

City of St. Helens City Council

Regular Session Minutes

July 15, 2020

This meeting was held electronically via Zoom.

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

Members Absent: None

Staff Present: John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Sue Nelson, Interim Public Works Director
Mike DeRoia, Building Official
Tina Curry, Event Coordinator

Others: Patrick Birkle
Carmin Dunn

1) **7:00 PM - Call Regular Session to Order**

2) **Pledge of Allegiance**

3) **Visitor Comments - Limited to five (5) minutes per speaker**

- ◆ Carmin Dunn. There was conversation at the earlier meeting about public comment at Parks & Trails Commission meetings and not everyone being able to attend meetings during the day. That is also a concern for Council work sessions. It was disappointing to provide public comment and not have back and forth dialogue. There were some brief discussions amongst Council but no action. She suggested allowing public comments at the beginning and the end.

Carmin repeated her recommendation for Council to work on a resolution in support of racial equality and equity. There is no excuse not to have the conversation. The community is divided with a lack of diversity. The Council must take action for our community to become more well-rounded, inclusive, and diverse. She will continue to voice her concerns until a resolution is made. Once a resolution is made, the City must uphold it with regular updates. How does the policy impact black citizens, low income citizens, homeless population, those with substance abuse, etc.? She urged the Council to not just listen but to act.

On the defund the police movement, she really appreciates Chief Greenway's willingness to discuss the issues in the community and his openness for reviewing policy

and listening to citizens. She expressed her disappointment in the Council's lack of response to her email to Chief Greenway. They were all copied on it but only Council President Morten reached out to her separately to discuss it, which she appreciated. She would like to hear the steps that the City is going to take to review the police response to mental health crisis, homelessness, addiction, etc. How can we do better? How can we help our citizens and our police force? It is not fair to put our police force into a situation that could immediately escalate just because they are in uniform. She urged the Council to brainstorm and add an agenda item to discuss it further at the next work session.

Councilor Locke thanked Carmin for sharing her concerns and working with Chief Greenway. He spoke to the Chief right after both demonstrations about how things can be improved. Locke has been on the Community Action Team (CAT) board for 10 years. He is very aware of those issues in town. He is in the process of having Councilor Carlson take his place when he leaves this fall. Council does get involved. He agreed that conversations do need to continue. The Chief has made a few policy changes that will be brought up.

Carmin appreciates the partnership with other agencies. All the responses have been very broad. It would mean a lot to the community if they shared what steps have been taken. There needs to be transparency. This is an important time right now and it is not okay to not take action.

Council President Morten responded that Council listens to testimony and then needs time to act on it. They hear her concerns. Carmin appreciates that response. Just saying that the Council is committed to taking this forward is what she wanted to hear but that was not said earlier. Council President Morten confirmed that a Councilor will need to direct staff to act on it.

Mayor Scholl agreed with Council President Morten. Council discussed this a year ago and a resolution was formed. Carmin expressed her disappointment that Council did not even remember creating the resolution. Mayor Scholl apologized for not meeting her needs. They are taking steps to better the community. He agreed that her concerns will be taken into consideration. They barely had time to eat dinner between meetings tonight. They need time to process her comments. Connect St. Helens is a way to help us move forward through this. It has the funding and right people to help move forward.

Councilor Topaz asked Carmin if she has protocol to help people find programs for drug abuse and homelessness. Carmin responded that she does not have a list, but local agencies can come together to work on it. Councilor Topaz wants numbers for the people that need help. Carmin does not have those numbers now but has requested them from Columbia 911. She suggested Council members go talk to the homeless to find out their needs. She is trying to advocate for those that are less fortunate. Part of the job as a City Councilor is to understand what the community needs. Councilor Topaz said he has done that. The people who need help need to be willing to take the help.

Discussion ensued. Mayor Scholl will give Carmin the information for Connect St. Helens. It is not political group. This is not a quick fix, but they will work on it. The Council serves all citizens and makes the best decisions for all of them.

City Administrator Walsh will take the lead on drafting a resolution.

Carmin expressed her appreciation of the dialogue. She would like to see this more open.

- ◆ Patrick Birkle. He expressed frustration about the City Council's attempts to make meetings less messy, particularly during public comment time. Carmin may not have been aware of how the Council proceeds. He suggests that the Council make a statement before public comments that no action will be made during the meeting. Council can reassure them that it will be addressed later during a public meeting. That was the practice when he was on the St. Helens School Board.

After sitting through the entire work session and listening to conversations for the past 20 minutes, he encouraged the City to read their agreements before meetings, including the standards for communication and treatment of each other. He is always nervous when he speaks publicly and can only imagine the anxiety others would get if they just witnessed what went on.

While he is glad that the Council has adopted a resolution condemning racism and mistreatment of people, the community does have people of color and different sexual orientations who live in fear and anxiety. He is glad to hear that Walsh took the initiative to draft a resolution. There are many people in the community who are hoping and wishing that this will pass by and we can go back to life as usual. That cannot happen because there are those that live in fear that if they raise their heads, they will be knocked down.

