

# City of St. Helens

## City Council

### Work Session Minutes

July 15, 2020

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*This meeting was held electronically via Zoom.*

**Members Present:** Mayor Rick Scholl  
Council President Doug Morten  
Councilor Ginny Carlson  
Councilor Keith Locke  
Councilor Stephen R. Topaz

**Members Absent:** None

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Kathy Payne, City Recorder  
Mike DeRoia, Building Official  
Rachael Barry, Government Affairs & Project Support Specialist  
Crystal King, Communications Officer  
Brian Greenway, Police Chief  
Sue Nelson, Interim Public Works Director  
Amy Lindgren, Municipal Court Judge  
Darin Cox, IT Specialist  
Jacob Graichen, City Planner  
Jenny Dimsho, Associate Planner  
Tim Ramis, City Attorney  
Tina Curry, Event Coordinator

**Others:** Claire Catt Carmin Dunn  
Patrick Birkle Michael Bernert

- 1) **1:00 PM - Call Work Session to Order**
- 2) **Visitor Comments - Limited to five (5) minutes per speaker**
  - ◆ Claire Catt. Expressed her appreciation of the Strategic Work Plan, including transparency and clear deadlines. She has two question about the action plans:
    1. How will the public be able to access the action plans?
    2. How will the Strategic Work Plan align with the budget and how public funds are being spent?

City Administrator Walsh responded that the action plans will be included in work session agendas. The plan will also be tied into the budget. This is about building a better process. Assistant City Administrator Brown added that the action plans will also be on the Strategic Work Plan page of the website as they come up on the meeting schedule.

- ◆ Carmin Dunn. She reviewed her requests of the City regarding racial equality:
  1. Adopt a resolution for racial equality, much like the County Commissioners did.
  2. Commit to reviewing policies through the lens of those in our community.
  3. Take action and provide updates at regular meetings.
  4. She met with Chief Greenway and he is amazing. He has removed the neck restraint policy and committed to re-writing the use-of-force policy. However, she is disappointed that it has not been addressed in a Council meeting.
  5. Would like to see how St. Helens can learn, improve, and utilize our police force in a way that supports the community. A lot of areas in the community invoke a police response, such as homelessness, addiction, and mental health crisis. How do we help eliminate those issues in our community?
  6. Communicate what collaborations have made with other local agencies.
  7. Would like to see data for local law enforcement agencies. She submitted a public records request to Columbia 911 to find out what police calls are coming in and where attention is needed. She would like to see the City support that request.
  8. Urged the Council to form a police commission, much like the existing boards and commissions the City already has. Community input is important.
  9. Urged the Council to google Cahoots in Eugene, "Crisis Assistance Helping Out on the Streets." There is a lot of room for St. Helens to use that as a model.
  
- ◆ Patrick Birkle. He expressed his support of everything Carmin just said. He is not familiar with the last item on the list, but he will check it out.

Mayor Scholl reported that the City is working with St. Helens School District on the Connect St. Helens program, as well as partnering with other outside agencies. Council has spoken on racial equality during meetings prior to this movement but he knows improvements can always be made. Walsh added that Chief Greenway and Lieutenant Hogue have been working closely with community partners to share crime data.

Councilor Topaz thinks the City should try to build a stronger partnership with schools. This coming year is going to be difficult.

Councilor Carlson reported that a lot of work is being done behind the scenes. Due to COVID, a lot of things are being pushed off the Council agendas. She has meetings weekly with School Board members, Columbia Community Mental Health (CCMH), the Food Bank, Community Action Team (CAT), etc. They are always looking for ways to partner and make connections to smooth the path for those providing services. The City is not a mental health provider or housing provider but can try to work with nonprofits. There are a lot of needs that are being met but they are not getting news coverage. CAT is so overstressed with the burdens in this community, they are just trying to keep their head above water. The City gives them room to do their job and waits to be asked for help. She understands the City could do better at communicating what they are doing.

Mayor Scholl lost access. Council President Morten took over.

### 3) **Discussion Topics**

#### 3.A Annual Report from Parks & Trails Commission

Parks & Trails Commission Chair Carmin Dunn reviewed the report. A copy is included in the archive packet for this meeting. She went through park by park and other items.

Councilor Carlson asked when their meetings are held. Carmin responded that they meet on the second Monday of every month at 4:00 p.m. The meetings are open to the public. If people cannot attend, they can contact her or another member. Council President Morten asked Carmin if she would be willing to allow public comment after 5:00 p.m. if the meeting is still going. Carmin said yes, she can bring it back to the Commission for discussion.

