

City of St. Helens City Council

Regular Session Minutes

November 15, 2018

Members Present: Mayor Rick Scholl
Councilor Keith Locke
Councilor Susan Conn
Councilor Ginny Carlson

Members Absent: Council President Doug Morten

Staff Present: Matt Brown, Finance Director
Jacob Graichen, City Planner
Lisa Scholl, Deputy City Recorder
Sue Nelson, Public Works Engineering Director
Neal Sheppard, Public Works Operations Director
Margaret Jeffries, Library Director
Ed Trompke, City Attorney
Joe Hogue, Police Lieutenant

Others:

Nancy Whitney	Mary Anne Anderson	Agnes Petersen
Howard Blumenthal	Tammy Maygra	Natasha Parvey
Diane Dillard	Robin Loper	Blair Walter
Art Leskovich	Molly Matcham	Alan King
Al Petersen	Mary Hubbard	Russ Hubbard
Harvey Bilton	Vicki Jeffries Bilton	Rosalie Sumsion
Leah Tillotson	F. Brandon	Brady Preheim
Tia Sharp	Martin Andrews-Lynn	Seth Springer
Steve Topaz	Katherine Andrews-Lynn	Morris Malakoff

- 1) **Call Regular Session to Order - 7:44 p.m.**
- 2) **Pledge of Allegiance**
- 3) **Visitor Comments - Limited to five (5) minutes per speaker**
 - ◆ Al Petersen. SHEDCO has participated in community art projects the last few years. Tomorrow at noon is the opening ceremony for the "This Is Us" project. Joan Youngberg spearheaded the project with a goal of 5,000 houses painted by community members. The houses were arranged into sculptures and placed in the Plaza Rose Garden. He hopes to see all the Council there to support those work done by Joan. He feels that project should have been in the center of the Plaza.

Councilor Conn explained that it's in the Rose Garden because Christmas festivities are in the center of the Plaza.

- ◆ Howard Blumenthal. He was shocked that there is a five minute clock but people were allowed to go much longer. It's disturbing that people do not respond to the time clock.

Mayor Scholl apologized and noted his concern.

- ◆ Tammy Maygra. Encouraged everyone to open their wallets and donate to people in need in the community. This is a good community and it won't hurt to help those less fortunate.
- ◆ Brady Preheim. He addressed comments made last week by Destinee Ryder and the Council in regards to the relationship between SHEDCO and the City. It's not a good plan to separate from SHEDCO. They need each other. However, SHEDCO needs transparency. Before the Council makes a decision, he suggested that Finance Director Brown write an official letter to SHEDCO requesting copies of their minutes. If it's not provided, then terminate. SHEDCO has violated their own bylaws. They don't have a real property owner on their Board nor do they have a person involved in retail. Any entity who receives public funds, should provide minutes. They have also chosen to have a convicted felon on their Board. That person is the public face of their organization. The minutes would provide a lot of answers to questions. The Chair of SHEDCO did a rendering of El Tapatio and then that was selected for the Mainstreet project. Another project that was selected was the Chair's mother's building. Did he recuse himself from both of those? That's what the minutes would provide.
- ◆ Al Petersen, Chair of SHEDCO. He received notice that there was a Facebook post from the City's Finance Director with a public records request for a copy of the minutes. Al sent him an email, cc'ing the Council, providing the ORS that they are not a public subdivision and are not subject to public records requests. The City has been doing a lot of discussion about SHEDCO but did not invite the SHEDCO Board to attend.

Council made it clear that the discussion was not on the agenda. It was brought up during visitor comments from a SHEDCO Board member.

Al referred to Brady's accusation of a conflict of interest. Al explained that the VanNatta and Petersen building applied to the City for a historic grant. It was not part of SHEDCO and he was not involved in the decision. He did help prepare the grant.

