

City of St. Helens City Council

Work Session Minutes

July 18, 2018

Members Present: Mayor Rick Scholl
Council President Doug Morten
Councilor Ginny Carlson
Councilor Susan Conn
Councilor Keith Locke

Members Absent: None

Staff Present: John Walsh, City Administrator
Kathy Payne, City Recorder
Matt Brown, Finance Director
Margaret Jeffries, Library Director
Sue Nelson, Public Works Operations Director
Adam Hartless, Code Enforcement Officer
Tina Curry, Event Manager
Lisa Scholl, Deputy City Recorder
Joe Hogue, Police Lieutenant/Interim Chief
Jacob Graichen, City Planner

Others:

Bert Mueller	Sue Mueller	Agnes Petersen
Patrick Birkle	Dennis Hills	Al Petersen
Keith Forsythe	Jenn Farrington	Kannikar Petersen
Andrew Niemi	Leah Tillotson	Steve Topaz
Nicole Thill	Frank Perea	

1) **Call Work Session to Order - 1:02 p.m.**

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

- ◆ Al Petersen. He has concerns about the direction City Council is moving. He submitted a letter last week about the public hearing held for the sale of the Boise White Paper property. He is appealing the hearing. He referred to the Waterfront Redevelopment Activities page of the website. Since City Administrator Walsh arrived, the City has gotten a great number of plans and increased citizen input on development. Instead of the City working on a plan for the property, the City decided last year to lease the property to a marijuana facility. Now, the City wants to sell the property to the facility. Nowhere in the plans or public meetings was there a desire for St. Helens property to become a marijuana grow facility. He talked about the history of the company and owners who are purchasing the property. Does the City really know who they are dealing with? It was never disclosed during the public hearing.
- ◆ Dennis Hills, St. Helens Alano Club. He distributed a handout to the Council. A copy is included in the archive meeting packet. Their lease expires this year. They have leased the building since 2002. The Club was established to provide a stable meeting place for

recovery groups. He talked about what they offer and the impact they have on the community. Over the last five years, the Club has re-roofed the building, added two heat pumps, replaced all the windows and lights, and added 12 inches of insulation in the ceiling. The handout further lists what they've done. The only thing the City has had to pay for was half of the roofing materials, which was \$1,800. Their programs are successful and benefit the community.

Mayor Scholl declared that he serves on the Alano Club Board. There is an item on tonight's agenda related to the lease. Dennis added that the request is a five-year lease. They pay \$250/month.

- ◆ Bert Mueller, Lions Club. He talked about the service projects they perform in St. Helens. They hold a picnic in McCormick Park each August. The fee has not been waived because they are not a 501(c)(3) organization yet. He is requesting Council waive the fee in light of the service projects performed on City-owned property.

It was the consensus of the Council to waive the park use fee for the Lions Club and take the cost out of the Council expenses.

- ◆ Steve Topaz. Questions and comments for the Council:
 - The blackberries were chopped down and sprayed along Old Portland Road, between 5th and 7th Streets. A lot of people enjoy the blackberries from there. Who made the decision to chop them down? Which Councilor is in charge of that?
 - Working on getting a ferry system between St. Helens and Washington. Right down the middle of the Columbia River is the main disaster area for the Cascadia Subduction Zone. The City is well within the area. Emergency Management points out that the maps are incorrect and underestimates the amount of damage. In the event of an earthquake, the cooling pond would go into the Multnomah Channel. The proposed marijuana facility will interfere with the location of the ferry landing.
 - He's concerned that selling City property to a marijuana facility will jeopardize the City obtaining federal grants in the future.
 - Councilor Locke announced that he's going to resign at the beginning of next year. If he gives a 30-day notice at the beginning of the year, there would have to be an election. But keeping his resignation until the end of the year, there is no requirement and the Council can appoint who they want. Locke has been involved in the marijuana negotiations. There's a rumor that he's being hired by them and moving to Salem. If that's the case, how does that look ethically to the State?
- ◆ Patrick Birkle. He sees later on the agenda that the Council will be discussing the sale of property in the St. Helens Industrial Park. The City held a meeting about it recently but it did not include any information about the owner and why the City was selling it. He does not believe that the ORS requirements were met. If discussions have been going on since December, where are the decisions being made? He is concerned that the City is involved in the marijuana business. What is the long-term plan for the property? Is the property being sold piece-meal? What account do the funds go into? He heard projections of 400-500 jobs. That would be great but what is it based on? All he has

seen is that this company has been meeting lots of obstacles and now the City wants to sell it to them. At least with a lease, the City would have some control.

