



COUNCIL WORK SESSION

Wednesday, September 21, 2022

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten
Councilor Patrick Birkle
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Kathy Payne, City Recorder
Lisa Scholl, Deputy City Recorder
Mouhamad Zaher, Public Works Director
Suzanne Bishop, Library Director
Everardo Medina Atristain, Code Enforcement Officer
Crystal King, Communications Officer
Heidi Davis, Building & Administration Secretary
Christina Sullivan, Community Dev. Admin. Assistant
Jenny Dimsho, Associate Planner/Comm. Dev. Proj. Man.
Dawn Richardson, Administrative Billing Specialist
Evin Eustice, Police Sergeant
Adam Hartless, Police Officer
Jamin Coy, Police Officer
Jeremy Howell, Police Officer

Brett Long, Mechanic II
Jesse Templin, Utility Worker II
Tim Illias, Utility Plumber
Tim Underwood, PW Construction Inspector
Alex Bird, Engineer II
Scott Williams, Collections System Operator
Roger Stauffer, Building Maint Utility Worker
Scott Harrington, Utility Worker I
Nicholas Ratliff, Utility Worker I
Ryan Powers, Water Systems Operator
Tyler Hills, Water/Wastewater Treat. Op. II
Sam Ortiz, Pretreatment Coordinator
Bill Monahan, City Attorney
Tina Curry, Event Coordinator

OTHERS

Brady Preheim
Jason Moon
Steve Toschi

CALL WORK SESSION TO ORDER – 2:00 p.m.

VISITOR COMMENTS - *Limited to three (3) minutes per speaker*

- Steve Toschi. Spoke on behalf of the Planning Commission and informed Council that the Planning Commission had recently voted to take on a study regarding the City's laws on camping, sleeping, and lying. The Commission had updates on Oregon HB 3115 and the Federal Court Case of Martin V. Boise to share with the Council in a brief presentation, and he wanted to request time on the Council's agenda.
- Heidi Davis. City employee, started with a brief professional background introduction and highlighted her 16 years of working for the City. She addressed an incident that happened at the City Hall's front office last Friday, which, in all her 16 years, was the first incident she felt the need to address the City Council directly about as a gesture of emphasizing its level of severity.

She re-counted the night's ordeal and how terrifying the situation was as it escalated. She expressed concerns over the panic button system, the geo-location of City Hall within the 911 system, and City Hall not having adequate safety protocols or training for staff for these types of situations. She believed many other cities had solutions, and St. Helens should study and implement those. She knew the police had greater challenges; however, she felt the situation could have been handled differently, and concluded by requesting management to be proactive in its protocols and for the City to do better for its employees' safety.

Mayor Scholl noted that he just found out about that situation, adding the same person tried reaching out to him. He did not appear to be of sound mind. The Council would work with the Police Department to make it safer for staff. He apologized that the incident had occurred.

Councilor Chilton acknowledged their fear and the fact that a failed panic system did not feel safe. She reminded everyone that CCMH had a 24-hour crisis line that one could call to get assistance from a mental health professional in the community, which she felt ought to be part of any safety protocols for similar incidents.

Councilor Birkle acknowledged the severity of this case and thanked Ms. Davis for addressing Council, noting her story was hard to hear. Teachers train for such incidents every year at the school, and the City needs policies and safety and de-escalation training for employees. The fact that they are public servants did not mean they should accept threatening situations.

Councilor Topaz noted if anyone could calm a person, it would be Ms. Davis. He noted Council needed to think about how intense the protection at the front office should be.

City Administrator Walsh noted that he planned to bring this up in his report. He appreciated Ms. Davis while re-visiting the occurrences of the day, noting that this person seemed to know what he was doing and what his limits were. He suggested a couple solutions; panic buttons should work and be tested regularly; IT should have more regular checks looking at different technology and at general rules of conduct; much like the Library. He would put the swinging door back up.

Ms. Davis appreciated the Council but expressed her frustrations for things not getting looked at before an incident occurred which put Staff in that predicament.

Council President Morten expressed his frustrations for the lack of identification and suggested a camera or sign-in procedure of some sort prior to interaction with employees.

- Jenny Dimsho, Associate Planner and Project Manager, representing the Union, Local 1789, on behalf of 29 St. Helens workers, noted State law allows the Union to provide updates to electeds around collective bargaining negotiations. Under those rules, Local 1789 was there to provide the Council an update on how its bargaining negotiations had been going. Local 1789 contract expired as of June, 2022, and since negotiations began it had had 12 meetings and no agreement had been reached. She noted that since July, 2021, comparing top wage to top wage, all 25 managers and non-represented employees received an average wage increase of 11% with the top four highest increases at over 17% each. In the last year, St. Helen's officers had recently received wage increases that put their salaries comparable to cities with populations of over a 100,000 people. She reminded the Council that Local 1789 Union represented essential workers who provided vital services that were critical to the daily health and safety of the community. Local 1789 expressed its disagreement with the City's decision to bring in a labor attorney to the negotiations table. It was close to reaching an agreement as there were only a few economic items to work on, so the City did not need to bring a labor attorney to complete those last few items. Local 1789 believed its bargaining team's contract proposals had been reasonable and its communication had been clear and in line with good faith bargaining. It asked City Council to carry out its mission and encourage City leadership to reach an agreement responsive to the needs of Local 1789's essential workers.

Mayor Scholl said Council heard Local 1789's request, receives regular updates, and was hoping it could get settled.

Councilor Birkle said it was hard for him to hear that as a proud union employee. He appreciated Local 1789 for coming forward and was proud of them, as a Union member.

Council President Morten agreed, adding he was a Union member for 31 years and hoped both Local 1789 and the City could overcome their breakdowns and frustrations, and Council would do what it could to urge the negotiations to completion.

Councilor Topaz stated some of the information had not come to him. Mayor Scholl noted those concerns were discussed during Executive Session, and all Council members were in the meetings. The City seemed close to an agreement three weeks ago and was trying to give staff leeway to move forward. He agreed the City did not need a labor attorney.

Councilor Chilton said she had gone to bat for police wages, and that did not mean she saw any less value in the work Local 1789 did. She reassured Council would get where it needed to be to make Local 1789 feel wanted and valued. A lot of that was due to the culture and the world they lived in, so she wanted to make sure they felt safe in the St. Helens community.

- Christina Sullivan. Community Development Admin. Assistant stated that she also wanted to address the situation that happened on Friday. She was not working but had a run-in with the perpetrator outside the building. She narrated the aggressiveness and harassment City employees went through, including her daughter. She emphasized the panic buttons still did not work as of the meeting and reiterated City Hall's landlines did not show City Hall's address to 911 operators. She expressed her disappointment that the police did not take the situation seriously, leaving the individual having to deal with the harassment for four hours. On Monday, jokes were made about the incident, and as of now, no communication had been made to any of the front office staff that anything had or was being done to correct the safety measures not in place to protect them. City employees' safety was not a joke, and the City should be proactive and not reactive at this moment. She asked City Council to give City Hall employees a safe place to work. This meant addressing both old and new safety measures and training.

Mayor Scholl assured Council would act to have the buttons and swinging door fixed immediately.

Ms. Sullivan said it was unacceptable that nothing had been said by upper management about the employees' safety.

Councilor Chilton clarified the perpetrator did receive a citation from the police that day.

Ms. Sullivan appreciated Officer Hartless for stepping in and helping calm her down. Her daughter was terrified nothing was being done.

Mayor Scholl noted the house bill being discussed amongst the mayors would require cities to make a place available to homeless people, who may not be vetted. St. Helens took care of its own, but transients would come in, which is why the laws Toschi discussed were vitally important.

- Brady Preheim. Noted the City clearly had a problem that needed to be addressed by Council. He also questioned the qualifications and effectiveness of the police chief when someone like that walked away. Council needed to make a clear commitment to say the labor attorney would not be present as the Council and Local 1789 had obviously made progress. Council should support its Union people.
- Tina Curry. Event Coordinator, updated on Spirit of Halloweentown and thanked Public Works for getting everything up quickly. The first weekend had gone really well despite the train breaking down, though it had been repaired. The parade would have record numbers and she appreciated the work

of the volunteers. She noted people were coming from all over the world to attend, and she thanked the Parks and Recreation team for committing to do some different installations in the bathrooms, making cleanup easier and faster. She asked if anything could be done to clean up the sidewalks on certain sections of First Street, noting a few people had helped clean the area up but it was not possible to go onto someone else's property to clean up. She suggested contacting the property owners and offering to clean up the sidewalks because First Street needed to look fantastic since a major commercial would be filmed there during the parade and people around the world would see it. She asked the Council to do something to give her the ability or authority to ask people to clean up their property.