Mayor Scholl pointed out that the park on Millard Road was donated with the stipulation that it be called Dahlgren Park. Councilor Locke agreed that was part of the agreement. Carmin will take that information back to the next meeting.

### 3.B Presentation by Wilsonville Concrete Products

Michael Bernert from WCP was in attendance to give a report. A copy of his presentation is included in the archive packet for this meeting. He is the fifth-generation owner of the business. An aspect of marine transportation is economic vitality. They are not a large company but for a marine business, their employees make between \$70,000-80,000. They are excited to bring these opportunities to St. Helens. They want to be good neighbors to the community and be responsive to needs. With the help of the City, they have done an engineering study of existing dock structures. They have also updated the Division of State Lands (DSL) waterway lease. They are prepared and ready to move their fleet to the site. They just need to finalize one part with DSL. There is a lot of work still on services and site preparation. They understand that there are a lot of stakeholders involved. They are most excited about being able to build a marine ecosystem and possibly attract other peers and partners. It is very exciting to build something that is vibrant. He thanked the City.

Councilor Topaz asked if there is a plan to add a repair yard in the area for tugboats and barges. Also, Woodland is planning a large deep-water port across the river. Will they be involved in that? Bernert believes that there is an opportunity for vessel repair at that site. One way is through a floating dry dock and one is lifting a barge or vessel out of the water onto the land. That is not the business they are in, but the partnership would be favorable if they need repairs. Regarding the deep-water port development in Woodland, they reached out to them about the same time as St. Helens. They chose St. Helens because it is closer to Scappoose and the shallower dropped access is more favorable for their equipment. They are not currently involved in the deep-water port development at Woodland.

Councilor Topaz said that barges are being drug up the slope further down the slough from Port property. Bernert was not aware of that.

### 3.C Review LOC's List of Legislative Priorities - John

Walsh reported that the League of Oregon Cities (LOC) is the organization that advocates for cities. They have requested the top priorities for each jurisdiction. Reading through the priorities that benefit the City collectively, he recommends the following:

B. Broadband Infrastructure and Technical Assistance Funding

J. Infrastructure Financing and Resilience

U. Property Tax Reform

W. Right-of-Way/Franchise Fees Authority Preservation

Y. Tort Liability Reform

After summarizing, he recommended leaving off Property Tax Reform, since they can only send four.

Council President Morten recommends:

N. Long Term Transportation Infrastructure Funding – in support of an overpass on the highway.

Councilor Carlson recommends:

D. COVID-19 Economic Recovery Investments – to support community members suffering from the pandemic, both now and in the future. The impact may be greater in the winter.

Council President Morten and Councilor Topaz agreed with the need for COVID assistance. Walsh agreed that it is a need. However, he did not recommend adding that one because of the number of people already working on it. There are already a lot of State and Federal programs and funding available.

Mayor Scholl agrees with:

B. Broadband Infrastructure and Technical Assistance Funding

Councilor Locke agreed with Walsh's recommendations. Just because it is not on the list, does not mean the Council has to stop working on it. Mayor Scholl agreed.

After in-depth conversation of the priorities, it was the consensus of the Council to forward with Walsh's recommendations to LOC.

### 3.D Strategic Workplan Review - Rachael

Government Affairs and Project Support Specialist Rachael Barry presented the final Strategic Work Plan. A copy is included in the archive packet for this meeting. Staff is in the process of implementing the work plan and increasing transparency and accountability for Council and the community. That gives them an opportunity to improve the flow of work sessions. Departments will report to Council on a recurring schedule. This will also help with community engagement. She encouraged the Council to ask questions any time. Thank you to Communications Officer King for her work on the document.

### 3.E Municipal Court Semi-Annual Report - Matt

Brown reviewed the report. A copy is included in the archive packet for this meeting.

### 3.F Judge & Prosecutor Semi-Annual Reports – Amy & Sam

Municipal Court Judge Amy Lindgren was in attendance to give her report. A copy is included in the archive packet for this meeting.

Before reviewing her report, she wanted to address Carmin Dunn's comments on mental health. The Court collaborates with CCMH. There were a lot of orders for treatment but not a lot of follow-through. Pre-COVID, the partnership allowed a counselor to come to Municipal Court twice a month to perform the evaluation in-house. From the Court aspect, because they see so many people in criminal court with mental health issues, they are trying to combat it from their end. The one piece Carmin brought up that needs improvement is the data of how many people show up and what their success rate is. Some other courts have made some statements about racial equality. She has not, because she thinks that is something to discuss with Council and administration first.

Lindgren referred to her report addressing Court operations due to COVID. She has been very proud of everyone who works with the Court and their commitment to keep things going.

- They immediately followed the State's orders and began doing video appearances. Everyone remained safe and they were able to continue operating.
- Traffic hearings were set aside until tomorrow. She will be doing a lot of traffic hearings but once that is done, they will be 100% caught up.
- She is giving people on probation extra time to make payments, if needed.
- She has been waiving the installment fee associated with setting up a payment plan.
- Extensions were granted for classes that were closed and work crew that was temporarily closed.
- She was not suspending drivers' licenses for failure to pay. They did send some last week that were pre-COVID.
- Due to HB 4210, beginning October 1, 2020, they will not be able to suspend licenses for failure to pay.
- Sending cases to collections is on hold due COVID.
- Only six defendants are allowed in the Court room at a time, masks are required, hand sanitizer is available, and temperatures are taken.
- There is a plexiglass barrier in front of the Court Clerk.

Lindgren talked about the possibility of a truancy court program. Having two kids of her own and the struggle they had with distance learning, her heart goes out to those who do not have the financial resources to be online and help teach them. A truancy court can identify those people who get lost and try to get them the resources they need. Going to court would be the last resort. The Police Department did some preliminary research and it seems like it is a hole in the County. The packet includes the research conducted.

Mayor Scholl wants to see it addressed. Education needs to be a priority and supported from all areas. Lindgren agreed. They will see kids who are not learning because their parents give up. They are going to be far behind when they return to school. These kids do not have a voice.

Discussion ensued about the students who are falling behind due to the pandemic. Truancy court is only one of the ways to get help for the students who are not showing up. Sadly, child abuse reports are down because students are not being seen by teachers and friends who normally report those crimes. Councilor Carlson and Mayor Scholl talked about the Connect St. Helens being a supportive program for students and families.

If the Council agrees, Lindgren will continue research to find out what the need is for this program in the community. Council concurred and suggested Lindgren reach out to NW ESD and Superintendent Scot Stockwell.

City Prosecutor Erskine was not in attendance.

### 3.G Finance Semi-Annual Report - Matt

Brown presented his financial report which is included in the archive packet for this meeting. A lot of things have happened over the last few months that has affected the budget.

Council President Morten asked if there will be an opportunity to discuss what projects the SDC revenues will fund. Interim Public Works Director Nelson explained that SDC revenues are only allowed to be used for very specific projects. It must increase the capacity and not just bring something up to current standards. There is a list of projects in the budget that are eligible. If a project is designated, but it is only 32% eligible for SDC funds, then they need to come up with

the remaining funds to perform the project. Council makes the final decision as to what projects are priorities and should move forward.

Discussion ensued on the excess SDC revenue. After the auditors conduct their report, Brown will bring a report back to Council with what funds are available for projects.

Discussion about projects.

10 Minute Break

Brown reviewed the new action plans that will be presented to the Council. Copies are included in the archive packet for this meeting. They are intended to be one-page status update on projects. Each department will report to the Council every six months. The reports will be on the Strategic Work Plan page of the website for public access as well.

Council President Morten pointed out that there is no contact person on the action plan. Brown confirmed that he will add a contact name, number, and email on the header line.

Review all Job Descriptions for Fair Labor Standards Act (FLSA) Updates – Action Plan

- Makes sure that all employees who are eligible for overtime are receiving it and those who are not eligible are not receiving it.
- Estimated completion date of December 2020.

Create On/Off Boarding Process for Staff – Action Plan

- There is no process or training manual in place.
- Will use the checklist next week when a new officer begins.
- Estimated completion date of August 2021.

Update Personnel and IT Policies – Action Plan

- Recently updated personnel policies.
- Working with IT Specialist Cox to update new IT policies.
- Estimated completion date of September 2020.

Review Staff Job Descriptions to Provide Support for Commissions – Action Plan

- Need to review each job description to add language for board/commission support. It currently falls under “other duties as assigned.”
- The union will need to review the job descriptions before Council approval.
- Asked the Council for their input on changing the Arts & Cultural Commission and Youth Council to a “Friends of...” group.
- Estimated completion date of November 2020.

Council President Morten suggested the Youth Council partner with the School District. Councilor Carlson spoke with the students and they are very interested in being a “Friends of the Recreation Program” group. They want to make our community a better place for young people. She asked them about combining with school leadership, but they did not want to do that because Youth Council is open to a broader range of students.

#### Council Direction on City-Owned Property for Development – Action Plan

- Nelson and Graichen have been working on a map with descriptions of City-owned property. It will be presented to the Council for review for potential future development or to sell.
- Estimated completion date of September 2020.