♦ Tina Curry. 4th of July update

- Received positive feedback about the event and all the activities.
- People were happy that they could get out of the parking lot quickly.
- Most successful year since she's been here.
- Thanked everyone who participated and helped.

Mayor Scholl mentioned the positive feedback he has heard about 4th of July as well.

3) **Discussion Topics**

3.A Presentation of Plaque to Outgoing Arts & Cultural Commission Member Kannikar Petersen

Councilor Conn and Library Director Jeffries thanked Kannikar for her eight years of service and dedication on the Arts & Cultural Commission.

3.B Employee Length of Service Awards

Mayor Scholl announced three employees who have reached milestones in their employment with the City of St. Helens. The following individuals will receive a certificate and pin.

20 Years

Joe Hogue was hired on full-time in July of 1998 as a Patrol Officer. In September of 2003, he became a Sergeant and then in January of 2017, he was promoted to Lieutenant.

5 Years

Anthony Miltich was hired as Patrol Officer on May 30, 2013. He has served as Detective and Sergeant.

Joel Beehler began working for the City in the summer of 2011 as a summer laborer. He worked the summer of 2012, again, and then worked temporarily as a Utility Worker I until he was subsequently hired permanently on July 1, 2013. In April of this year, he moved into the Utility Worker II position.

Congratulations, Joe, Anthony and Joel, and thank you for your service!

3.C Review Animal Facility License Application from Mylissa Snider

City Recorder Payne informed the Council that Code Enforcement Officer Hartless performed an inspection of the facility. A copy is included in the archive meeting packet. The facility was not up to par in cleanliness. He is leaving the decision up to the Council of whether or not to issue a license.

Mayor Scholl asked Hartless to elaborate on the cleanliness concerns. Hartless pointed out that public safety is the only requirement for issuing a license. It would be safe. However, there was a lot of organized clutter in the house, a fence was broken, a lot of stains and the smell of urine or ammonia in the house.

Councilor Carlson asked if there has been any history of complaints by neighbors. Hartless did not see any reports of complaints.

Discussion ensued. These licenses are good for two years. There are stipulations that say facilities can be inspected at any time. Based on the Ordinance, Hartless said there is no reason for it to not be issued. Consensus of Council to review the Ordinance and make changes for animal safety. Payne suggested adding a criteria to the Code requiring a re-inspection if the first inspection was subpar. That will give them time to clean it up.

3.D Discuss Request from Greater St. Helens Park & Recreation District - Matt Finance Director Brown reminded the Council of discussions to start billing the Greater St. Helens Park & Recreation District (GSHPRD) for their water and sewer usage. Andrew Niemi was in attendance and reviewed a letter that is included in the archive meeting packet. Andrew explained that the pool loses approximately one inch of water per 24 hours in evaporation and water splash out. Only 36% of the water used would end up in the sanitary sewer. They are requesting a discount of 35%.

Discussion ensued. Public Works Engineering Director reported that there is a precedent for reducing sewer use with manufacturers who use a lot of water in their process. It's been done for businesses whose water evaporates into steam. They're still charged for the full of amount of water being used. Residents are billed for sewer based on an average used in the winter when they're not watering lawns, washing cars, running through sprinklers, etc. She feels their request is appropriate.

Council President Morten asked Andrew if it would help to do a five or ten year step to gradually assume full billing. Andrew does not want to speak for the entire Board. It's a bill that they hadn't planned on paying. They're working it into the upcoming budget. It's a hardship and comes at the same time as a minimum wage increase. Anything the Council is willing to do to soften the impact is helpful. This has emphasized the need for conservation. Sometimes you can become lax when you're not paying for a resource.