Mayor Scholl responded the first thing would be to the event coordinators needed to ask the owners, as it was their responsibility to maintain it though it is City property. Regarding the incident at City Hall, he asked City Administrator Walsh to allow staff to trespass any time to protect themselves and to give officers the ability to do their jobs by trespassing. He suggested that he, Councilor Chilton, and the Chief meet about the trespass order.

City Administrator Walsh suggested having a Code of Conduct in place, like at the Library, would be much more defensible and should be on Council's next agenda for review.

Council President Morten said many public schools require an ID to access their buildings, which was a tremendous safeguard, along with camera. He saw no problem going with those two suggested steps.

DISCUSSION TOPICS - *The Council will take a break around 4:00 p.m.*

1. Introduction of New Code Enforcement Officer Everardo Medina Atristain

Mayor Scholl briefly introduced new Code Enforcement Officer Everardo Medina Atristain. He thanked him for being part of the team, adding that the City appreciated him for stepping up.

Everardo Medina, Code Enforcement Officer, stated he used was a Reserve officer for three years. He was happy to be here and serve, as part of a great team. He confirmed he could also speak several languages, including Spanish, German, Japanese, and had studied Russian. He was more than happy to help with translation if needed. Driving around, he noticed a lot of Code violations, but was ready to do his job and help clean up the city.

City Council welcomed Mr. Medina.

2. Presentation by Small Business Development Center (SBDC) - Jason Moon, Director

Jason Moon, Director Columbia County SBDC, briefly reviewed how the SBDC started, noting he wanted to get feedback about what Cities wanted to see from the SBDC. Questions had been distributed to Council regarding SBDC and how they can partner. He asked Council to provide its answers to those questions to him along with any questions or concerns to ensure SBDC was serving Council and its citizens the best way possible.

City Administrator Walsh talked about the Grow Rural Oregon (GRO) Initiative. Mr. Moon added GRO was run through The Ford Family Foundation and pumped money into the entrepreneur ecosystem, but the money could not be successful without partners like SBDC, Col-Pac, etc. After seeing what Independence, Oregon was doing, he noted St. Helens had a huge advantage as it already had the capacity and partnerships for the GRO Initiative.

3. Review Proposed Harbor Master Agreement – John Walsh

City Administrator Walsh reviewed the proposed agreement between the City and St. Helens Marina, who will take over the enforcement services, including monitoring the docks, waterways, and coordinating with police to enforce laws and policies when necessary. Kiosk and fine revenues were captured as line

items in the agreement, a copy of which was in the agenda packet. He addressed clarifying questions from Council.

Mayor Scholl suggested investing in a trailer to accommodate bigger boats offsite and work with the Port to use its properties, which were secure.

City Administrator Walsh clarified the additional fees from the kiosk would not generate more than \$20,000 per year. As far as the method of procurement, the direct solicitation/appointment was allowed under St. Helens Municipal Code Section 2.04.120(03)(E). He noted they planned to have an ad-hoc boater committee meeting to see how things could be improved.

Council President Morten asked if Code Enforcement patrol is included in the agreement.

Mayor Scholl believed it could since it all fell under the Municipal Code now. The agreement was empowering the Harbor Master to be the Code enforcer.

City Administrator Walsh added the water safety course is needed for officers working on the docks. Currently, there was no charge for docking at the Sand Island docks which Council could discuss. Solar powered kiosks were available. The length of stay requirements would still be enforced. The City and Marina would meet to further discuss Council's desire to extend the length of stay requirements and other things, which he would report back on.

Councilor Chilton believed some balancing out would occur as things started to go in place and if use of the dock increased over time.

Comments were made that people already paid for the campground on Sand Island, should they also be charged for docking? Currently, there was no charge for the shuttle. The logistics of paying fees at the courthouse also needed addressed.

Councilor Chilton said she was glad the City had a Harbor Master.

Council President Morten said this was long overdue and a long process. He thanked City Administrator Walsh and the boating community for getting this done. He was very appreciative.

4. Review Proposed Amendments to Utility Rates Resolution – *John Walsh*

City Administrator Walsh reported a change to the base rate for utilities had been discussed during the budget review. When the City attempted to implement it, the Code language was not clear. It had been put aside, and Interim Finance Director Ellis was helping work on it. The revision was very clear, stating one base charge per dwelling unit, which would have a meaningful impact to landlords with multiple tenants. The City would be proactive with its communication to them.

Mayor Scholl confirmed each of the 239 dwelling units at the development across from Walmart would be metered, but as a nonprofit, the City would not receive any tax money from the development.

City Administrator Walsh noted it was an equity issue as the rate burden was spread out over more people.

5. Review Amended Finance Director Job Description – *John Walsh*

City Administrator Walsh highlighted the revised Finance Director job description. A copy is included in the archive packet for this meeting.

Mayor Scholl noted the prior financial person was overseeing jobs he should not have, and a lot of that language was removed.

6. Discussion Regarding Establishing Dates/Times for Joint Quarterly Meetings with Planning Commission

Councilor Birkle said the Planning Commission would like to schedule permanent quarterly meetings with Council. He asked if Council wanted to meet on a day it was already meeting, on a different day, or back-to-back with Planning Commission meetings.

Councilor Chilton suggested a SurveyMonkey poll to find out what days work best for everyone.

Councilor Birkle clarified the Commission's main concern was getting caught up in things and scheduled meetings are not held, so getting dates and time certain was desired. If flexibility was needed, the Planning Commission would go through the process for changing meetings by having a Council resolution or just add another meeting.

Mayor Scholl said Council needed to budget more money for Planning Commissioner stipends.

7. Report from City Administrator John Walsh

- Revisited the Friday City Hall incident that rattled everyone. He had been working with IT to address the issue in many different ways. The incident was concerning for many, and the City was committed to finding solutions, and would use the Library's rules as a model for define conduct and expectations for being in City Hall. He would send the Library's rules to Council.
- He was glad the Harbor Master agreement was ready for approval.
- The Rip City Fair was amazing.
- He discussed the City's communications planning to find ways to inform about all the upcoming projects in the city that would impact residents, visitors, and businesses. Staff had looked at how other cities communicated with citizens. An at least monthly newsletter would be released to update on the street utilities project, and also serve as a template for communicating specifically about riverfront development, which would go on for several years, as well as the multiple other projects in the city.
 - The City asked the contractor to begin the work on the First Street intersection after Halloweentown. The project would be complex, and the City hopes to get a schedule that works for everybody. There would be some business interruption and parking issues.
- He updated on the Public Safety Facility, noting the City had interviewed a couple representatives and one seemed like a good fit, so a fee proposal and scope of work to help represent the City were in progress.
- Some ARPA funding had been allocated toward expanding broadband across the community. A needs analysis, readiness assessment, economic analysis and a community survey were conducted. Next steps would be a short presentation to City Council on October 19.
- City Staff has been meeting with DEQ about in-water work on the Central Waterfront concerning regarding water quality compliance. The City would tour the subject area with DEQ on Friday to show St. Helens' vision. They begin at the Wastewater Treatment Plant at 3:00 p.m., he believed.

Mayor Scholl noted City staff has been working overtime with all the projects and activities happening now.

Council President Morten noted a new building in Portland on First Street had all its utilities, energy, water, heating, etc., self-contained and was the first of its kind in the nation. He wanted to make certain the Planning Commission did not have codes against such development in the city, which could occur in the Riverfront development. Having everything self-contained would be an amazing concept. The article on the building in the Business Section of today's Oregonian would be good for the Planning Commission to read.

Councilor Topaz asked if the City did not have sewer and water hookups, and did not sell to them, what could the City tax them on.

Mayor Scholl noted he would not be at the regular session since he had to recuse himself from the Comstock deliberations and gave his report as follows:

- He had a great experience at the Rip City Fair. The largest, all abilities playground was a success, MODA's people were great, very accommodating, and donated \$1,000 to one of the afterschool programs, as well as some plaques. He thanked MODA and told them they were always welcome to come back anytime because it was such a great turn out.
- He noted Halloweentown and the Big Halloween parade were coming up October 1.
- He would be on the Plaza Square at 7:35 a.m. Monday doing Mayor's Monday with Koin6 to highlight Halloweentown, and then probably the Waterfront Redevelopment and a couple smaller topics.
- Hearing tonight's testimony was disturbing, and the City would be working to increase safety.
- The City needs to be proactive with HB 3115, and he looked forward to the Planning Commission heading up that work and seeing it on the Council's agenda.
- He was looking forward to the League of Oregon Cities (LOC) Conference, noting many cities dealt with the same things and there were always solutions to issues at those types of events.
- He agreed with the Director of SBDC that St. Helens was in a great position with the City's networking and partnerships.
- He noted fishing had been closed and agreed it hurt the City's finances. It was hard to do anything because the Oregon and Washington Department of Fish and Wildlife Boards which regulated fishing were appointed by the governors, and not elected. The St. Helens community was not represented well.

ADJOURN – 3:37 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor