



COUNCIL WORK SESSION

Wednesday, June 01, 2022

APPROVED MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Patrick Birkle – 1:06 p.m.
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Jacob Graichen, City Planner
Matt Brown, Finance Director
Rachael Barry, Government Affairs Specialist

Suzanne Bishop, Incoming Library Director
Brenda Herren-Kenaga, Interim Library Director
Crystal King, Communications Officer
Bill Monahan, City Attorney
Tina Curry, Event Coordinator

OTHERS

Lynne Pettit Miriam
Dan Davis Jeremy
Richard Mason

CALL WORK SESSION TO ORDER – 1 p.m.

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

- ◆ Rich Mason, member of Responsible Boating Committee. The Code amendments will be reviewed later during the meeting. All the work done, will be for nothing if the Codes are not enforced. The existing ordinances were fine, but there was no enforcement by police due to lack of resources.

Mayor Scholl talked about having a Harbor Master to write tickets. Only some enforcement will need to be conducted by the police. The City's prosecutor helped write the Code amendments.

Rich thought there was discussion with the County about contract services with the Sheriff's Office. Councilor Chilton pointed out that it is on the agenda for discussion.

DISCUSSION TOPICS

1. Annual Report from Library Board - *Dan Davis, Chair*

Library Board Chair Dan Davis reviewed the Library Board report. A copy is included in the archive packet for this meeting. New Library Director Suzanne Bishop joined via Zoom.

Suzanne thanked Dan for the presentation. She is looking forward to starting on June 15. She thanked the Council and Budget Committee for supporting the Youth Librarian position. She looks forward to getting to know the community and staff.

Mayor Scholl invited Suzanne to attend the July 20 Council meeting for introductions.

Mayor Scholl thanked Dan for his service.

2. Annual Report from Planning Commission - Jacob

City Planner Jacob Graichen reviewed the Planning Commission report. A copy is included in the archive packet for this meeting.

Councilor Chilton talked about the denial letter for structures on Industrial Way. Graichen said that is informational for the Council. It was a compliance issue and does not require action from Council. The denial is an important tool. Any further development can be tied with the denial and make sure any issues are resolved. It is not major, unless DEQ has a problem building on the landfill.

3. Discussion regarding Central Waterfront Resiliency - Rachael

Government Affairs Manager Rachael Barry reported that they have been funded by FEMA under the Hazard Mitigation Grant Program to continue investigating the Central Waterfront site. There will be investigation of the containment berm, hazard analysis of the Wastewater Treatment Plant, and sampling lagoon contents. It will be about an 18-month process. They have been working with Maul Foster and experts to determine the scope. There will also be conversations with DEQ and the Regional Solutions Team.

Councilor Topaz asked if any other agencies, other than Maul Foster, will look at it. They have been so involved in it that they may miss things. Barry said DEQ will review and provide reports. She can include Council in correspondence. City Administrator Walsh added that the work order is on tonight's agenda.

4. Discussion regarding Sand Island Policing/Security - John

City Administrator John Walsh talked about the need for enforcement. It is a challenge for officers to get to the island. The enforcement approach proposed has a civil and criminal tract. The civil will be the camp host on site. The Harbor Master will be able to issue tickets and citations. They have had discussions with the Sheriff's Office Marine Patrol and our Police Department about providing necessary training and equipment. Corporal King will work with the Marine Patrol to create a training program.

Councilor Topaz said someone mentioned the City allowing the police to use the tourism boat. Walsh will leave that up to them. They do have an IGA with the County now to use their boat for arrests. Council President Morten talked about adding a cage to the boat to prevent people from attempting to go overboard. Mayor Scholl suggested putting a life jacket on them. Council President Morten agreed that life jackets make more sense. If people fall over or jump, they will float in a life jacket.

Councilor Chilton asked when trainings are expected to begin. Walsh said they are working on that right now. Sand Island is popular and needs to remain safe.

Councilor Topaz talked about legally arresting people. What happens to their boat left behind? Walsh responded that is part of the Code amendments being discussed next.

5. Review Changes to the St. Helens Municipal Code regarding City Dock Use Regulations - John

Mayor Scholl reported that the proposed amendments have been vetted by the Responsible Boating Committee, Prosecutor Erskine, and Corporal King.