Mayor Scholl said that the only one in St. Helens who does not pay for water in St. Helens is the City. They paid \$11 million for the facility. He's a tax payer. The GSHPRD receives tax money. He's not opposed to entering into a wholesale rate. The pool is an icon. It was not the City's intent to try to shut down the pool.

Councilor Conn values the partnership with Eisenschmidt pool. It's provided summer recreation when there hasn't been anything else available. She wants to partner with them for the Recreation Program. If Nelson does not think the request is unreasonable, she supports it. Nelson clarified that the reduction of the use should be applied to just the sanitary sewer because the water is being used. The sanitary facilities are not being used to the same extent.

Finance Director Brown reviewed a spreadsheet showing the discount. A copy is included in the archive meeting packet. He proposes a 25% fee increase over a time span. It would begin about \$330 a month and increase over a four year increment to reach 100%.

3.E Review Legislative Priorities for LOC Advocacy Top 4 and Bottom 4
Council reviewed the priorities. The management team recommends:

Top 4:

- I. Infrastructure Financing and Resilience
- R. Property Tax Reform

- S. Qualification Based Selection (QBS)
- U. Safe Routes to School Match

Bottom 4:

- K. Local Control Over Speed Limits on City Streets
- W. Speed Cameras
- Y. Third Party Building Inspections
- CC. Wood Smoke Reduction Program Support.

Motion: Upon Conn's motion and Morten's second, the Council unanimously accepted the management team's recommendation.

3.F Discuss Plans for August 21 City/County Quarterly Dinner

Discussion ensued about each Councilor and staff member having the opportunity to report on the areas they oversee. Each person would have approximately five minutes to report.

Discussion ensued about the location. Mayor Scholl suggested the Roof but understands the capacity limits. City Administrator Walsh suggested that a required 10-day RSVP be distributed. If few enough people are planning to attend it can be held at the Roof. Otherwise, it would begin with a meet and greet on the Roof with finger food and drinks and then move to the Waterfront property and use the City's tent with rented tables and chairs, and catered. Council concurred.

3.G Review Proposed Ordinance Creating Parks & Trails Commission - Kathy

Council President Morten requested the Ordinance be reviewed by the Parks Commission for a recommendation before Council review.

3.H Update on Sale of Property in St. Helens Industrial Park

City Administrator Walsh talked about Al's protest and appeal of the public hearing. The details were available on the back table but was not well communicated. The issues seem to be about process and use. He will focus on the process, which is the City selling a piece of property. The City paid \$3 million for the 205 acre Boise White Paper property. The purchase price of the eight acre piece is \$3.4 million. The lease document would be transferred to a purchase and sale document. The document is being reviewed by staff and attorneys. He reviewed the payment setup. By the time interest is paid over a five-year period, the City will receive almost \$4.2 million. Other fees will also be due; such as a community betterment fee of \$2,000/month for five years and a public safety, education, and parks fee of \$1,000/month for each 10,000 sq. ft. of canopy in the building. Half of the revenue generated from leasing to Cascades pays for the Note to pay off the purchase of the property. The other half goes into the development fund.

Mayor Scholl apologized for not knowing the process. He thought it was well described during the hearing.

Councilor Carlson asked Walsh to talk about what happens if the business fails. Walsh explained that it would go through a foreclosure process. Carlson added that thousands of dollars of work are being done to the property by the purchaser. The City will benefit from those improvements if the project fails.

Mayor Scholl added that the City has done their research. Marijuana is legal in Oregon and is improving and saving lives. The purchasers are medical growers proposing to produce CBD oils. There is such a stigma around marijuana. We can either have a pharmaceutical company

or Budweiser. He has been clean and sober for a long time and works with recovering alcoholics and addicts. In his opinion, alcohol is more severe than marijuana. Yes, he used it when it was illegal. There are no federal regulations against the CBD part. \$140 million was collected in marijuana tax at the State level last year.

Council President Morten questioned access to the property. Is the road public or private? It was confirmed to be public. Discussion ensued about the infrastructure improvements the City is gaining.

City Administrator Walsh pointed out the drawing in the SDAT that shows the potential for a light industrial building, such as this on the subject property.

- ♦ Agnes Petersen. She has served on a lot of elected boards that have handled public property, sales, and leasing. When the City entered the lease, what money was supposed to come in from the tenant?

