year plan. He would like to see some industrial stakeholders help guide what the area will look like. Hopefully, it will set a precedent for the area. The plan is just a start.

Councilor Birkle thanked staff and ECONorthwest for the plan. He appreciates the in-depth report and presentation.

- He thought the community would be engaged with the possibilities for this property, like what was done for the Waterfront property.
- When we talk about benefits for the community, yes, we want to develop and enhance income. There are things that are not tangible, such as the parcels in the 30s.
- He visited the park space in that area and it is his favorite now. It is a treasure.
- We need to maximize the money and return.
- There should be more community input about the ballfields and development.
- Why is phase four not sooner since it is more cost effective?

Dimsho responded that phase four relies on a public access easement. It is assumed to be developed per user, rather than the City building it. Also, the rail line will be a challenge. The in-water users may not need road access.

- What would a regional stormwater facility would look like?

Walsh explained that a regional system would be a community collection and treatment.

Councilor Topaz said he does consulting for a lot of companies. Most of the companies would fit in any of the parcels and typically have an income of \$3-4 million/year. A lot of those companies would not fit

there because of toxicity of the air. The river is very valuable. Has a list of the type of companies that would fit well been created? Dimsho reported that they are working with Port of Columbia County for marketing. The framework was built to be flexible.

Councilor Chilton has heard that the Port is struggling to get occupants. Dimsho said they are working with them for marketing. Mayor Scholl added that it needs to be partially built to make it marketable. Walsh talked about the differences in business models. The Port leases buildings to businesses. The City's property could be leases or land sales. The Council needs to discuss that.

7. Public Safety Facility - Matt/Brian

2:47 p.m.

Chief Greenway talked about Judge Lindgren and Prosecutor Erskine. Lindgren is fair but firm. She runs a tight ship in Court, which benefits the community. She is not bias. The officers do not win every case. Erskine takes the time to mentor the new officers and create a better case. He is grateful for both of them.

Greenway reported that a difficult decision will be made tonight that will affect generations to come. There is a current officer vacancy and only four applications were received in 45 days. There is a sense of urgency for a new facility. He urged Council to impose an administrative fee for a public safety fund. This is a good time to build a new police station. He envisions it helping with recruitment and retention. They are down one officer and will lose another soon. There are four police staff members in attendance today with just under 100 years of police experience combined. They are in favor of the Ad-Hoc Committee's recommendation. A new facility will help serve the community better by giving them the needed resources. Officers have been there for the City since day one. Violent crimes are increasing.

He introduced Sergeant Doug Treat, who has 26 years of experience, and Corporal Matt Smith, who has 18 years of experience.

Sergeant Treat reported that he was hired in 1996 by St. Helens and resigned in 2002 to go to Lake Oswego. He returned to St. Helens in 2020. He has the exact same interdepartmental box, same location, nothing changed. During his prior six years here, he was weighing dope on the same table that lunch was eaten. This is an amazing police department with dedicated officers. It is refreshing to come from Lake Oswego to see how driven the officers are here. The facility conditions are deplorable. They cannot get accredited because of the facility. Retention and recruiting is a struggle. He talked about brand new facilities being constructed in other jurisdictions. There are eight officers who live in town and completely support the fee. They understand the hardship. They cannot continue to work in the existing building. At some point, they will not be able to do their job. He came back because he wants to give back to the community.

Corporal Smith chose to work in St. Helens because of community engagement. The station is not ADA compliant. It would be very difficult to interview a victim of a violent crime in private. There was a recent incident that they had to take a statement from a victim, and they were surrounded by officers gearing up for the day. The only place to interview is in an interrogation room. There is not sufficient area for the technological advances. They are asking for the public's help to help them serve.

Brown presented a video explaining the need for the new public safety facility and then reviewed a PowerPoint presentation. A copy of the presentation is included in the archive packet for this meeting. He reviewed the Ad-Hoc Committee's recommendations and funding considerations.

Councilor Topaz asked what can be done the quickest. Brown explained that the Ad-Hoc Committee feared that it may not pass a general obligation bond. How would that look to voters if Council added the fund after voters turned down the bond? A public safety fund is also a lot cheaper option. It is a separate fund from the General Fund.