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

Councilor Topaz asked what happens to abandoned vessels after someone is arrested. Mayor Scholl explained the process. Once a permit is invalid or it is abandoned boat, they would mark it, and then could move it after nine days. Councilor Chilton asked where the seized vessels will be placed. Walsh said they will go to a marine salvage location in Scappoose.

Mayor Scholl talked about the boat on Milton Way needing to be removed. Council concurred. Walsh said it is \$500 to be removed. He and Chief Greenway talked about creating a fund to cover future boat

towing. Councilor Topaz asked if the City is liable if anything is missing on the boat after they tow it. Mayor Scholl said no since it is in the right-of-way.

Discussion about fishing in designated areas on the docks. Mayor Scholl has fished on those docks since he was six. Now it is only allowed in designated areas per the State Marine Board.

Mayor Scholl talked about the Code amendments allowing the enforcement of disruptive or offensive behavior on the docks.

Councilor Chilton discussed enforcement. Officers will be trained to respond to Sand Island. Will that include the docks? Are they going to wait until they have a Harbor Master plan in place? What is the status of the kiosk? Walsh responded that the kiosk is fully functional. The signs need to be put up. The Harbor Master is planned to be a personal services agreement. Mayor Scholl suggested the Harbor Master wear official-looking clothing to show authority. Walsh anticipates that beginning within a month. Mayor Scholl...tie down

Councilor Topaz asked if fish stunners are used on the river. Mayor Scholl said they use bats. Councilor Topaz asked if that is considered a weapon. Scholl said no.

6. Review Amended Finance Director Job Description - *John*

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

Councilor Birkle asked how long the amendments have been under consideration. Walsh explained that the Assistant City Administrator position job description was updated, but not the Finance Director position. Councilor Birkle would like more time to review these things in advance. Packets are distributed late on Friday, which does not give a lot of time for review. He suggested making items available before they are added to the packet. Council President Morten said they could request additional time to review these things when it is time to vote on it at the regular session. It is important to be thorough. Mayor Scholl concurred with requesting more time to review items. Councilor Topaz agreed with the need for more time to review the packets in case you need to check with other agencies or businesses. Councilor Chilton talked about everything being very condensed on one day. Some of the things they are expected to read are very long.

Mayor Scholl requested packets be sent out by 5:00 p.m. on Thursdays. That would give them an extra business day to review and research the materials.

Councilor Chilton agreed with Councilor Birkle and wondered why they are changing the job description now. Walsh said it is normally reviewed for updates when people leave. City Recorder Payne added that the Finance Director job description updates did not come to Council when Brown transitioned from Assistant City Administrator to Finance Director.

7. Discussion regarding Utility Rates - *Matt*

Finance Director Matt Brown reported that this is on tonight's agenda for a decision. A copy is included in the archive packet for this meeting. The utility rate increase is effective July 16. The average user increase is about seven dollars.

Councilor Birkle asked if that rate reflects the proposed percent increase. Brown confirmed that it does. He asked if there would be an impact to the effective date if they postpone a decision until June 15. Brown said no, the rate is effective July 16 per the resolution. Councilor Birkle is in favor of making the adjustments. However, he knows there will be pushback from community members. He just wants to make sure it has been clearly communicated with the public.

Mayor Scholl acknowledged the recent updates to master plans. It has brought needed improvements to their attention. The rate increase is vital to upgrade and maintain infrastructure.

Brown talked about the Budget Committee meeting on July 13, where they can dive deeper into budget and rate discussions. The public will be welcome to attend that meeting. Councilor Birkle is in favor of that.

Councilor Topaz pointed out that they could have been charging more in the past. Residents were given a favor by not increasing them sooner.

Councilor Chilton asked what they are voting on tonight. Brown explained that there are resolutions for amending utility rates, charges, and administrative rules, as well as amendments to SDCs. Councilor Chilton did not think they had come to a conclusion on the SDCs. Council President Morten suggested they deliberate on that tonight. Mayor Scholl talked about Steve Donovan's SDC presentation. Brown explained that the rates are based on improvement projects listed in the master plans. Councilor Chilton said they also talked about increasing rates for the Engineering Division. Payne clarified that their rates are not for infrastructure, but for administrative services.