Mayor Scholl responded that it was originally improvements to the property. Walsh added that there was a payment phase-in schedule.

Agnes also asked what the total value of the lease is? Mayor Scholl responded that it was very similar to the sale. Agnes argued that the Council needs to find out the exact lease value. Walsh confirmed that they do know the amount. The lease was \$3 million and the purchase price is \$3.4 million. They are working with their attorney. Agnes urged the Council to think it through and be careful. She heard a rumor that they are dealing with LLC's. You'll be in trouble if you don't have a guarantor. This could be the most liable part of the Council's time serving.

Mayor Scholl stated that he will not accept a threat when marijuana is legal. He read a quote made by Al Petersen that was printed in the newspaper.

Agnes redirected the Council to her concern about the property and not the debate about marijuana. Agnes was thanked for her input.

4) **Department Reports**

Lieutenant/Interim Chief Hogue reported...

- There are a lot of unknowns but they're ready for the new Chief to start on August 13.
- Excited about having two student resource officers this year.

Public Works Engineering Director Nelson reported...

- In conjunction with the grant for improvements at Grey Cliffs Park, they have a pre-fabricated restroom kit. It will also need plumbing and electrical services. Associate Planner Dimsho received only one quote for plumbing of approximately \$7,500. That is over the limit staff can approve. She is requesting Council approve it and then it can be ratified at the next Council meeting. The costs seem to be in line with standard plumbing costs. Discussion ensued about handicap access. Nelson confirmed the restrooms and parking stalls will be handicap accessible.

Motion: Upon Locke's motion and Conn's second, the Council unanimously approved the quote received for restrooms.

Library Director Jeffries reported...

- Building is being prepared for painting next month. The emergency egress door has been installed.
- The Library is going to work with the 4H and Arts & Cultural Commission mural subcommittee to paint the book drops in the front.
- Received an increase in professional development funds. Last week, all of the library assistants and two volunteers were able to attend a conference in Hood River. It was a great opportunity to build skills. She thanked the Council for budgeting those funds.

Finance Director Brown reported...

- Thanked Recreation Coordinator Shanna Duggan for organizing the activities on 4th of July. They had their first .4k Run, which was sold out at 100 tickets.
- The next movie night is on August 4. Leah Tillotson at Columbia Theater has generously donated free popcorn. They would like to continue a partnership with her.
- The City takes over the FARA building August 1. The building is in need of repairs. He has spoken with Dimsho about grant funding. There are a few immediate repairs needed; such as the flat portion of the roof, which was quoted about \$20,000; the key fob entry system; and some doors that don't have emergency push bars to exit. Once he has a better idea of cost, he can come back to the Council with a proposal for where to take funds.
- Financial system software and recreation system software are both included in this year's budget.
 - After demonstrations and receiving quotes, he proposes to move forward with the best provider for the recreation software. The initial cost is \$12,000 and then an ongoing cost of \$4,000. Councilor Conn asked if it integrates with financial software. Brown responded that it does not. The financial software cannot do everything they want; such as park reservations online, facility rentals online, leagues, etc. Council concurred to move forward with contract negotiations for the recreation software.
 - Multiple departments have participated in the financial software demonstrations. They have selected their top two favorites. He would like to do more research and site visits. Council concurred to move forward with contract negotiations for the financial software when it's selected.

City Recorder Payne reported...

- Nothing to report.

City Administrator Walsh reported...

- He pointed out that the St. Helens Senior Center does not pay a monthly lease but the Alano Club does. The Senior Center also didn't pay utility cost until recently, while the Alano Club has been. Does the Council consider it the same kind of community service entity? Councilor Locke expressed that they are both very needed. Councilor Carlson pointed out the need to cooperate and access City buildings being used by other organizations. If the City owns it and supports it, we should be able to use it for the public good when it's available. Discussion ensued. Council concurred to treat the Alano Club like the Senior Center. Walsh will return with a lease for approval.
- Will be submitting a Better Utilization of Transportation to Leverage Development (BUILD) Grant. It leans towards investment into rural communities. It will move the Waterfront property forward. Consultants and staff have created a beautiful document for submittal. They are requesting almost \$15 million. It will extend boardwalks and trails

from the top of the courthouse property through the Waterfront property and around to S. 1st Street. He talked about the benefit of the grant application. There will be a local \$3 million match.