Mayor Scholl thanked Patrick for his comments. He is going to bring back the Council rules to the next meeting.

Assistant City Administrator Brown reported that Building Official Mike DeRoia is available online. He did not get to ask during the work session if there were any questions about the Building Code fees.

Building Official DeRoia explained that the proposed fee increase is part of the e-permitting implementing process. The City needs to align its methodology with the state's methodologies. The technology fee was added to cover the cost of the transaction fees and support the increased expenses to the IT fund. Overall, there were not a lot of changes in the pricing. The technology fee is 3%.

Councilor Topaz suggested postponing the technology fee to a later date. DeRoia responded that it is an option. The City will begin incurring the transaction fees when they go live in August or September. He said they can wait to apply the fee until they go live.

Council President Morten pointed out that this should have been discussed during discussion after the motion was made for the resolution.

4) **Ordinances - First Reading**

- 4.a Ordinance No. 3254: An Ordinance Granting to Fatbeam, LLC the Right to Construct, Operate, and Maintain Telecommunication Services in the City of St. Helens, Oregon

Mayor Scholl read Ordinance No. 3254 by title for the first time. The final reading will be held at the next regular session.

- 4.b Ordinance No. 3255: An Ordinance Vacating a Portion of S. River Street Right of Way

Mayor Scholl read Ordinance No. 3255 by title for the first time. The final reading will be held at the next regular session.

Public Comments - Proposed Changes to Building Department Fees

No public comments received.

5) Resolutions

- 5.a Resolution No. 1894: A Resolution to Set Building Department Fees

Motion: Morten moved, and Carlson seconded to adopt Resolution No. 1894.

Question. Council President Morten asked to give DeRoia an opportunity to answer questions and provide more information about the resolution.

Councilor Carlson asked if the technology fee is for the electronic permitting? DeRoia explained that the technology fee will be applicable to all permits. It was created to cover the transaction fees that the bank charges to the City. He confirmed it is 3% added to the total. The average is a 2.99% charge. The other part of that would be to help bolster up IT funds in their department to support the new equipment they have as well as help grow new electronic services.

Councilor Carlson asked if other places charge technology fees. DeRoia responded that there are other jurisdictions that charge. Oregon City charges 5%. There has been a lot of discussion among building departments. The industry is asking jurisdictions to upgrade their technology systems. Some jurisdictions have added a technology fee, others have increased fees to accommodate for it but do not want to itemize the technology fee. He wants to do it this way so that there is some transparency. They are still a month out from going live. The fee could be adopted but not applied until they go live.

Council was in consensus to not apply the technology fee until they go live.

Vote: Ayes: None; Nays: Scholl, Carlson, Locke, Morten, Topaz; motion failed.

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously adopted Resolution No. 1894, amending it to not charge the technology fee until the system is in place. [AYES: Scholl, Carlson, Councilor Locke, Councilor Morten, Councilor Topaz; Nays: None]

- 5.b Resolution No. 1895: A Resolution of the Common Council of the City of St. Helens, Oregon, Amending Resolution No. 1889, the City Employee Compensation Plan, for Seasonal Public Works Summer Crew and Seasonal Recreation Assistants

Motion: Upon Morten's motion and Topaz's second, the Council unanimously adopted Resolution No. 1895. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

- 5.c Resolution No. 1896: A Resolution to Authorize Application for Community Development Block Grant Funds for COVID-19 Emergency Assistance: Public Services and Emergency Small Business & Micro-Enterprise Assistance Grant Programs

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously adopted Resolution No. 1896. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

6) **Approve and/or Authorize for Signature**

- 6.a Extension of Agreement with Structural Nexus LLC for Structural Plan Review Services
- 6.b Request for Full Reconveyance for 340 West Street (Grafton/Saavedra) – CAT Loan Payoff
- 6.c Contract Payments

Councilor Locke recused himself from '6b.'

Motion: Upon Carlson's motion and Topaz's second, the Council approved '6a' through '6c' above. [AYES: Scholl, Carlson, Locke (except for '6b'), Morten, Topaz; Nays: None]

7) **Consent Agenda for Acceptance**

- 7.a Library Board Minutes dated May 11, 2020
- 7.b Arts & Cultural Commission Minutes dated September 24, October 1, and December 3, 2019

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved '7a' and '7b' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

8) **Consent Agenda for Approval**

- 8.a Declare Surplus Property – Police Vehicle
- 8.b Declare Surplus Property – IT Equipment
- 8.c Council Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated June 17, 2020
- 8.d Accounts Payable Bill Lists

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved '8a' through '8d' above. [AYES: Scholl, Carlson, Locke, Morten, Topaz; Nays: None]

9) **Mayor Scholl Reports**

- There is a lot going on in the City.
- They have been working on the Goals for quite a while. They are trying to move the City forward in a fashion to get work done quickly.
- He is not in favor of making decisions during the work sessions. There were some action items presented earlier that need follow-up.

