

# City of St. Helens

## CITY COUNCIL

Work Session Minutes

March 15, 2017

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

**Staff Present:** John Walsh, City Administrator  
Matt Brown, Finance Director  
Kathy Payne, City Recorder  
Margaret Jeffries, Library Director  
Terry Moss, Police Chief  
Neal Sheppard, Public Works Operations Director  
Sue Nelson, Public Works Engineering Director  
Jacob Graichen, City Planner  
Jasmine Jordan, Mainstreet Program Coordinator  
Jenny Dimsho, Assistant Planner  
Bob Johnston, Building Official

**Others:** Al Petersen                      Steve Topaz                      Nicole Thill  
Cody Mann                              Natasha Parvey                      Lorelei Juntunen  
Nick, ECONorthwest                  Linda Demaray                      Audrey Webster  
Mark Kreutzer                          Jennifer Purcell

Mayor Rick Scholl called the meeting to order at 1:00 p.m.



### **Visitor Comments**

♦Al Petersen. He is here today to give a brief summary of the Planning Commission's discussion last night. They recommended to move forward with the Waterfront Development Plan code amendments. Much of the discussion centered on a couple of items.

- 1) Landscaping.
- 2) Building height. There was testimony in favor of and opposed to height restrictions. The concerned was that high-rises would be placed on the entire property. Obviously, that's not very practical. The Building Code specifically defines high-rises as buildings taller than 75 foot. The Planning Commission agreed to limit buildings to 75 feet. He went on to talk about the Planning Commission's discussion about building height restrictions and ratio to floor area.

Speaking for himself, he thinks the height issue comes up often because of the scenic view ordinance. It allows only a few specific properties to protest against new construction restricting their view. In his opinion, the only reason it is still in the Code is that no one has challenged it. He believes it's unconstitutional. He thinks it should be removed from the Code.

Council President Morten supports the floor area ratios. If a corridor of buildings that are 25-30 feet tall are built along the waterfront, you wouldn't be able to see the water at all. But if they

varied in height, there would be spatial corridors to see through. He asked the Council to direct staff to investigate floor area ratios. Now is the time to do homework.

Mayor Scholl asked City Planner Graichen to bring back the section of the Code that refers to scenic views to the next Council work session.

♦Steve Topaz. Following up on Al's presentation, there was a developer from Hillsboro at last night's Planning Commission meeting discussing the waterfront. He pointed out that St. Helens has some negatively impacting codes that need to be changed. It's time to get real smart. Not getting rid of some of these things is a bad move.

♦Jasmine Jordan, Main Street Coordinator. She wants the Council to be aware of a grant that she is applying for through SHEDCO. It is called the Oregon Main Street Revitalization Grant. They held an application process and selected El Tapatio Restaurant. They have repairs that need to be made after their roof caved in and also want to expand the building to attract more people. They will find out May 7 if they received the grant.

### **Urban Renewal Briefing from ECONorthwest**

Lorelei and Nick from ECONorthwest were in attendance to give their report. They reviewed a PowerPoint presentation, which is included in the archive meeting packet.

Urban Renewal Plan Purpose:

- Assist with the implementation of adopted plans, policies and codes.

Urban Renewal Plan Goals:

- Ensure that stakeholders are involved in plan implementation by providing accurate, timely information, and encouraging public input and involvement.
- Provide adequate infrastructure and public amenities to support new development.
- Increase the safety and capacity of existing transportation corridors.
- Improvement public access to the Columbia River through investments in waterfront open space and paths.
- Invest in the revitalization of Houlton and Downtown business districts.

Nick explained that Urban Renewal is not an increase in property tax rates. When the Urban Renewal area is created, they look at the assessed value within those boundaries and freeze the tax base. After that, any increase to property taxes within that area goes to the Urban Renewal fund. That growth helps to fund development. He explained the funding process further.

Council President Morten asked what safeguards are imposed to prevent them from past urban renewal disasters. Nick explained that urban renewal has been in Oregon since the late 1970s. Up until 1999, urban renewal areas did not have to have a maximum indebtedness. They could continue to spend as much as they wanted and for as long as they wanted. They turned into slush funds. Condemnation use to be common as well. It's no longer allowed for other private property owners. As part of the process, the City is required to consult and confer with all of the affected taxing districts.

Mayor Scholl is concerned about the project timeline. Nick explained that the plan can be amended to reflect the priorities of Council.

Chief Moss asked what happens to the general fund if growth does not occur in the first couple years. Lorelei thinks that's a great question for the Council to consider. From an urban renewal prospective, it would just take longer to fund the projects. By having those dollars to invest

against, it allows revenue to occur. Without an urban renewal funding source available, you might see nothing happen and then your tax base would truly be impacted. Nick added that there will be slower growth in the general fund for the duration of the urban renewal area than if you didn't have urban renewal. At the least, you will not be receiving the base line appreciation of property values in the area. However, it will create revenue that would not have existed without the urban renewal district. He gave examples of other districts.

#### **Potential City Ownership of Hanna Place Subdivision's Wetland Protection Area**

City Planner Graichen reviewed the memo and maps included in the archive meeting packet. The wetland protection area is only a 10 foot section. It would be overkill to have a homeowners association be responsible for it. The City owns the property adjacent to it, so it makes sense for the City to take ownership of it, as done in the past.

Council concurred with taking ownership of the property.

Graichen asked the Council if he could talk about floor area ratio for the waterfront plan. Council concurred. Graichen was told that the plan needs to be adopted prior to urban renewal that way the Planning Commission could say that the urban renewal plan is consistent with our plans. They had a very tight schedule but was thrown off because of the snow. Unfortunately, it was delayed a month. Their Planning Commission meeting is June 13. The Council will review it at their next meeting. He has academic experience with floor area ratio. It's something they can explore but they're limited on time.

Council President Morten wants to make sure that there is open space along the waterfront. He would like staff to review the plan further to ensure that not all the buildings in a row will be the same height, and also not be several stories high along the waterfront.

Al Petersen looked at view ordinances for three other cities. Developers have to consider those during the design phase. Most view corridors are based on public property views and not private. The framework plan was developed to only benefit public views. He personally thinks it's ridiculous that people think the plan should benefit them privately.

#### **Update from Building Official (IGA with Columbia City & Nuisance Abatement)**

Building Official Johnston was in attendance to update the Council regarding an intergovernmental agreement with Columbia City, an upcoming reciprocal agreement with Columbia County for electrical services and inspection services, and a personal services agreement for a contractor to take care of the nuisance abatement properties. No concerns from Council.

#### **Review Quote from Azimuth for Council Chambers Audio/Visual Equipment**

Finance Director Brown reviewed the quote from Azimuth, a copy of which is included in the archive meeting packet. The quote is approximately \$50,000. There is about \$30,000 available in PEG funds and he has already put money into an IT fund to help cover it. Council concurred.

#### **Review New Utility, Banking & Court Specialist Job Description**

Finance Director Brown reviewed the new job description, a copy of which is included in the archive meeting packet. No concerns from Council.

#### **Review Quote from St. Helens Auto Center for Purchase of New Vehicle**

Finance Director Brown reviewed the quote, a copy of which is included in the archive meeting packet. It was less than the state procurement bid. No concerns from Council.

#### **Review Wastewater Treatment Plant Operator III/Pretreatment Coordinator Job**

## **Description**

Public Works Engineering Director Nelson reviewed the job description, a copy of which is included in the archive meeting packet. No concerns from Council.

## **Review Revenue/Expense Opportunities**

Finance Director Brown reviewed his report, a copy of which is included in the archive meeting packet.

- Review Current Fee Schedules in all Departments
  - Looking for direction from Council. Consensus of Council to proceed.
- Intergovernmental Services
  - Building Department
    - Already re-doing the contract with Columbia City.
    - City of Scappoose will not be using our services.
    - Need to determine a fair reciprocal rate with Columbia County for services they provide us and we provide them.
  - Court
- Court Department Services
  - If they decide to reduce or eliminate services, it will take nine to 12 months to transition, so he is budgeting everything as status quo.
  - Councilor Conn asked Brown to include the elimination of Court in the spreadsheet to compare all costs.
  - Councilor Conn questioned why we are a Court of Record. Chief Moss explained that a couple court cases were appealed to Circuit Court several years ago when we had a different attorney. At the time, we were not a Court of Record and there was no official recording or transcript. The City Attorney was challenged in Circuit Court about what was or was not said in court. That initiated the charge to become a Court of Record and limit future challenges.
  - Brown asked the Council to consider waiting a year to give him time to meet with City and County court staff to investigate the effects.
  - The County is facing deficit. That could impact how timely cases would be reviewed.
- Franchise Fees (5% to 7%)
  - He and Walsh recently discovered a law that does not allow the increase of public utilities. Columbia River PUD will remain at 5%.
  - They will continue to research it for private utilities.
- Building Department FTE
  - There is currently a .5 FTE position that is unfunded. Does the Council want to use reserves to fund that position in anticipation of future growth or wait to see what happens? Concurrence of Council to leave the .5 FTE position in the budget.
  - Mayor Scholl has heard from builders that it's becoming more of a challenge to build in St. Helens than Scappoose. It's taking a lot longer to get permits than it used to. Councilor Carlson agreed. She often hears that we are not business friendly. How are we helping builders? Walsh pointed out that the Building Official has been spending a lot of time on Code Enforcement. Sometimes there is a time gap of time when more information is needed for building permits. Mayor Scholl emphasized the need to become more business friendly. He suggested we look at restructuring.
- Administrative Fee on Motel/Hotel Tax and Possibly a Change in Direction
  - Public Works time alone takes up the majority of this revenue.
  - He recommends adding a 10% administration fee, which would be an additional \$10,000 - \$15,000. The fees have not increased since it was adopted in the 1980s.

- Construction Excise Tax
  - Council can consider a 1% excise tax.
- Sidewalks and Development
  - Graichen reviewed this with the Budget Committee at their meeting. They want to make sure Council knows they are moving forward with it.

### **Review 2017 Council Mission & Goals**

City Administrator Walsh reviewed the draft mission and goals. A copy is included in the archive meeting packet. There were no concerns from Council.

### **Department Reports**

**Police Chief Moss** reported...

- The new code enforcement officer begins on April 3.
- The new police officer is hoping to be on board in mid-April.
- The Nalaxone program is now in effect. In the event of a drug overdose, officers can administer it.

**Public Works Engineering Director Nelson** reported...

- Nothing to report.

**Public Works Operations Director Sheppard** reported...

- *Left the meeting earlier.*

**Library Director Jeffries** reported...

- An Oregon Humanities Conversation Project focused on disabilities awareness will be held on Thursday at 7 p.m.
- Tonight's agenda includes a list of surplus items.
- The Library's Strategic Plan was distributed to stakeholders who participated in the Library retreat and focus group.

**Finance Director Brown** reported...

- Reviewed Council meeting minutes since 2013 to find more information about the utility billing assistance program. There was discussion about the program but no money has been set aside. He would like to begin discussing the program again and how much should be sent to Community Action Team (CAT). Different option he proposes:
  - 1-2% of utility billing revenue, which is about \$3,000 – 6,000.
  - 1-5% of late fee revenue, that would be about \$5,000 at a 5% rate.

Councilor Carlson suggested Brown check with Columbia River PUD and NW Natural Gas to see how their programs work. Brown will do more research and report back to Council.

**City Recorder Payne** reported...

- An appointment to the Columbia Learning Center needs to be made. No volunteers.
- An appointment to the Executive Risk Management Team also needs to be made. Councilor Locke volunteered.
- Requested to close City Hall on March 22 for a clean-up day. Council concurred.
- Tonight's agenda includes:
  - Personal Services Agreement for the Nuisance Abatement clean-up.
  - Surplus of IT equipment that will be disposed of after the City Hall clean-up day.

**City Administrator Walsh** reported...

- Postponed until tonight's meeting.

**Council Reports**

Reports were postponed until tonight's meeting.

**Executive Session**

**ORS 192.660(2)(e) Real Property Transactions**

**Motion:** At 3:55 p.m., upon Morten's motion and Carlson's second, the Council unanimously voted to move into executive session under ORS 192.660(2)(e) Real Property Transactions.

**Motion:** At 5:38 p.m., upon completion of the executive session, Morten moved to go back into work session, seconded by Carlson, and unanimously approved.

**Other Business**

None




There being no further business, the meeting was adjourned at 5:39 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

  
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Kathy Payne, City Recorder

  
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Rick Scholl, Mayor