Mayor Scholl asked for a copy of the minutes because Al said the City doesn't work with nonprofits during a debate. He wanted proof that Council members were attending the meetings and trying to rebuild the relationship with SHEDCO. Al responded that every time they showed up it caused arguments between the Board. Councilor Locke said the only argument was when he asked if they read their bylaws. Al argued that the question from the Finance Director was political and staff should not be getting involved in politics.

Mayor Scholl requested a report on the Mainstreet grant. Al reported that they received six applications. It was reviewed by the SHEDCO Board. He disclosed his involvement with the drawings and did not vote in favor of El Tapatio. He did not think they would win the grant because it was not a historic building. Jasmine was the grant coordinator. When she left, she asked Al to work with SHPO on the grant. The reimbursement grant is still sitting at the State waiting for El Tapatio to build something. They had to get additional financing. No money has been given. Now it's very difficult to get contractors. He informed El Tapatio that if they don't do something soon they will lose the grant. Someone should have asked him to come in and give a report.

Mayor Scholl talked about the other buildings that applied for the grant. Councilor Carlson asked if another applicant would receive the grant or would it all go away. Al doubts that it would go to someone else.

Councilor Carlson said the relationship with the City and SHEDCO has been so toxic, which is probably why they've never requested a report. They can all do better. She apologized that Al felt attacked. Councilor Conn added that other representatives from SHEDCO have come here and created difficult exchanges. Al expressed that he has also had difficulties with the Board. He does not appreciate SHEDCO being discussed without his notification. Council reminded him that they came here during visitor comments.

Al accused Mayor Scholl of using staff for political advantage. Mayor Scholl argued that Al accused the City of not supporting nonprofits and he wanted to prove that they do.

- ♦ Leah Tillotson. The grant is coming up again and she has the potential to be awarded up to \$250,000. SHEDCO has to exist for her to be able to apply for the grant. The point of the Mainstreet program is business development. You need to get along. There's a lot on the line.

Convene Joint Meeting with the Urban Renewal Agency

4) Resolutions

- 4.a Resolution No. 1832: A Joint Resolution of the City Council and Urban Renewal Agency of the City of St. Helens Making Certain Determinations and Findings Relating to and Authorizing the Sale of an Approximately 8.21 Acre Parcel Located at 1300 Kaster Road within the City of St. Helens and Located within the St. Helens Urban Renewal Area

Attorney Ed Trompke pointed out that Councilor Locke recused himself from participating in the deliberations and vote.

Mayor Scholl declared that they have been very transparent throughout the long process.

- There are currently 33 states that have medical marijuana.
- The Council did not legalize marijuana. The voters of Oregon legalized medical marijuana years ago and recently legalized recreational. It follows OLCC licensing.
- The location is the furthest away and on a Brownfield property.
- The OLCC laws are very good.
- The concerns about children obtaining it...his neighbor grew four plants this year. He smelled it and his kids knew what it was. If they really wanted it, they'd get it. He suspects that's where kids will get it and not from an industrial grow. Kids are kids. He doesn't condone it but knows it will happen
- The company is willing to pay a family wage salary of \$30,000 – 40,000 annually. Doug Knight will be running the facility.
- There was a lot of heartfelt testimony. He could make that same claim if it was Budweiser wanting to move in.

Councilor Conn...

- This is an industrial use going in an industrial park.
- The hearing criteria has been met.
- They all want what's best for the City and this is an appropriate industrial use, regardless of how they feel about marijuana.

Councilor Carlson personally dislikes marijuana. She appreciates the input about the City's liability and assets. That has been extended to the City attorney and included in the agreement. Any business can fail. If someone builds and they decide to back out, who protects the small businesses working with them? She wanted to make sure we come out better than we were before. She may not like every business on Mainstreet but that's not for her to decide. If the market decides there's too many growers, they'll go away. If there are too many bars, they'll go away. You vote with your dollars. She doesn't support cannabis but does support the law. Pot has been in the schools for a long time and this gives them money to educate. Sometimes you hope you can learn from bad things. She's been part of all the cannabis hearings. You can govern time, matter, and place. You can't decide the type of business. Part of her freedom is allowing Mayor Scholl to get mad whenever he wants. She does not support cannabis and CBDs. They are policy makers and law makers. They are not moral judges. She hopes a better business comes along to take its place. Mayor Scholl and Councilor Conn agreed with Carlson's statements.

