

City of St. Helens
Consent Agenda for Approval

CITY COUNCIL MINUTES

Presented for approval on this 1st day of September, 2021 are the following Council minutes:

2021

- Work Session, Executive Session, and Special Session, Regular Session Minutes dated August 4, 2021
- Work Session and Regular Session Minutes dated August 18, 2021

After Approval of Council Minutes:

- ☐ Scan as PDF Searchable
- ☐ Make one double-sided, hole-punched copy and send to Library Reference
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- ☐ Update file name & signature block on Word document & copy Word document into Council minutes folder in Shared Drive
- ☐ Upload & publish in MuniCode
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COUNCIL WORK SESSION

Wednesday, August 04, 2021

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
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Jacob Graichen, City Planner
Margaret Jeffries, Library Director

Jenny Dimsho, Associate Planner
Kolten Edwards, Police Officer
Bill Monahan, City Attorney
Tina Curry, Event Coordinator

OTHERS

Linda Zahl
Andrew Schlumpberger
Dave Dworschak

CALL WORK SESSION TO ORDER – 1:01 p.m.

CITY COUNCIL MANTRA – Read by Council President Morten

Mayor Scholl announced that there have been issues with Councilor Topaz coming into City Hall without checking in. He has already been warned once. First, Councilor Topaz went to the Deputy City Recorder demanding that Resolution No. 1872 be added to the agenda for discussion. She asked him if he has support from two other Councilors or the Mayor, and he responded, no but that it better be added to the agenda or there would be trouble. Topaz did not check in with City Administrator Walsh. Second, Mayor Scholl was notified by Brent Thompson from the Columbia County Sheriff's Office that Councilor Topaz was pulled over. Topaz handed the deputy his City Council card when he was approached. The City takes these issues very seriously and they need to take action at tonight's meeting.

Councilor Topaz clarified that he handed the deputy his card, and the City Council card was on the dash. Mayor Scholl pointed out that it is on video. The deputy reported it to his supervisor because he felt it was very inappropriate. That represents the Council as a whole. Topaz was warned and given a six-month probation. They are only three months into this, and he is threatening staff to get something on the agenda. There is a process for that.

This will be further discussed at tonight's meeting.

VISITOR COMMENTS - *Limited to five (5) minutes per speaker*

- ◆ Andrew Schlumpberger. He was here a couple months ago for his lot partition. The hybrid was approved. However, City Planner Graichen wrote down a full street improvement, which includes

a 24x30 turnout with the entire width of road in front. He is fine with that, if that is what the Council considered a hybrid option.

Council President Morten reported that he suggested Andrew come today for clarification about the hybrid option. Councilor Chilton asked if staff was clear about the hybrid option. Graichen responded that staff was clear. This was a controversial issue and there was a lot of time put into it. The draft final decision was reviewed by the applicant's legal counsel, reviewed by the Council in the final decision, and discussed in the minutes. He referred to the discussion about the hybrid option in the minutes. Mayor Scholl requested to review the video segment at tonight's meeting where the motion was made.

Andrew is just looking for clarification as they begin working with the Engineer. He does not want to extend the process.

DISCUSSION TOPICS - *The Council will take a break around 3:00 p.m.*

1. Closure of Marshall Street at Highway 30 - Jacob

Graichen reviewed his report. A copy is included in the archive packet for this meeting. The property owner is requesting the intersection of Marshall Street and Highway 30 be closed.

Dave Dworschak, owner of Don's Rental. He is representing three-fourths of the properties on Marshall Street. Don's Rental and Ace Hardware run fork-lifts across Marshall Street to access their storage units. People coming from Highway 30 onto Marshall Street driving at high speeds is creating a safety issue. He was fine with putting in a barricade that could be moved for fire access.

Council President Morten asked if Dave has considered a street vacation. Dave responded that he has not considered that. There is a parking lot that serves 2250, 2252, and 2254 Columbia Blvd., but is accessed by Marshall Street. He reviewed the history of the street and surrounding properties.

Councilor Topaz pointed out that some of those properties could sell and change use over the next 50 years. That needs to be considered when making a decision.

Council directed Graichen to work with ODOT to find out if the street can be closed.

2. Beekeeping Inside City Limits - Jacob

Graichen reviewed the request and model ordinance for beekeeping. A copy is included in the archive packet for this meeting. Beekeeping is prohibited in the Animal Control Code. When Linda Zahl was annexed into the city, she thought her bees would be grandfathered in. However, they were not, and a Code Enforcement complaint was made. Does Council want staff to create an ordinance to allow beekeeping?

Mayor Scholl talked about the location of the Zahl property and ensuring that the bees are not an immediate threat to a neighbor.

Councilor Topaz talked about green energy and green ground. He needs bees to keep going. Do they have to be eliminated? Graichen said it is not a prohibition of wild bees.

Linda Zahl approached the Council to talk about bees. The City Code addresses bees in general at this time. That could be interpreted to include mason bee houses, which are native bees, but would be illegal per Code. Honeybees are not native. They were brought here for agriculture purposes because most of the food Europeans are used to eating need to be pollinated by honeybees. Native plants can also be pollinated by honeybees. They pollenate the maple trees really well. The ordinance is specific to honeybees. The request is specific to backyard beekeeping. It is not thousands of bees in boxes. Africanized bees cannot survive this environment. Linda talked about the health advantages of bees.

Council President Morten suggested a committee be formed to make sure they address concerns. Graichen talked about the template Code provided by League of Oregon Cities (LOC). They would work with beekeepers.

Councilor Chilton would like to hear from Code Enforcement. She referred to a letter Council received suggesting a cap on the number of beehives. Linda pointed out that the letter was unsigned. She wants to work with people who are opposed due to fear. There is a resolution that says cities cannot prohibit backyard beekeeping, but they can create rules to govern it. Bees have a death rate of about 25%. Three hives are recommended.

Mayor Scholl directed Graichen and Linda to work together.

Councilor Topaz talked about commercial bees. Can there be an ordinance that fluctuates based on time of year? Graichen responded, conceivably. How many miles from a hive do bees travel? Linda responded that a forager could go between two to five miles.