#### Facility Plans for New Police Station – Action Plan

- Requested permission to form an ad-hoc community group to assess the feasibility of a Police Station. Council concurred. Councilor Locke requested that the meetings be held on either Tuesday or Thursday night.
- Estimated completion date of December 2020.

#### Fiber Service Utility - Feasibility Study – Action Plan

- A complete study will cost about \$70,000, which includes Scappoose and Columbia City as well. The cost can likely be covered by the CARES funding.
- The utility is low-cost and high-speed.
- Fiber is the new water. It is essential for communication.
- To be discussed further at the regular session.

#### Review Front Facade of Utility Billing and Court Department (known as Bennet Building) – Action Plan

- The selection of windows during the building remodel was not approved by the Historic Landmarks Commission prior to installation.
- Following the historic guidelines, the improvements will cost more than the budgeted amount of \$5,000.
- An architect will have to be hired.
- To be discussed further at the regular session.

#### Update Website for Businesses (Current and New) – Action Plan

- Reviewed the Business & Development page of the website. It now includes a directory of all the businesses in the city. Business owners can make edits to theirs and add a logo.
- Estimated completion date of October 2020.

#### Redo Business License Code/Rules/Forms/Process – Action Plan

- Re-wrote the Code from scratch.
- It is currently being reviewed by the City Attorney and then will come to Council for review.
- Estimated completion date of October 2020.

#### IT Infrastructure of City Operations – Action Plan

##### IT Specialist Cox reviewed the action plan.

- Moved away from Centerlogic after 10+ years of IT service. They were only acting reactionary and did not seem to have the City's best interest in mind.
- Now contracted with MorePower.
- Much of the City's IT equipment was leased from Centerlogic. The City has been returning those devices and purchasing their own. It does cost more right now but will save them money in the long run.
- Writing IT policies with MorePower.

- Estimated completion date of June 2021.

3.H Building Semi-Annual Report – Mike  
Building Official DeRoia was in attendance to review his report and action plans. Copies are included in the archive packet for this meeting.

#### Building Code Enforcement Process Review – Action Plan

- Need to review Code for updates. Last year, a situation came up where there were two pathways to correct one situation in the Code. That creates confusion.
- There has been some talk about combining a Building Code Enforcement Officer position with a Building Inspector position. Brown added that it would be a new position funded through the General Fund. They knew this was coming. It comes down to finding the right person.
- Walsh added that the Building Department is very busy. The County would like to step back from being used so as a resource. The time feels right to bring someone on.
- Estimated completion date of June 2021.

Mayor Scholl disagreed with combining the positions. A full-time building inspector is needed.

#### Floating Structure Code Amendments – Action Plan

- Need to update references in the Code.
- Estimated completion date of June 2021.

#### E-Permitting Process (Part 1 of 2) – Action Plan

- Actively working on obtaining and being trained on the new software provided by the State. There are 85 jurisdictions that have the same software. Columbia County and Scappoose are already using it. Columbia City is in the process along with St. Helens.
- It gives contractors one method to use when applying for permits.
- It will help in-house processes.
- Migration of data from Springbrook has been a challenge.
- Anticipate going live in August/September.
- Planning will use the software for reviewing building permits.

#### E-Permitting Process (Part 2 of 2) – Action Plan

- The software allows for electronic plan submittal and review.
- The proposed fee schedule includes a new technology fee. The fee covers the transaction charges and helps with future funding to grow the software.

Discussion ensued about the potential to expedite plan review with a fee.

DeRoia reviewed the statistics included in his Building Department report. They are very busy. He thanked Building & Administration Secretary Heidi Davis and Community Development Administrative Assistant Christina Sullivan for helping to keep him on track.

3.I Review Proposed Building Department Fee Changes - Mike  
No discussion took place.



3.J City Administrator Report – John  
City Administrator Walsh reported...