Council President Morten was opposed to SDCs when he first began, but now sees the relevancy. It is an impact fee for new development and would not be fair to put the full burden on current users. Councilor Chilton agreed. She is just concerned about all the increases at once. Mayor Scholl said they must provide water and reliable sewer. Councilor Chilton expressed her concerns that the Police Station could be cut with all the increases happening at once. Brown said the \$3 fee is already added on there. Discussion ensued about fees.

Mayor Scholl is not opposed to postponing a decision but would prefer to move forward. Councilor Birkle is ready to make a decision tonight. However, waiting two weeks to provide an opportunity for residents to express concerns is his preference. Mayor Scholl is concerned about slowing down the process.

Walsh talked about the last time they significantly increased rates after Boise left. The room was full of public attendees, but they knew it had to be done to maintain sustainability.

Councilor Chilton is not opposed to this but wants to make sure they do not regret decisions being made. Council President Morten referred to the Mission Statement and providing a safe environment. Mayor Scholl apologized to former administrations for placing the blame on what might have not been the best decision in the past. They did the best they could at the time. Moving forward, it is the right thing to do.

8. Report from City Administrator John Walsh

- Rates are difficult to talk about. They are important to the health of utilities and long-term sustainability. They measure themselves against their peers, but it is really not about that. It needs to be what is best for their City.
- Update on the recruitment for the Waterfront Master Developer. Roy Kim has withdrawn. Walsh suggested that developing the entire site may be too much. They could consider taking a step back and work on the hotel first to get the anchor tenant. Ownership was never addressed with the framework plan. Council President Morten agreed. It is going to take quite a while to develop the entire area. Dividing it into smaller lots makes it more appealing. Councilor Birkle agreed with scaling the project back to a phased approach. A nice hotel, and associated businesses would be a good anchor. Mayor Scholl acknowledged that there are enough funds to put in the infrastructure, based on the designs already done. He suggested they work with a developer with a history of housing developments. Councilor Chilton asked why they want to change what they are looking for now? Walsh explained that this is their second attempt to get a master developer. He suggests attracting an anchor tenant. A master developer could still come and take over after that point. Mayor Scholl asked if they are going to move forward with the infrastructure. Walsh confirmed that it will be ready for bid next month. Discussion of the Riverfront Developer RFQ Committee. Council President Morten asked if that Committee is really needed. Roy Kim saw the Committee's response on video and withdrew. He suggested reducing the size of the Committee.

Mayor Scholl did not agree with Roy Kim taking the whole piece of property. There needs to be a mix. Councilor Chilton talked about the significance of the project. She appreciates that everyone came together to work, but the size of the group made it unproductive. Mayor Scholl agreed. He suggested they re-group, advertise for one parcel to be developed, and put the infrastructure in at the same time. Councilor Topaz said they need a big master plan before they can do anything. Mayor Scholl said they have it and pointed out the drawings. Councilor Topaz argued that it is not enough, it is only a piece. The City does not have the brain power to do that big of a project. Mayor Scholl expressed his disappointment with how Councilor Topaz talked about staff and Council. He does not appreciate him saying they do not have the brain power. He went on to talk about all the work that has been done by staff and consultants.

- 13 Nights on the River begins tomorrow. They have a record number of vendors this year.
- St. Helens and three other communities are working with Growing Rural Oregon. It provides resources to the community by working with local entrepreneurs.
- They seem to be headed into a recessionary phase. In the past, they used a lot of contingencies and reserves to keep the City going. They have already lowered contingencies from 30% to 20%. One way to work around that is connecting fees to a price index, based on inflation. Everything is going up. Hudson Garbage is going to come back with a rate increase. They are almost doubling their dump fees.

Mayor Scholl stated that he respects staff, Council, and anyone who helped draft the Waterfront Development drawings. He apologized for his behavior but got passionate when he heard that they are not smart enough to do this. They could do it but are required by State law to put it out to a contractor. He apologized for Councilor Topaz's comments. That is not the comments of the entire Council. He thanked staff and engineers for the wonderful plan.

ADJOURN – 3:11 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