- He talked about the Matzen Street Subdivision on the old Violette's Villa property. The City holds the mineral rights to the property. The owner is requesting written documentation that the City will repair any destruction if it is mined. Council talked about mining being illegal in that zoning. Council concurred with signing to that effect.
- Received a request to relinquish the City's interest in a lot on the corner of S. 8th Street and Plymouth Street. Habitat for Humanity is the interested purchaser. Discussion ensued. City Planner Graichen pointed out the shed on the property being too close to the property line. It was the consensus of the Council to relinquish interest with the stipulation that the shed issue be resolved before selling.
- A press release was distributed yesterday for new Police Chief Brian Greenway. Looking forward to his arrival.
- A lease for the Sand Island campground should be coming soon.
- Working on changes to the dock regulations.

5) **Council Reports**

Councilor Locke reported...

- Had the honor of giving the award to Chief Moss at his retirement reception yesterday.
- Met with PGE yesterday at the Mill. They will bring in a line from the main line near the union hall and put new poles along the new road. That line will furnish three or four buildings for ACSP. To expedite and make more feasible for industry, he recommends the City assume the billing process for the property. Cascade is not metered but any new facility will have small meters installed to deduct from the main bill and the remaining amount would be billed to Cascade.

Councilor Carlson reported...

- Happy to see Interim Chief Hogue here. She was impressed with the quality of chief applicants. No matter what role Hogue serves in the community, we are lucky to have him.
- Excited about the second school resource officer. Youth Council always has nice things to say about the police officers and getting the opportunity to work with them.
- Has recently been in public buildings and noticed things missing or out of order. There's no number to call and notify there is a need. Council President Morten appreciates that recommendation. He directed Public Works staff to work on that.

Councilor Conn reported...

- Crisis Intervention Training this week. They suddenly didn't have someone to lead the Use of Force and Liability training today. She thanked Hogue for stepping up to lead it.

Council President Morten reported...

- Steve Topaz commented on the blackberry bushes. He needs to call Public Works and speak with Public Works Operations Director Sheppard. Morten had no idea that those bushes were so important to Topaz.
- He appreciates Agnes's testimony. They grow from that.
- Would like to talk to Brown about financing the Recreation Program. He missed part of that conversation.
- Visited the downtown businesses to update them with what the Council decided for parking. They understood. They encouraged the Council to move forward on updating

the Ordinance to not allow abandoned/nonworking vehicles to be left. They also suggested the unmarked spaces be changed to parallel parking to make it easier to turn around at the end of Strand Street. Signage labeling it as not a through street would also help.

- Seven hazardous material tankers were stored on City property. They show up every weekend on the switching tracks. He knows for a fact that those tankers went north when they left. If they were empty, they would have gone south. That is very dangerous. Clarification was made that it was not City property but within City limits.

Mayor Scholl reported...

- He and staff attended a Columbia River PUD meeting to address the increase in LED lighting cost. They agreed that it was too much. They are going to look into it and invite the City back to the August meeting.
- Walsh spoke about the Grant application. He is very impressed with the work staff has put into it.
- Welcomed incoming Police Chief Brian Greenway to St. Helens.
- Congratulated St. Helens Police Department for their lip sync challenge. It was great!
- Citizens Day in the Park is August 11 at 11 a.m. at McCormick Park. It will be a free barbecue. There are several sponsors.

6) **Other Business**

Councilor Locke reported...

- Requested Council take turns filling in with Youth Council for the remainder of the year. Councilor Carlson added that Youth Council has been partnering with the Recreation Program. Duggan has offered to help. She has a lot of experience working with youth programs. Mayor Scholl can help on occasion.

City Administrator Walsh reported...

- The Grant application is political. To improve the odds of success, he requested Council consensus to reach out to a firm for assistance. Council concurred. Walsh has received many letters of support from local politicians.

7) **Adjourn** – 4:08 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:



Kathy Payne, City Recorder



Rick Scholl, Mayor