- This has been a new format for work sessions. The goal of work sessions is information gathering. It is goal and performance based.
- Reviewed the action plans in his report. Copies are included in the archive packet for this meeting.
- The public housing project on Gable Road and Highway 30 has been recommended for federal funding. It will be a \$70 million invested in the community. There will be 238 units. Affordable housing is a critical need. It will bring revenue to the City by way of building permits, SDC's, and fees. However, it will be a nonprofit and exempt from property taxes.
- The Urban Renewal Agency got off to a rough start. It has limited the City's ability to fund projects.
  - Cascades made a \$25 million investment that will be added to the tax rolls this year.
  - Considering a boundary amendment.
- Working hard on the Veneer site.
  - Phase I – Design and engineering of the riverwalk/boardwalk and stage
  - Phase II – Street design and construction documents for First Street to Plymouth Street and Strand Street to First Street.
- Timber prices have increased to pre-COVID levels. At the suggestion of the City Forester, the City has released a Request for Proposals (RFP) for a timber sale. Bids are due August 12.
- Working on an alternative revenue fund if the Federal BUILD Grant is unsuccessful. There is State funding available through grants and low-interest loans.
- The City received \$394,000 in Coronavirus Relief Funding. That much was received in thanks to assistance from the League of Oregon Cities. The funds are limited to unbudgeted COVID related expenses that serve community needs. The funds need to be spent by the end of the year.
- Talked about the Public Works Director hiring process. In the past, there was a staff panel, community panel, and Council. There was a request to have individual time with each of the candidates. He asked for the Council to discuss that option.

Mayor Scholl asked why anyone would want individual time. Why would they not feel comfortable talking about something in front of elected officials?

Councilor Carlson was concerned about legal ramifications from individual meetings. The process needs to be public and strictly guarded. Every candidate needs to be treated exactly the same. Individual meetings with council members opens it up for opportunities to be accused of bad things happening. If the Council is all together, it is safe from a liability standpoint. Councilor Topaz argued that it is also unprofessional. If you are going to gang-hire, you will lose the professionals. When you talk to a professional, it is one-on-one. You will get a different reaction if you are answering in front of several people. Councilor Carlson pointed out that the way government hires is different than private industry. Councilor Topaz responded that you would get second rate people.

Walsh talked about a City Manager normally hiring staff, but the City is not a City Manager form of government. The Council form of government does open it up for some of the concerns expressed by Councilor Topaz.

Mayor Scholl asked for input from City Attorney Ramis. Ramis said that the Council does have a lot of discretion in the hiring process. He recognizes the point being made with the risks involved when you ask different questions in different settings with candidates. It opens the door to some risk that is not there when you do conduct interviews in a panel. He is not to advocating either way.

Councilor Topaz talked about the technical information in this position that the person should know. In a panel of non-technical people, asking no-technical questions, you can get likes and dislikes but not qualifications. That is a problem with hiring a technical professional. Ramis suggested developing a set of questions with the help of a technical person. Councilor Topaz pointed out that the response time to answer questions gives you an idea of the familiarity. They are trying to hire someone that can be flexible to any number of conditions. A fixed set of questions does not describe that situation. Mayor Scholl disagreed. This position does not require the candidate to be an engineer. Is the Council and Walsh not capable of identifying a qualified person? Councilor Topaz responded that they are not qualified to judge how qualified an engineer is. He is the only one capable of making a decision on the technical part of the position. Mayor Scholl repeated that the position is not required to be an engineer. Councilor Topaz said he needs to be a qualified engineer. The town has a lot of new building coming. Mayor Scholl disagreed with his judgement. The position is about character, livability, and the right fit for the community. It is beyond the scope of one engineering qualification. That is only one small part of the job.

Council President Morten reminded them that they are a team. No one should emerge as an expert and run the show. Councilor Carlson added that it is a team decision.

Discussion ensued.

Walsh is putting together a list of questions, based on a professional executive recruitment. Technical questions can be added as well.

Discussion of interview panels. It was determined to have a Council panel to make the final decision, a management team panel to make recommendations, and a tour of City facilities with the Public Works Supervisor.

- Another revision to the St. Helens Industrial Park is forthcoming.
  - The primary objection to parcellization is to define public rights-of-way to proceed with the design and engineering of utilities.
  - The grading and drainage plan proposal is ready to execute.
- The reservoir feasibility study is ready as well. Mayor Scholl requested the City Forester bring an update to the Council.
- Council is going to have a lot more information in their packets moving forward.
- 13 Nights on the River has been holding its own. Attendance has been covering the cost and attendees are remaining safe.
- Sand Island camping is doing well. The shuttle is very popular.
- There will be a street performance in the Plaza on August 1.

#### 4) **Other Business**

Councilor Topaz talked about Resolution No. 1872 being signed that he was in favor of it. However, he did not vote for it. He began to read a letter into the record but was stopped by

Mayor Scholl who said it was misleading to citizens. A copy of the letter is included in the archive packet for this meeting.

Councilor Topaz informed the Council that the letter has been sent to the newspaper for publication.

5) **Adjourn** – 5:04 p.m.

**Executive Session**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:



Kathy Payne, City Recorder



Rick Scholl, Mayor