Brown reviewed the funding methodology. Duncan Brown, PFM Financial Advisors, reported that the estimates are based on current conditions plus .5% cushion. Discussion ensued about cost.

Brown reviewed the proposed three-month public engagement period. It would include news releases, in-person meetings, virtual meetings, video presentation, etc. Council President Morten asked why the public engagement is not happening until after Council makes a decision. Brown responded that it is the staff's opportunity to inform the public and get feedback about the process and funding mechanisms. Council will make their final decision in April, after the public engagement.

Councilor Topaz would like to hear more information about what the police does for the community, not just how it affects them. Brown said today's presentation was specifically for the Council. Public engagement would include more about how it affects the public/community.

Chief Greenway reported that they are working on a Spanish video as well. People will not stay here if it becomes too dangerous. Public engagement will include talking to the community about the need.

Mayor Scholl said they owe it to the community and children to not accept second rate officers. Our officers are held to a high standard and it shows in the community. The City is fortunate to have the quality of officers that they have. The officers care and they are part of the community.

Councilor Birkle thanked the presenters. He missed the meeting between 3-3:30 p.m. for an interview. He supports the need for a new facility. He prefers the fund over a bond. However, he would like to see a vote of the community.

Walsh clarified that tonight's vote is just to proceed. The next step is public engagement. Council will make a decision on April 7.

Councilor Birkle reported that he is bilingual. He would love to be a resource for the Spanish-speaking community.

Councilor President Morten talked about public engagement. We saw amazing presentations from police staff. He hopes that Council does not screw things up when they get involved.

Break - 3:56 p.m.

8. Review Recommendations for RFQ Solicitations - *John/Jenny*

4:06 p.m.

Discussion of the sidewalk concern brought up during visitor comments. Public Works Director Zaher reported that it has been taken care of.

Walsh reported that the Public Safety Facility Ad-Hoc Committee worked really hard to bring that consensus back to Council. They were all in alignment about moving forward on the project.

Walsh talked about the Waterfront Advisory Committee. They reviewed the submittals and have a recommendation to Council. He is requesting Council accept the recommendations at tonight's meeting. Copies of the recommended proposals are included in the archive packet for this meeting.

9. Review Proposed Community Development Code Amendments - *Jacob*

4:13 p.m.

City Planner Graichen reviewed proposed Development Code Amendments. A copy is included in the archive packet for this meeting.

House Bill 2001 requires cities of a certain size, including St. Helens, to allow duplexes (or two detached units) wherever detached-single family dwellings are allowed. The State requires the Code to be implemented by June 30, 2021.

Councilor Topaz asked if there is any recourse to the State. Graichen said they do not have a choice. If they do not adopt a decision, on July 1st the State will enact their model Code on the City. The model Code does not require parking. If the City wants to control parking, they need to create their own Code.

Council President Morten expressed concerns about detached duplexes not meeting fire code. He wants to make sure it meets fire safety guidelines.

Discussion ensued about parking. Graichen reported that most builders desire a two-car garage. The community does not have a robust transit system. Citizens want area to park their toys and not pay for storage. They occasionally get a request from builders to build single-car garages and driveways. Those are typically the builders who are just trying to make money and get out of town. Mayor Scholl added that it is law if it gets put in the Code. The State is requiring zero. He would prefer that Planning staff allow flexibility. Graichen argued that it needs to be very clear without room for interpretation. He did say that they could require a variance for parking.

Discussion ensued. Consensus of Council to get feedback about parking from the public during the hearings.

Graichen went on to review roadway width. Council President Morten asked about handicap and bicycle lanes on skinny streets. Graichen said there is not a dedicated bicycle lane on skinny streets. Council President Morten pointed out that handicap people normally live in residential areas. Mayor School suggested they use sidewalks with ADA ramps.

Mayor Scholl encouraged Graichen to notify local builders about the proposed amendments.

Consensus of Council to proceed with proposed amendments.

10. Strategic Action Plan Updates

Continued to tonight's meeting.

11. City Administrator Report

Continued to tonight's meeting.

OTHER BUSINESS

No other business.

ADJOURNMENT – 5:44 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor