



# COUNCIL REGULAR SESSION

Wednesday, December 07, 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

### OTHERS

Brady Preheim  
Steve Toschi  
Deb Parsons  
Ben Tiscareno

### CALL REGULAR SESSION TO ORDER – 7:00 p.m.

### PLEDGE OF ALLEGIANCE

### Moment of Silence in Honor of National Pearl Harbor Remembrance Day

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

- ◆ Brady Preheim. Commended the Council on their appointment of Ginny Carlson to the Planning Commission. She is a great addition. Brady referenced an email sent to the Mayor, Council members, City Administrator Walsh, and City Recorder Payne last week with concerns about Charles Castner's appointment. Brady was walking down the street and Charles and his wife filed a false police report against him. He was arrested and has since filed a lawsuit against them. If it wasn't for a video of the incident, he would be facing serious consequences. It is unacceptable to allow someone like that to serve on the Planning Commission. They admitted that they lied. Integrity is important. They targeted him because they don't like him and his support for Spirit of Halloweentown. They did something similar to Event Coordinator Tina Curry. Council should go back to the Planning Commission and ask them to recommend someone else.
- ◆ Steve Toschi, citizen of St. Helens and Planning Commission member. He is not part of the selection committee but does give his endorsement for Ginny Carlson and Charles Castner to serve on the Planning Commission. The Planning Commission is trying to become more proactive. Charles is a licensed attorney and would be a great addition. Steve doesn't know Ginny as well, but knows she is outspoken, an advocate, and has the best interest of the community. He understands that there are some issues, which are being addressed outside of their purview. However, both appointees are very qualified.

**AWARD BID/CONTRACT**

1. Emmert Motors for New Public Works Department Vehicle (2022 Chevy Silverado 1500 LT 4WD) in the amount of \$44,845.00

**Motion:** Motion made by Councilor Birkle and seconded by Council President Morten to approve '1' above.

Discussion.

Councilor Topaz asked if Public Works Director Zaher reviewed the request. City Administrator Walsh said yes. There were two vehicles in the budget this year. However, out of an abundance caution, they are proceeding cautiously with the purchase of only one.

**Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**APPOINTMENTS TO CITY BOARDS AND COMMISSIONS**

2. Appoint Ginny Carlson and Charles Castner to the Planning Commission

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to appoint Ginny Carlson to the Planning Commission. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**Motion:** Motion made by Councilor Birkle and seconded by Councilor Chilton to appoint Charles Castner to the Planning Commission.

Discussion.

Councilor Birkle recalls that it was a unanimous recommendation by Planning Commission. He is sorry to hear an incident occurred.

Council President Morten talked about the incident with Brady. It was a stain on the citizens who falsely accused another citizen. He cannot cast a vote for someone with a temper like that.

Councilor Chilton does not have enough evidence to veto the recommendation. It would be different if it happened on the Planning Commission.

Mayor Scholl does not agree with someone being falsely accused. It was clear on the video what happened. It was not a physical assault by Brady. The police were called, and Brady went to jail. He is feeling torn. Charles has been involved in the City for a long time. It's a completely different wheelhouse. He appreciates Brady speaking his concerns tonight.

**Vote:** Yea: Councilor Topaz, Councilor Chilton, Councilor Birkle; Nay: Council President Morten, Mayor Scholl

Council President Morten pointed out that this is the first time he has voted against a Planning Commission member recommendation.

**CONSENT AGENDA FOR ACCEPTANCE**

3. Planning Commission Minutes dated October 11, 2022
4. Library Board Minutes dated October 10, 2022

**Motion:** Motion made by Councilor Birkle and seconded by Council President Morten to approve '3' and '4' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**CONSENT AGENDA FOR APPROVAL**

## 5. Accounts Payable Bill Lists

**Motion:** Motion made by Councilor Chilton and seconded by Council President Morten to approve '5' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**WORK SESSION ACTION ITEMS****AFL Recommendation**

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to deny the Animal Facility License at 60002 Ridgeway Loop. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

**COUNCIL MEMBER REPORTS**

Council President Morten reported...

- Encouraged everyone to visit Dalton Lake Nature Preserve improvements. They can view the new upgrades for salmon smolt holding ponds. It's reported that more than 90% of the smolts originate between Sauvie Island and Cathlamet. It was paid for with a Bonneville grant. There is also a nice bridge and walking path.

Councilor Topaz reported...

- The Library Board is updating their Strategic Plan.
- He received a complaint from a citizen who almost hit someone on Gable Road. Contractors for the apartment complex park in the Walmart lot and cross the street to the construction site. That area lacks lighting.
- Contract issues:
  - Maul Foster presented a Waterfront Plan at the Meriweather Center years ago. They said there would be no comments from the audience, but people did anyway. The topic of the waste collection in the lagoon came up. The facilitator said there was no liquification. That was out of place at a Waterfront presentation. Maul Foster presented the Framework Plan, and again said no comments, but people still commented. The geo investigation of the lagoon reported that you cannot build on it because something is happening underground.
  - In February 2018, Matt Brown made a presentation to the community about the marijuana grow facility being located on the Mill property. There were 10 months of no payment or down payment. They were told the City was not liable even though we were the renter. Halfway through the year there was a lawsuit when the lease was changed to a purchase contract. In January 2019, there was a report that the grow facility's first crop had just come in. Council was given opportunities to review the contract. By resolution, Council directed Mayor Scholl and City Administrator Walsh to oversee the analysis and sale of the property. The resolution is still active. Can Walsh and Mayor Scholl still sell anything on the mill property or only the marijuana grow business?
  - There is a contract with Mark Comfort to salvage parts of the mill. There has been no report of what has been taken and what the City has been paid. In 2019, he toured the mill with Government Affairs Specialist Barry. He was informed by the mill director that Mark Comfort is ripping things out and leaving a mess. He informed Walsh as well about his concerns with OSHA violations. After that, there was an incident of Mark Comfort removing wire, which led to a lawsuit. That left a stain on the City.
  - He asked Matt Brown about the cost of the reservoir repair. He refused to answer the questions and sent him to Sue Nelson. At the next meeting, Brown submitted a four-page commentary on why Topaz is wrong. It was also submitted to the Ethics Commission. The

- reservoir has had a lot of problems. They hired a contracted inspector, who should have been held accountable.
- There have been other Engineering problems, such as Godfrey Park, when they ran into obstacles at the end with the pipe.
  - Covid canceled the Luminight tourism event. There were some discrepancies with the cost of transportation and unloading. They paid \$72,000 and were unable to recover that.
  - The ferry was supposed to be here in July. He doesn't know how that is going.
  - These contracts did not go well. The one person in charge of all these departments was Walsh. They have lost a lot of money from departments not doing their job. He recommends the incoming Council ask for Walsh's resignation.
- Told Mayor Scholl that he is the face of St. Helens and gentlemen don't wear hats in the house. He is not civilized.

Councilor Chilton reported...

- They are waiting to hire the new police officer. The academy is in June 2023. Walsh clarified that the new officer has been hired and will be doing in-house training prior to attending the academy. Councilor Topaz added that the academy is trying to hire more instructors.
- She changed careers and is now the Director of Sales for Avamere. She is happy to remain in the community and excited about the change.
- Londyn is now four months!
- Excited for the holiday.

Councilor Birkle reported...

- Third-grade classes are participating in the Salmon Eggs to Fry program. They received about 200 coho eggs and will be releasing those at Pixie Park. Hopefully, some will make their way to the new estuary.
- Participating in a citizen science project with OSU Food Science and Environment for passive air sampling in St. Helens. He wears a wristband for four weeks and puts in a home passive air monitor in the backyard.

### **MAYOR SCHOLL REPORTS**

- Will be releasing the 2022-23 "If I Were Mayor..." Student Contest soon.
- Public Works is active with the Waterfront property project.
- Saturday is Christmas Ships and Santa Claus.
- Expressed appreciation of Walsh for all he does.
- If the worst thing he's done is offend people by wearing a hat, he's okay. He works for all citizens.
- They can make the December 21 meeting short.
- They are going to extend the Finance Director recruitment.
- Have a Merry Christmas and Happy New Year!

### **OTHER BUSINESS**

### **ADJOURN – 7:40 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