Motion: Upon Conn's motion and Carlson's second, the Council unanimously adopted Resolution No. 1832. [AYES: Scholl, Carlson, Conn; Nays: None]

Adjourn joint meeting of the Urban Renewal Agency and continue City Council meeting.

Councilor Locke re-joined the Council meeting.

Councilor Carlson asked if they can talk about Urban Renewal during regular session. Mayor Scholl said yes but cannot conduct Urban Renewal business.

5) Approve and/or Authorize for Signature

5.a Request for Reconveyance for CAT Loan Payoff of 155 Michael Avenue (Bork)

5.b Contract Payments

Motion: Upon Carlson's motion and Conn's second, the Council approved '5a' and '5b' above. Locke abstained from '5a.'

6) Consent Agenda for Approval

6.a Library Events Assistant Job Description

Library Director Jeffries explained that the position is grant funded that would exist from December through June in support of STEM education. The Youth Librarian will report more in December.

Motion: Upon Locke's motion and Conn's second, the Council unanimously approved '6a' above.

7) Mayor Scholl Reports

- It was a long night for a short agenda.
- The sale of the property is vitally important to get the industrial property developed and ready to go. The property is rolling rock with no infrastructure. He would love to do more for the City but they don't have the money. They have had other businesses look at the property but it's not ready so people don't commit.
- Receiving a Build Grant in the amount \$1.5 million for the Food Bank.
- Creating a public/private relationship to open Sand Island.

- Collaborating with the School District on the Recreation Program.
- The impact tax will help pay for a school resource officer. The City is investing in kids. They care about kids.
- St. Helens is growing fast.
- He does not agree with the comment about bringing in dirty industry.
- He admires the Port of St. Helens, Columbia County, and the City of St. Helens trying to make the best decision. No matter what it is, someone will have a problem with it.
- OMIC is huge and will be innovative.
- He loves this community and the small town that's growing.
- Have a Happy Thanksgiving!

8) **Council Member Reports**

Councilor Locke reported...

- He recused himself during the public hearing, deliberations, and vote because he volunteered to be the property manager representing the Council. He worked at Boise so was familiar with the property. Boise did not donate that land. They traded all the garbage that was put in the lagoon plus \$3 million. He didn't vote for it because he thought the garbage was enough payment. He was limited because his wife worked at Cascade Tissue until she retired four months ago. He helped ACSP come into the community and did most of the contract negotiations.
- He's a 21 year cancer survivor and should not be here today. He smoked marijuana and it helped saved his life. He uses CBD's. It helps a lot of people and could help eliminate the opioids, which is a big problem. The owners are very interested in developing CBD's for medical problems. They want to work with OHSU for research.
- He started a Youth Council. He's very adamant about helping kids in the community. When ACSP starts producing, they have to pay \$1,000 a month per 10,000 sq. ft. building and they have room for 15 buildings.
- His priorities are safety, youth, and parks. The property cannot be developed as is. These guys are helping us develop it. This is the only company that saw something and wanted to help develop it. He's spending 20-30 hours a week on that property. He has been very involved and not one person here contacted him for information.

Councilor Carlson reported...

- She appreciates when people come and testify. She always learns a lot.
- Thanked Graichen for coming and getting them through this project.
- The Youth Council is selling reflectors. They decided the reflectors are not helping by leaving them in totes. They'll be giving a reflector to every 1st grader in St. Helens. She's happy to see their growth.
- Lots of good things are happening in the community; bazaars, Habitat for Humanity House, Veterans Plaza, "This is Us" project, etc. She agreed with what was said earlier about sharing when you have extra.
- Asked about the City Christmas Tree. Mayor Scholl responded that it has been selected.

Councilor Conn reported...

- Has been working on the Crisis Intervention Training for law enforcement over the last three years. It's a collaboration of law enforcement, corrections, justice department, and mental health providers. They are teaching de-escalation techniques to keep officers and the public safe. She is requesting up to \$400 to help provide meals.

Motion: Upon Carlson's motion and Locke's second, the Council unanimously approved up to \$400 to provide for CIT meals.

9) **Department Reports**

Lieutenant Hogue reported...

- Donut Day is on December 8. This is their 16th year. It's a fundraiser for the Food Bank. They accept cash donations and food. Activities will be happening all day at the police station. He requested a \$400 donation for purchase of the donuts.

Motion: Upon Conn's motion and Scholl's second, the Council unanimously approved donating \$400 for Donut Day.

Public Works Engineering Director Nelson reported...

- A concern was expressed about the safety of the intersection at S. 1st Street and St. Helens Street. She contacted Kittleson & Associates for a proposal. They are the ones who created the Transportation System Plan, Corridor Master Plan, and are currently working on the Riverfront Connector Plan. They are very familiar with the infrastructure and plans. The next step is to negotiate a fee and make four recommendations for that intersection. It will take approximately four months starting in January. Mayor Scholl asked if that intersection will change during Urban Renewal? Nelson responded that it will change during the corridor plan. They put the plan together so are familiar. It's a strange intersection. There are a lot of things to take into consideration, so they want to do a more thorough review. There was no objection from Council for Nelson to proceed. Locke pointed out the amount of time it's taking. He is very passionate about this. He has witnessed accidents and lots of near-misses. Nelson said that's why they need to perform a study. It won't help anyone if it's done quickly and inappropriately. She will work them to see if they can make it happen in less than four months.
- Received proposals today for the Wayfinding Signage. Associate Planner Dimsho asked her to request a Council member help review and score the submittals next week. Conn volunteered to help. They'll meet Monday at 2 p.m.

Public Works Operations Director Sheppard reported...

- The tree farm logging is in full swing this week.

Library Director Jeffries reported...

- They began the first phase of the joint project with Scappoose Public Library on the shared catalog. In the course of moving to the cloud, there was a lot of post-implementation that made online Library capabilities unavailable. They are now ready to do phase two this weekend. She is very proud of the work done by Nicole Woodruff and Brenda Herran-Kenaga. They stepped up to make this happen.

Finance Director Brown reported...

- Nothing to report.

Deputy City Recorder Scholl reported...

- The next City County Quarterly Dinner is November 27 in Rainier.

City Planner Graichen reported...

- A recent bill was enacted in regards to affordable housing. It requires an annual meeting to discuss the issue. The City has received funding to create a plan. The kickoff meeting is on December 11 at 6 p.m. The Planning Commission will be the advisory committee.

Mayor Scholl gave kudos to Graichen. He has been very busy with all the projects. They appreciate him.

10) **Other Business**

- ♦ Martin Andrews-Lynn. He recently purchased his first home and discovered that he is unable to have an RV on his property. Due to health reasons, they have six people in his three bedroom home. Is there anything they can do?

Graichen said there are some provisions in the Code that limits it to two weeks in a calendar year. They recently amended the medical hardship rules to allow RV's to be used for that purpose. It does require a letter from a medical doctor that it's medically needed. He recently found out that Portland allows one per household. He asked Martin to come into the office to talk about it. A member from the audience talked about the various medical concerns they are dealing with.

Council requested the deadline with code enforcement be extended to allow time for Martin to work with staff.

11) **Adjourn** – 9:14 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:



Lisa Scholl, Deputy City Recorder



Rick Scholl, Mayor