Brown reviewed the six items that were presented during the work session and need follow-up:

1. Truancy Court Program. Brown asked if the Council is in favor of Judge Lindgren, Chief Greenway, and School District staff conducting further research about the program. They will bring a recommendation back to Council to make a decision.

Motion: Upon Morten's motion and Topaz's second, the Council unanimously agreed to further research being conducted with a report back to Council.

2. Suggestion to change the Arts & Cultural Commission (ACC) and Youth Council (YC) into "Friends of..." programs. It would be a general "Friends of the City" for ACC and a "Friends of the Recreation Program" for YC.

Council President Morten would like to table those for three or four meetings from now.

Councilor Carlson reported that Youth Council is unable to have official meetings right now. If they are unable to move to a "Friends of..." program, they will have to pause meetings. The kids

still want to do things, but she does not want them in hot water because they are not official meetings.

Discussion ensued. Councilor Carlson and Brown will bring back a proposal for YC. They will revisit the ACC change in a few months.

3. Fiber Feasibility Study estimated at \$70,000. Assuming they are allowed the use the CARES funding, they would like to move the study forward.

Councilor Topaz expressed his agreement only if those funds can be used. Brown will conduct further research and update the Council about the funding.

Motion: Upon Topaz's motion and Carlson's second, the Council unanimously approved of staff investigating how to proceed with the fiber business.

4. Police Station Ad-hoc Committee

Motion: Upon Carlson's motion and Topaz's second, the Council unanimously approved of the formation of an Ad-Hoc Committee for the development of the Police Station.

5. Advertise for an architect RFP to help design the façade of the Bennett building, which is where Utility Billing and Municipal Court are located.

Discussion of the importance of maintaining historical value and following the Code.

Motion: Upon Carlson's motion and Morten's second, the Council unanimously directed staff move forward on a plan for the Bennett Building.

6. Building Inspector/Code Enforcement Officer position. Brown recommends that staff review some options and bring back a proposal to Council.

Discussion of how busy the Building Department has become. Mayor Scholl urged staff to move quickly in support of citizens and the Building Official.

Motion: Upon Topaz's motion and Carlson's second, the Council unanimously directed staff to move forward with a proposal for a building inspector.

Mayor Scholl is glad they are continuing to move the City forward. He knows they do not always get along or agree but wants to try to be more respectful to each other. It is a lot easier to be more aggressive. This pandemic is affecting him and children in the community. He knows he makes mistakes but will continue to be a better person and better our community. He is looking forward to having some community sit down conversations. They are doing a fairly good job moving the City forward under the current conditions. The Council cares about all citizens.

10) **Council Member Reports**

Council President Morten reported...

- He asked staff to move forward with action items that deal with racial inequities, homelessness, and dehumanization in our community.

Motion: Upon Morten's motion and Locke's second, the Council directed Walsh to draft a resolution for mental illness, homelessness, and racial equity. [AYES: Scholl, Carlson, Locke, Morten; Nays: Topaz]

Councilor Topaz declared his opposition because the City is not a social health group. He wants to see the appropriate agencies handle it.

Councilor Locke reported...

- He has served on the CAT Board for at least 10 years. It is a very diverse group. It is their responsibility to offer resources to those in need. Although, the City can support that as well.

Councilor Carlson reported...

- Equity is what she does. The City is the touchstone for everything they do. That means putting in parks and restrooms that are accessible for all. The City has taken steps to have inclusion. The resolution is the starting gate but not the finish line. They can partner with agencies and be a leader of inclusion. It is not news to her that people from different backgrounds are treated unfairly. An action plan can come from the resolution.
- Youth Council has been excited about having physically distanced meetings in the park.
- She appreciates all the testimony.
- The Parks & Trails Commission report was phenomenal. She appreciates all the work they have done. Parks are important, and even more so right now.
- Expressed appreciation to the Parks and Public Works crews for their work.
- The City can come together for all citizens.

Councilor Topaz reported...

- Government Affairs & Project Support Specialist Rachael Barry arranged for him to have a tour of the paper mill. It was led by Cascade manager and Barry. There is a lot of bad blood between Cascade and Mark Comfort. That needs to get resolved since they are a big partner in this community. The manager did not want Comfort on that site at all.

Councilor Carlson told Topaz that it needs to be handled by Walsh.

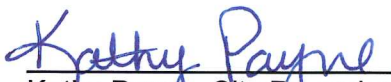
11) **Other Business**

Walsh said the new process is coming along. He talked about motions not being necessary for the action items that were brought before the Council. It can be done by consensus. Mayor Scholl added that he will start conducting roll call for motions. He also requested Payne include the dunkelisms to each packet.

12) **Adjourn – 8:15 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:


Kathy Payne, City Recorder


Rick Scholl, Mayor