Councilor Birkle pointed out that bees are paying attention to the plants and not bothering with people. Bees are welcome. Steps can be taken to be safe. Swarming is not a major issue. He would like to see staff proceed with working with Linda.

Council President Morten talked about mason bees. They have a purpose for agricultural. They do not sting. He suggested including that in the ordinance.

Mayor Scholl would like to allow Linda to continue. Councilor Chilton would like to hear from Code Enforcement first. Graichen said this will be more efficient to work on in-house. He will contact Code Enforcement and work with Linda.

Councilor Chilton asked how many bees are per hive. Linda said there are between 30,000-50,000 per hive. They only leave the hive during the last three weeks of their lives. She will help educate people on what plants to not to have to reduce bees in their yard.

3. Library Department Semi-Annual Report - *Library Director Margaret Jeffries*

Library Director Jeffries reviewed her PowerPoint Presentation. A copy is included in the archive packet for this meeting.

- Eight Library Board members
- Hours have been expanded
- Served as a cooling center
- Reviewed summer programs held outside
- Reviewed summer adult programs
- Ukulele Orchestra met on the porch
- New things for Library of Things
- Reviewed grants received
- Genealogy Conference – September 17-18, 2021
- Columbia County Reads 2021 – Hidden Figures
- Makerspace Open House – Saturday, October 9, 2021, 10 a.m. – noon

Council President Morten talked about a session he attended at the National League of Cities Conference. There was a mantra about healthy people in healthy cities, which resonated with him. A healthy city reaches out to all populations and the library does that.

Councilor Topaz talked about how much information Jeffries must read to stay up to date on changes. Jeffries is honored to do what they do at the library. She appreciates the Council's support.

4. Review Proposed Updates to Municipal Code Title 2 Administration & Personnel - Rachael/Matt

City Administrator Walsh reviewed the proposed changes. A copy is included in the archive packet for this meeting. It is updating everything to match current practices.

City Attorney Monahan reviewed St. Helens Municipal Code Section 2.32. There is not a Charter restriction for elected positions. The Council can choose to have electors select a position or have them on one list and the name(s) with the most votes is elected, which is the fairest.

Mayor Scholl said they talked about it at a previous meeting and Council was not interested in changing it.

Councilor Chilton asked if they have had a problem filling positions. Council President Morten said it has been a problem multiple times. Filers wait until the last minute to find out what positions are unopposed and then file for that seat.

Councilor Topaz asked if he is allowed to ask who is running. City Recorder Payne said it is public record.

Mayor Scholl pointed out that it would cause everyone to run a campaign if they all went onto the same list.

Councilor Topaz asked about write-ins. Monahan said if there were a significant number of write-ins the election's officer would tally that list. They Council has the authority to make its determination on local elections.

Mayor Scholl is in favor of voting for your top two candidates. That is how Scappoose does it.

Discussion ensued.

Brown clarified that this is not being approved tonight. It will be reviewed by legal counsel and then brought back at a later time.

Councilor Birkle wants to give people an opportunity to comment at a public forum. Mayor Scholl suggested that Communications Officer Crystal King share information on social media. Brown said this could be shared at a public informational meeting held prior to a regular meeting. Discussion of ways to share the proposed change with the public.

5. Review Community Grant Applications Received

Council reviewed the grant requests. A copy is included in the archive packet for this meeting. Community Support Funds is \$10,000 for the entire year.

Councilor Chilton asked if any of the requests can be covered with ARPA funds. Brown said yes, but they would have to take away from something else.

Discussion of processes other cities use to limit requests and funds. In the future, the application needs to include a dollar limit and nonprofit requirement. Council talked about selecting a certain number of applicants and donating \$500 to each of them.

City Recorder Payne talked about how community grants were given in the past. Brown added that many cities align the grants with their goals.

Discussion ensued about donating \$500 to the following nonprofit applicants:

- Amani Center
- Boy Scouts of America Unit 106
- Connect St. Helens
- Elks Veterans Bunker
- Kiwanis Club of St. Helens
- My Next Step

- South Columbia County Chamber of Commerce – Railway Station Centennial Celebration
- St. Helens Band Patrons
- St. Helens Saints Baseball

Council will vote on this at tonight's meeting.

3:11 p.m. Break

6. Strategic Action Plan Updates

Brown reported...

- Working on the scope for the St. Helens Industrial Park.

7. City Administrator Report

- The International City Managers Association (ICMA) Conference will be held in Portland this year.
- Riverwalk meeting tonight.
- Working with Columbia River PUD and County Commissioners to add electric vehicle stations in the downtown area.
- The E-Newsletter is going to change to bi-monthly publications. It has a new name, "The St. Helens Strand."
- Chief Greenway, Lieutenant Hogue, Brown, and he met with St. Helens Superintendent Stockwell about the Recreation Center and School Resource Officer expectations. COVID has added challenges to public safety. It's becoming harder to meet those needs.
- Working on strategies to improve tourism. Staff has been meeting weekly to talk about what they can do to meet the Council's expectations. They will bring information back to Council.
- Grocery Outlet grand opening is August 12 at 8 a.m. It would be nice to have Council in attendance.

ADJOURN – 3:27 p.m.

EXECUTIVE SESSION

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor

City of St. Helens

CITY COUNCIL

Executive Session Summary

August 4, 2021

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

Staff Present: John Walsh, City Administrator
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Bill Monahan, City Attorney
Peter Hicks, City Attorney

Others: None



At 3:30 p.m., Mayor Scholl opened the Executive Session pursuant to the ORS numbers listed below and then gave Council roll call. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media were specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. Any person in attendance, including the news media, who has a recording device is directed to turn it off.

- **Real Property Transactions, under ORS 192.660(2)(e)**
 - Update on potential sale of City-owned lots on 10th and 12th Streets.
- **Consult with Counsel/Potential Litigation, under ORS 192.660(2)(h)**
 - Update on potential litigation filed by City employee.

The Executive Session was adjourned at 4:10 p.m.



ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL SPECIAL SESSION

Wednesday, August 04, 2021

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	Jacob Graichen, City Planner
Matt Brown, Deputy City Administrator	Kolten Edwards, Police Officer
Kathy Payne, City Recorder	Tina Curry, Event Coordinator
Jenny Dimsho, Associate Planner/Community Development Project Manager	

OTHERS

Carmin Dunn	Jennifer Pugsley	Jane Garcia	Howard Blumenthal
Toni Doggett	Stephanie Patterson	Don Patterson	Keith Locke
Jeff King	Dana Lathrope	Judy Thompson	Shannon Simms
Jeramie Shane	Art Leskovich	Jaime Smith	Brady Preheim
Tammy Maygra	Rodrigo Martin	Jay Grayson	J. Jacobson
Alan King	Jim Coleman	Debbie Carpenter	Richard Mason
Colleen Ohler	Antonia Doggett	Robin Lillebo	Shauna
Dan	Danny Fuhrer		

CALL SPECIAL SESSION TO ORDER – 6:00 p.m.

DISCUSSION TOPICS

1. Riverwalk Project Design Alternatives Presentation - *Mayer/Reed*

City Administrator Walsh introduced Jeramie Shane and Shannon Simms from Mayer/Reed. The purpose of tonight's meeting is to review the Technical Advisory Committee's (TAC) work. They are seeking Council's confirmation on the preferred design alternative.

Jeramie credited the TAC with the work done as well as crediting their other partners.

Shannon reviewed the presentation. A copy is included in the archive packet for this meeting. The top priorities based on the public forum and 471 online survey responses were:

- Pathway
- Viewpoints with seating overlooks
- Paddlecraft launch
- Wildlife habitat improvements
- Shoreline access
- Gathering spaces
- Outdoor dining
- Playscapes

- Fishing

Main Theme: The City of St. Helens is shaped by the connectivity, sustenance, and awe-inspiring beauty of the Columbia River.

Councilor President Morten suggested a glass elevator at a parking garage up on Tualatin Street. It would create a long-term framework plan.

Councilor Topaz suggests the following:

- Additional parking near the gazebo
- Easy access to the kayak launch
- Separation of outdoor dining and trails/play areas
- Adequate parking for apartments and businesses
- Consider wind that comes from the north

Mayor Scholl loves the design. He wishes they had more money to do it now.

Councilor Topaz asked if someone will survey underwater to see what is there from the mill. Jeramie responded that they are surveying the areas they will work on. They will do what they can with budgetary constraints.

Councilor Chilton is very happy with the changes made. She loves the rocky beach area.

Councilor Birkle really likes how everything has been incorporated in the design. There is a need for private investment to make this work.

Associate Planner/Community Development Project Manager Dimsho said that another meeting is planned for additional public engagement. Tonight, was a Council focused presentation. There will be opportunities for more engagement in the future.

ADJOURN – 6:53 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, August 04, 2021

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	Jacob Graichen, City Planner
Matt Brown, Deputy City Administrator	Kolten Edwards, Police Officer
Kathy Payne, City Recorder	Tina Curry, Event Coordinator
Jenny Dimsho, Associate Planner/Community Development Project Manager	

OTHERS

Carmin Dunn	Jennifer Pugsley	Jane Garcia	Howard Blumenthal
Toni Doggett	Stephanie Patterson	Don Patterson	Keith Locke
Jeff King	Dana Lathrope	Judy Thompson	Shannon Simms
Jeramie Shane	Art Leskowich	Jaime Smith	Brady Preheim
Tammy Maygra	Rodrigo Martin	Jay Grayson	J. Jacobson
Alan King	Jim Coleman	Debbie Carpenter	Richard Mason
Colleen Ohler	Antonia Doggett	Robin Lillebo	Shauna Stroup-Harrison
Dan	Danny Fuhrer		

CALL REGULAR SESSION TO ORDER – 7:01 p.m.

PLEDGE OF ALLEGIANCE

VISITOR COMMENTS – *Limited to five (5) minutes per speaker*

- ◆ Colleen Ohler. She was embarrassed by the way some people acted during the last meeting. She has been a St. Helens resident for 17 years. During that time, her and her husband have been part of the "STP: The Same Ten People," who volunteer for events all around town. Tina Curry does so much for events all year. No one wants to take on 4th of July because it took a team of 10 people to raise the funds for one-day. They would not have been able to finish it without help to pull funds from the St. Helens Community Foundation. It took Tina only two months to do what it took 10-12 of them to do in six months. Get involved. Go to Tina if you have questions. She will have answers. She has heard people say, "If you don't like Tina, you'll never like Tina." That's ridiculous. She used to be at odds with Tina, until they realized they both wanted the same thing for St. Helens. Now they're a great team. Councilor Topaz mentioned that he has not had people parking outside of his business over the last year. First, there were complaints about parking and Tina found a solution with parking on the Waterfront Property. Second, COVID. Last year, was not a reflection of dwindling. There was a worldwide pandemic. It is best to have one entity run all the events. Instead of making things better, people fight.

- ◆ Stephanie Patterson. She is the community liaison for Halloweentown. She submitted a letter into the record and read part of her comments. A copy is included in the archive packet for this meeting. Councilor Topaz did not see cars pass his business because they opened the Waterfront Property for parking. She disagreed with Topaz's previous statement about street closures circumventing the Council. Stephanie has been completing that form and submitting it to the City since 2017. Topaz also said that Tourism "did not play well with SHEDCO." The City faced copyright and trademark infringement from SHEDCO. The brand of Spirit of Halloweentown is now known across the country and is a City asset. Councilor Birkle mentioned that he wants to see facts and figures from benefitting businesses. Stephanie said they do not have a right to ask businesses for that information. They have to rely on conversations and observations. Stephanie talked about Councilor Chilton's comment about problems with tourism. Residents have been showing up in support of tourism and how changing it will affect their businesses. As far as a prop inventory, no one even asked Tina about it. Stephanie has seen it. There is a lot of community involvement and opportunities for nonprofits to be involved in events.
- ◆ Howard Blumenthal. He is here to address the Riverfront plans. Parking is going to be one of the major issues in the area. He likes the idea of a parking structure but is concerned about safety with bringing traffic on top of the hill. Right now, with Halloweentown, five weekends of the year bring traffic through a residential neighborhood. He talked about the dangerous intersection at the corner of S. 4th Street and St. Helens Street. He would like to see the City enforce the 25 MPH. He suggested putting a radar sign there, like what is near the library. He would also like the City to look at the trees that are hanging over Tualatin Street. He has to drive down the middle to avoid hitting them with his antennae.
- ◆ Jamie Smith. She sent an email and will read it into the record. She was embarrassed by the July 21 Council meeting. People will not come here to invest if they continue behaving that way. She does not know why the City continues to spend taxpayers' dollars discussing E2C, Halloweentown, Tina, and tourism. She has proven herself as an asset. It appears to be a personal vendetta from Councilors Topaz, Chilton, and Birkle. She has volunteered the last three years of Halloweentown and supported 13 Nights weekly. It is not a dying event. Each event gets bigger and better each year. People come from all over to visit. Last year was unprecedented, but they still pulled off Halloweentown. She volunteered every weekend to help at the gates while her daughter worked at a booth for her 4H fund. She was disgusted by the behavior of some of the community members and Council. Someone threatened to drive their vehicle through the area. A lot of it was fueled by social media. Councilor Chilton spent more time on social media feeding the fire of anger, rather than coming down to assist, even when asked to. Feedback was shared with Tina, and she made changes when she could. Councilor Topaz came walking through almost daily with a mask on and very unfriendly and angry. She was yelled at by Councilor Birkle because the alley did not go all the way through. After she told him to reach out to the City, he told her it was Tina's business and not the City's problem. She was shocked to find out that two of them were running for a seat on Council. They should have been part of the solution, instead of part of the problem. She and the others are volunteers who give up their time to help the community to thrive. She directed visitors to businesses and restaurants. Does the Council have someone in mind to do what Tina has done? What do they plan to do if a new business is selected, and they fail? Tina has built a volunteer base that supports her 100%. Finding volunteers in the community does not come easy. They need to put this topic to rest. Community members are tired of the nonsense. They need to step down if they don't have the passion to grow the community.

- ◆ Shauna Stroup-Harrison. She is here to talk about the increase of crime in the community and car theft in her neighborhood. A woman was assaulted just a few doors down from her. It is very discouraging that the problems are not mentioned in these meetings. She has been watching the meetings and is very disappointed to see the discontent among so many of the Council. They have such a great opportunity here and they are throwing it in the trash. The number one employer is mental health. They are becoming a dumping ground for sick people. She worries about the kids in the community. She has concerns about the property being sold and the potential for flooding. The development of the Riverfront is going to happen. She doesn't have any issues with Halloweentown. She is very grateful for the St. Helens Police responding to concerns; however, she would like to see regular patrols increased. She hopes the Council can find common ground and work together.
- ◆ Debbie Carpenter. The City really needs to focus on what's happening via the river. A little City is about to form. They send out scout boats and camp on City property. She would like to see law enforcement removing them. They will trash the beautiful Waterfront, and no one will want to come.

Mayor Scholl thanked Debbie for bringing this to his attention. He encouraged everyone to watch and report suspicious activity.

- ◆ Richard Mason. He is the Dockmaster at Yachts Landing Marina. The St. Helens Marina has a lease with the City and they are a contractor with the City. Part of their contract is that they are supposed to be responsible for both the docks at Sand Island and monitor the City docks. If there are any problems, they are to notify the City. Toni's been doing that for over a year. She maintains a detailed log and routinely calls non-emergency and advises them when a boat has exceeded their limit. He doesn't understand why that documentation isn't enough for the City to enforce the laws that are on the books right now. Did the Council even know that the log exists?

Mayor Scholl responded that they are working on it. There are certain laws that have to be followed when it comes to boating. Discussion ensued.

- ◆ Toni Doggett. She pointed out that the City has a 72-hour ordinance, that needs to be enforced. It is only going to get worse. She showed them her logbook listing all the repeat offenders for the year. She has Brad Hendrickson's support in saying the Council has no credibility with them anymore. Council told them that the City would police Sand Island and come over if help was needed. Now, the Council is saying they don't have a boat, they might fall in the river, they can't go over there, and they can't arrest people. What are they supposed to do? It's not going to be family friendly. They have already had fights over there. Is it fair for an unpaid camp host to get in the middle of a fight in the middle of night to round up people and take them over to the docks to be arrested? No. Who is liable for this? There were nine 911 calls that night. Somebody is going to get badly hurt. This is not the fault of the Police Department. They are there for whenever they are called. This is about the Council promising something that could not be delivered. The Police Department needs to be expanded. What is going on is ridiculous.
- ◆ Don Patterson. He is here tonight to read a letter on behalf of the St. Helens Kiwanis Club. They expressed their appreciation for the City's support of their activities. Over the past five years, the City and E2C have employed Club members in various roles, allowing them to continue to support worthy causes within the city. The City and E2C are instrumental in continued fundraising. They appreciate the opportunity Tina has provided during Halloweentown. They look forward to a continued relationship.

- ◆ Carmin Dunn. The Mayer/Reed presentation earlier was great. She is excited to see it coming together. Having community involvement in Phase I planning is really important. She appreciates the connectivity to Nob Hill Park and the stairway. Parking is going to be really important. She has heard people bring issues to the Council about the water and Sand Island for years. If the Council wants the Waterfront to draw people, the problems need to be figured out.
- ◆ Emma Patterson. She is a vendor for Halloweentown. As a vendor, year after year she has seen a 25% growth in revenue. No one on the Council has ever asked her how it's going down there. If they had, she would have told them that it is great, even in the middle of a global pandemic. Councilor Chilton stated at a previous meeting that Council needs to look at the contract, revamp it, wipe a clean slate, seek a new RFP, and the best candidate will win. If it's not broken, why is the Council trying to fix it? There are many things that are broken in this community, and they are trying to address something that seems to be working. Councilor Chilton also stated that Halloweentown would not be around in a couple years. What does "wiping a clean slate" mean to someone with this mindset and has not met with the event coordinator to address those concerns? Councilor Chilton and Birkle are new, and this is their first Halloweentown. It is incredibly unprofessional and not representative of the City and community members to try to make changes when you have not sat back and observed it yet.
- ◆ Brady Preheim. He is glad Council did not read their mantra. This is an embarrassment and every one of them has violated it. First, in response to Councilor Topaz stating that he was exonerated by the Ethics Commission means nothing. The Ethics Commission only investigates issues of Executive Session violations, which one is still open, and if there is money involved. You could shoot someone, and it still wouldn't be a violation. Topaz also stated that Halloweentown has fewer visitors because cars are not coming by his house. The events now include parking, which he should know. After complaints were received, Tina helped create parking. Any issue you bring to her, she fixes. Topaz stated that Tina did not play well with SHEDCO. They should know that Amanda Normine, the SHEDCO Vice Chair, tried to extort \$20,000 from the City, violated trademarks, hired talent, and copyright infringement. He does not expect that anyone will "play well" when they're being blackmailed. If Topaz is running a business out of his home, does he have a Business License? Brady submitted a public records request for a list of tourism documents associated with Councilors Chilton, Birkle, and Topaz. Surprisingly, there were very few documents. At first, Councilor Chilton had a list that she didn't remember having. After reminding her that destroying a public document could result in a year in jail and a \$6,000 fine, she suddenly remembered she had it. Supposedly, it was a long list, but only included: "contract for tourism needs to be revamped: wrong events listed, more structure added to financial check system, prop inventory system, structure added to attract sales, running of the store, and public relations; I'm seeking a revamp of our tourism program, starting with a new RFP." All of those issues were addressed. Councilor Chilton mentioned that there was something on her list about police. Which one of those concerns came from the police? She also mentioned that there were concerns from citizens and staff. Nothing on the list seemed to come from them. Brady is also concerned about an email from Matt Brown to Councilors Chilton and Birkle, which basically said that the City wants to have a management committee of himself, City Administrator Walsh, City Recorder Payne, Government Affairs Specialist Barry, and Public Works Director Zaher to address current tourism issues. That sounds like management and supervision, which makes E2C an employee. He would like to know what BOLI would do with that email. If she's an employee, they will owe her overtime, backpay, and PERS.

- ◆ Jim Coleman. He is a life-long resident of St. Helens, and this is his first time at a City Council meeting, which has been very interesting. He has watched past meetings on YouTube and has been amazed at what goes on. He spoke to Council President Morten about what he witnessed. He later saw Morten bring it up during a meeting, which in that same meeting there was a huge flare-up with Mayor Scholl and other Council members and screaming and hollering. What is going on? He came here today to talk about derelict vessels and Sand Island. He showed pictures of the old Boise docks along Frogmore Slough and the new land. There is a sunken sailboat that was drug there from Sand Island docks. It is one of the most polluted sites in the Columbia River. When he was young, that was the main effluent of Boise Cascade. That water steamed and bubbled in the middle of the summer. Picture two shows a barge with a bunch of garbage on it and a derelict commercial fishing boat, which is probably full of fuel. He would guess he's not paying rent and does not have insurance. Picture three looks upriver and you can see a tugboat and barge. They appear to be freely living on the City's land. Jim owns a commercial fishing boat, which is in Chinook Harbor in Chinook, WA. For him to pull into that harbor, he has to carry \$1 million liability insurance. He assumes this guy has nothing. Picture four is a sailboat, which is just offshore from the Waterfront property. There is a canoe and another boat on the beach. He is attached to the City's pilings and is freeloading. He wants to see something done. If it sinks, it's a pollution hazard. Jim went on to talk about Sand Island and the fiasco that is happening. Picture five is taken at Sand Island of a sign that says, "Sand Island is owned and operated by the City of St. Helens Parks Department." Who knows what's going on over there? There was three-hour fight involving couples and alcohol. Who is liable for that? The injured person could come back and sue the City because they didn't respond when they were getting beat up. Where is the written safety plan for the Island? He is a former safety director for a construction company, and you had to have written safety plans.

Council President Morten appreciates Jim bringing this to the Council.

Mayor Scholl stated that he is going to call Sheriff Pixley. The City pays a quarter of the cost for the County Marine Patrol. The City does not have a boat and our officers are not trained to go on the water. The City barge will not transport prisoners. Once they're in custody, they become a liability. They just found out about this at the last meeting. St. Helens is the only 24-hour police service in Columbia County. Discussion ensued.

- ◆ Tammy Maygra. She is wondering if they have had a chance to review the qualifications for the Parks and Recreation Manager. It says five years of experience or a B.A., or equivalent. What does equivalent mean?

Mayor Scholl responded that it would be an Associates with three years of experience. Tammy said the person hired for that position has none of that. The other 28 applicants had either both or one of them. She was told by the Council last week that they did not read all the applicants for the position. This makes her believe that they are trying to get rid of Tina and they will pull the same crap that they did with the Parks & Recreation Manager. They are not going to read any application. Back in the 1960's, there was a big event in the Plaza. It was a Bullfrog Concert. All of the older folks thought there would be trouble because there would be naked hippies. That was the last big event this town had drawing in thousands of people until Tina came in and developed Halloweentown and other events, which brings money into the community. What is wrong with Council? She is being attacked because she wants to change things. Councilor Birkle talked in depth about his trip to the Wastewater Treatment Plant. If he's that articulate, why can't he hold a conversation with Tina.

Councilor Birkle responded that he is meeting with Tina next week.

Tammy went on to say that all of this could have been avoided if they would just talk with each other and treat people with dignity and respect. What they are trying to do is a big disservice to this town. She

never used to come here, but now her grandkids attend events. She hopes they get off their high horse and realize what they are doing is not for the betterment of the community. If they are going to stay on their high horse, take action, not like when they hired their Parks & Recreation Manager who had zero qualifications. They need to take into consideration someone who has been doing this for years and is successful. She asked about what Brown wrote.

Brown responded that it was a committee of employees, City Council Insurance, and other organizations that provided input on the job description. Tammy told him that they need to follow their own job description rules. That second line needs to be corrected or removed. It cannot be both ways.

- ◆ Les Low. He has worked with Jim Coleman for years and agreed with him. Les is here to talk about the city docks. There are 10 boats there now. About eight of them have been there for an extended period of time, which he calls squatter boats. On Sunday, his friends came to visit with their boat from the Longview Yacht Club. One of the individuals who has two sailboats down here yelled at them incoherently for 10 minutes. It was very uncomfortable. They asked him if it was like this all the time now and he told them that unfortunately it is. What is wrong with ticketing these people? He knows they will likely throw the ticket in the river, but they have to keep ticketing and citing them for trespassing.

Mayor Scholl said he will talk to Chief Greenway about that. He has seen this continue and agrees it is not okay.

- ◆ Carmin Dunn, Parks Commission Chair. She does not know what is happening with the comment about Parks. However, over the past six months they have seen a lot of positive changes in the leadership of the Parks Department. There are a lot of improvements. She suggests looking back at the last year of Parks & Trails Commission meetings. Referring to the job description qualifications, you typically apply for a job where you don't meet all the qualifications, but then you prove why you would be a good fit for the position. She has been hired for jobs that she doesn't meet all the qualifications and that's okay because she ends up being the best candidate. She supports the City Parks staff. They are doing a great job.

Council President Morten reported that Carmin is the one who spearheaded the Moda Assist Challenge to fund the new all-abilities playground.

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

1. Agreement with Scappoose Bay Watershed Council for Collaborating on Maintenance & Improvements of Natural Areas on City-Owned Property
2. Agreement with Amy Lindgren for Judicial Services
3. Contract Payments

Motion: Motion made by Councilor Topaz and seconded by Council President Morten to approve '1' through '3' above.

Discussion. Councilor President Morten questioned the contract payment for Emery & Sons. Is there an Engineering Inspector on the job site that questions overages? There needs to be some accountability on overage when it happens. He is voting no until it gets resolved. Staff needs to report to the liaison any time there is an overage. Mayor Scholl reported that part of this was an oversight and not budgeted but had to be done. It's not a contractor trying to gouge us. There is oversight. Council President Morten wants to talk to the Public Works Director and City Engineer before he makes a decision. Discussion ensued.

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

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '1' and '2' above. **Vote:** Yea: Councilor Birkle; Nay: Mayor Scholl, Council President Morten, Councilor Topaz, Councilor Chilton

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '1' through '3' above, except for the payment to Emery & Sons. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Topaz, Councilor Birkle, Councilor Chilton

CONSENT AGENDA FOR ACCEPTANCE

4. Contract with GeoDesign, Inc. dba: NV5 for Geotechnical Services for Soil Stabilization at Campbell Park

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

CONSENT AGENDA FOR APPROVAL

5. Amended Library Circulation Policy
6. American Rescue Plan Act (ARPA) Funds Allocation
7. Council Minutes dated July 14 and 21, 2021
8. Accounts Payable Bill Lists

Motion: Motion made by Councilor Chilton and seconded by Council President Morten to approve '5' through '8' above.

Discussion. Councilor Topaz stated that there are no executive session minutes included in the packet. It was determined that they were included.

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

WORK SESSION ACTION ITEMS

Councilor Topaz

Mayor Scholl reported that Councilor Topaz came in and requested that Resolution No. 1872 be added to the agenda. He did not get approval from Walsh to come in. He was asked if he received approval from two Councilors or the Mayor and he did not. He said if it didn't get added, there would be trouble. The Council censored him from staff, and he should have gone to Walsh. He had no right to come in and threaten the Deputy City Recorder. Councilor Topaz argued that it was illegal. And then, Councilor Topaz got pulled over by the Columbia County Sheriff's Office. When he was approached, he presented the deputy with his City Councilor card. The deputy felt that it was so wrong, that he notified his supervisor Brent Thompson, who called him. He is representing the Council. If you get pulled over, all you need is your drivers license and insurance card. Topaz is not following the rules. Resolution No. 1872 is for the sale of a portion of the Boise property to the marijuana facility. Topaz has been fighting that ever since. Mayor Scholl is denouncing the behavior and conduct of Councilor Topaz as a City Councilor. He does not represent this Council as a whole.

Councilor Topaz said according to some of the rules if the Council wants to discuss something it's illegal to have a serial Council meeting by talking to one person at a time. If he talks to two people, that's a quorum. They'll decide what to vote and there will be no public involvement. That is against the rules, according to the Ethics Commission. Resolution No. 1872 says the Council gives Walsh and the Mayor the right to discuss and sign for the sale of the marijuana facility. An elected body cannot elect to not do their duty. There's a question on whether or that resolution is even good. Recently, the City was sued by Boise because of problems with the marijuana sale. He received the documents from the courts listing the problems. The judge was asked to delete "this thing" and she refused. The judge did say that the sale was null and void due to procedural errors. He wants to clean up Resolution No. 1872. He was told if there was a problem, he needed to go see City Recorder Payne. She was not there, so he went and

found Deputy City Recorder Scholl. He told her that they're going to have problems. There is a big problem with a legal suit because of a procedure that Walsh and the Mayor were designated to handle. Topaz addressed getting pulled over. As he drove by the railroad tracks to make a right-hand turn by the Kubota place, he crossed the yellow center line. The deputy asked for his driver's license. He asked for his name, and he handed him his card. It was his personal card. He took his city card out of his wallet and put it on the dash. He spoke with a county sheriff and found out he was cited for the wrong thing.

Councilor Birkle said there are two distinct issues. He has no reason to doubt the report from the law enforcement officer. It is related to the other issues they addressed with Councilor Topaz, in terms of representing the City. His main concern is not conforming to the expectations for interactions with City staff. When they made their decision, they were doing that with the well-fair and well-being of City staff first and foremost. Topaz made a decision to approach City staff in a manner that would cause City staff to not feel safe in the performance of their job. He's not sure what additional sanctions, prohibitions, or safeguards could be put in place. He needs to follow what is in place. His actions with the Deputy City Recorder were contrary to... Councilor Topaz argued that she was not threatened. The statement was made that "there would be big problems." Councilor Birkle talked about testimony from a resident tonight about Halloweentown. It is not as important how he perceived how he interacted, as it is the perception of the individuals, especially if you're in a position of power over them. Council needs to consider their position over City employees. Councilor Birkle believes that she felt uncomfortable in the situation that Council tried to prevent.

Councilor Chilton spoke to Councilor Topaz. He knows that he needs to go to Walsh. Councilor Topaz argued that he is also able to go City Recorder Payne. Councilor Chilton said he doesn't get to go to Deputy City Recorder Scholl when Payne is not available. Councilor Topaz argued that she is her assistant and was under the impression he had access to that office. Councilor Chilton continued to tell him that he is aware of what he needs to do. He does not get to jump through hoops. As far as getting pulled over, it is not her place to question a sworn officer. If she was pulled over, she would not hand them her business card. Regardless of what card it was, it was inappropriate.

Council President Morten thinks that Councilor Topaz frightened Deputy Recorder Scholl. She was afraid and reacted to it by reporting it. Maybe there is a disconnect in terms of how he comes across to people. Council voted to censure him because of staff being frightened. They had hoped that this would not happen, but it continues. He is disappointed. Deputy City Recorder Scholl could sue the City. The other issue about getting pulled over, cannot be addressed. Law enforcement was appalled by what he had done, otherwise they would not have reported. It's the same thing as what happened with Deputy City Recorder Scholl. His behavior reflects on the Council. He is ashamed. They have to do something better.

Councilor Topaz asked if the Sheriff's Deputy told him the other thing Topaz pointed out he had done wrong. Mayor Scholl does not want to continue hearing these half-truths. Loud discussion continued.

Schlumpberger Property

City Planner Graichen reviewed the video with the motion. The motion in the minutes matched the video. He also spoke with the City attorney. His recollection was similar to Graichen's. The turnout is wider than the skinny street standard. The skinny street standard is 20 feet, and the turnout standard is 24 feet. There will be a transition. Reviewing the video and the outreach of the report to legal representatives on all sides, he believes they got it right. There will be fine-tuning in the final construction plans. Attorney Monahan noted that if the Council interprets this in a way that could be construed as benefiting the applicant, they could be opening it up for a challenge. Usually, the land use decision gives the broad parameters and then when you get to the construction plan, there is fine tuning.

Council President Morten sees the hybrid as "the best of both worlds." It is up to staff to make that determination.

Councilor Birkle talked about how Andrew Schlumpberger asked if the hybrid meant extending the entire length of the street. Andrew approached the Council to clarify. He was told that he has to do 20 feet wide from his property line all the way to the 90-degree corner, which is not a hybrid. Councilor Birkle understood hybrid that at the 90-degree turn that it was at the full width, but not along the entire length of street. Andrew Schlumpberger pointed out that it's written that he has to widen the entire 20 feet and then 24x30 at the turn. He will need to take down three to five more trees.

Graichen explained that they need to consider the context of both the Planning Commission and City Council meetings. There were three items:

- Turnout alone
- Widening the entire stretch of the property to 20 feet
- A combination of the two, except for the portion of the turnout, out to 24 feet, for a length of approximately 30 feet

Their legal representation was in favor of imposing it to be approved. The hybrid option was more hardcore. There were motions for the lessor, which failed. The Council approved the one that encompassed the entire property.

No further action.

Beekeeping

Graichen reviewed the discussion from the work session. Code Enforcement Officer Moreno wants to see a permit required if beekeeping is allowed.

Motion: Motion made by Mayor Scholl and seconded by Councilor Topaz to direct staff to work with Linda Zahl and a committee to create a beekeeping ordinance. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Topaz, Councilor Birkle, Councilor Chilton

Grant Awards

Motion: Motion made by Councilor Birkle and seconded by Council President Morten to approve the award of \$500 grants to the nine organizations identified in the work session. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Topaz, Councilor Birkle, Councilor Chilton

Riverwalk TAC Committee Recommendation

Motion: Motion made by Mayor Scholl and seconded by Councilor Chilton to move forward with the hybrid.

Discussion. Clarification of the hybrid. It gives the consultant permission to move forward with Phase I and thirty percent of Phase II.

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

MAYOR SCHOLL REPORTS

- Attended the Oregon Mayor's Association (OMA) Conference
 - Legislative updates
 - Toured North Bend and Coos Bay urban renewal areas
 - Mayor's powers, duties, and obligations during times of disfunction
 - Self-care
- Small cities meeting in Rainier.
- Good presentation by Mayer Reed.
- Very frustrated with the boater problems. Boats cannot just be removed. Councilor Topaz asked if they could establish a St. Helens Harbor District to create their own rules.
- Frustrated with the Sand Island situation. They promised it would be policed and later found out that they cannot police it. He can see why they are made. He will contact Sheriff Pixley tomorrow to see what can be done.

- Council needs to be better at working together.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- There was wonderful testimony from Parks & Trails Commission Chair Carmin Dunn tonight. She is leading them effectively and creatively. He talked about the Board members. They each have their own projects they oversee but work together collaboratively.

Councilor Topaz reported...

- Wants to look into setting up a St. Helens Harbor to establish and enforce our own rules.
- Investigating a ferry boat to cross the river.
 - Had conversations with the mayors of Ridgefield and Woodland and Port staff.
 - You cannot have a commercial boat in US waters unless it's a US built hull.
 - There is a high-speed ferry for carrying only people.
 - If you have a vehicle ferry, you automatically lose it to the government in case of a disaster.
 - Ridgefield and Woodland have an interest in having a ferry go there because it gives them an opportunity to encourage the Washington Department of Transportation to upgrade their interchanges.
 - If St. Helens has a ferry landing, does that give them an advantage to work on Highway 30?
 - Different operation business models to choose from.
 - Electric ferry is an option.
 - Need parking and a landing.
- The Library is doing fantastic things.

Councilor Chilton reported...

- Three captures assisted by the K-9 officer over the last two weeks.
- Chief Greenway met with the School District regarding the School Resource Officer (SRO). Police are short staffed, but they did agree with having police walkthroughs throughout the year.
- Met with Parks & Recreation Manager Shanna Duggan about Citizens Day. They have a good plan.
- She is excited for the ribbon-cutting ceremony on Saturday.
- She hears people's concerns about docks. That is a huge priority and will be addressed.

Councilor Birkle reported...

- He is going with Walsh to Rainier for the League of Oregon Cities (LOC) legislative session for small cities.
- Registered for the LOC Conference in October.
- Attended a Connect St. Helens gathering in McCormick Park yesterday.
- Had a great conversation with Duggan yesterday. He is very impressed with the work she's been doing. She has always proven that she's a hard worker and when she doesn't know something, she learns. It is clear that support is needed for programs.
- He had a very candid conversation with a city resident. He appreciates hearing the good and the bad. He will continue to focus on what he is doing and that it is appropriate.
- There was testimony tonight about an incident where the person said he yelled at her. He will reach out to her personally to offer an apology. He should have responded in a different way.

OTHER BUSINESS

ADJOURN – 9:31 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL WORK SESSION

Wednesday, August 18, 2021

DRAFT MINUTES

MEMBERS PRESENT

Mayor Rick Scholl
Council President Doug Morten (arrived at 1:18 p.m.)
Councilor Patrick Birkle
Councilor Stephen R. Topaz
Councilor Jessica Chilton

STAFF PRESENT

John Walsh, City Administrator
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Brian Greenway, Police Chief
Jose Castilleja, Police Sergeant

Evin Eustice, Police Sergeant
Shanna Duggan, Parks & Recreation Manager
Lisa Scholl, Deputy City Recorder
Tim Ramis, City Attorney

OTHERS

Paul Vogel
Susana Hensley
Hailey Iverson
Dana Lathrope
Claire Catt

CALL WORK SESSION TO ORDER – 1:01 p.m.

CITY COUNCIL MANTRA – Read by Councilor Topaz

VISITOR COMMENTS - *Limited to five (5) minutes per speaker*
No visitor comments.

DISCUSSION TOPICS - *The Council will take a break around 3:00 p.m.*

1. Employee Length of Service Recognition - **Sgt. Eustice (5 years)**

One employee has reached a milestone in their employment with the City of St. Helens.

5 Years

On August 2, 2016, the City Police Department hired Evin Eustice as a Patrol Officer. He was promoted to Sergeant on June 1, 2018, where he currently serves the citizens of our community.

Congratulations, Sgt. Eustice, and thank you for your service!

2. South Columbia County Chamber of Commerce Semi-Annual Report

South Columbia County Chamber of Commerce Board Vice President Susana Hensley and Board Members Hailey Iverson and Dana Lathrope were in attendance to review their report. Copies were distributed to Council and are available in the archive packet for this meeting.

- Focusing on core values.
- Hiring a part-time Member Relationship Manager and a Grant Writer.
- Began meeting in-person.

- Coffee & Commerce meetings.
- Happy Hour meetings for networking.
- Planning the next Awards Banquet for 2022.
- 100-Year Building Celebration on September 18.
- Holding quarterly gift shops.
- Small Business Appreciation Week Celebration, September 14 & 15.
- Partnership opportunity – Columbia County Visitor Center
 - Requesting funding assistance for full-time Visitor Center Office Coordinator
 - Extending the proposal to City of Scappoose and Columbia County Economic Team (CCET)
 - Extends business hours
 - Provides tourism assistance
 - Promotes businesses in the city

1:18 p.m. Council President Morten arrived.

The Visitor Center is currently by appointment only. The Chamber covers it as much they can, but they are primarily operated by volunteers. Visitors associate it with a city service. If it's not funded, they will have to remove the Visitor Center sign to avoid further confusion.

Councilor Chilton asked about the Chamber's partnership with Mainstreet. Susana responded that Mainstreet is a member of the Chamber. Some of the Mainstreet members are Chamber ambassadors and help with events.

Council President Morten asked about their partnership with CCET. Dana explained that it's very similar to Mainstreet. They are a member of the Chamber. The Chamber works with CCET on events and assists with marketing. They all have the same goal to support the community and boost the economic vitality of South Columbia County. Council President Morten asked if they attend each other's Board meetings. Dana said no.

Mayor Scholl said that a lot of money was donated to help with the building upgrades three years ago. The following year the City provided funding to CCET and this year they are supporting Mainstreet. They have to spread the funding sources.

Councilor Birkle asked what challenges restrict increasing membership. Susana explained that the main challenge has been the pandemic. It's a new Board that started right at the beginning of the pandemic. The Chamber has grown with a lot of volunteer work. It also suffered with not having an Executive Director. They are trying to make the Chamber self-sustainable. It's important to have an active Board and Committees.

Mayor Scholl talked about the City's financial support of the 100-year celebration. Having a grant writer is crucial. Discussion of partnerships to help with funding. Columbia County should also be contacted for financial support.

3. Columbia County Economic Team Semi-Annual Report - *Paul Vogel, Executive Director*

Paul Vogel reviewed his report. A copy is included in the archive packet for this meeting.

- Rebranded
- New website www.columbiaeconomicteam.com
- Weekly newsletter
- Coordinating with local agencies and partners
- Reviewed projects
- Brought in \$93,000 in grants for tourism
- Reviewed tourism projects
- Reviewed Small Business Center

- Small Business Celebration Week, September 13-17
- Keep it Local update
 - New director is Sierra Trass

Council President Morten requested that future reports include a list of goals and their status, as well as a financial report for accountability and objectivity.

Councilor Topaz talked about the connectivity over the river and railroad being a problem, which is a block to major industry. He has spoken with people across the river about a ferry boat. He asked about advertising in journals. Oregon always seems to be absent from promotions. Paul said they are planning more targeted marketing but have to be very particular with limited funding.

Councilor Chilton requested the report be narrowed down to St. Helens and what benefits businesses in the city are provided.

Mayor Scholl would like to see a SWOT analysis done again with local agencies. Paul agreed and said they are looking at doing another session.

4. Public Safety Facility Utility Fee Discussion - *Matt*

Deputy City Administrator Brown reviewed his report. A copy is included in the archive packet for this meeting. Brown is requesting Council finalize a monthly utility fee amount tonight. The fee would take effect in January 2022.

- Reviewed timeline
- Reviewed results from community outreach
- Reviewed funding sources
- Reviewed legislature changes that will affect revenue
- Reviewed repayment plan

Discussion of a utility fee amount. Councilor Topaz talked about having language to never exceed \$8 in utility fees. Council President Morten is in favor a \$2 utility fee. He envisions the city growing and can reassess in 2033. Mayor Scholl is in favor of a \$3 utility fee. They will likely have a shortfall if it's any lower than that. Councilor Topaz asked them to consider the number of citizens struggling financially when setting the fee. Councilor Chilton asked what the status is of contributing to Community Action Team (CAT) to help with utility bill assistance. Brown responded that the City has contributed \$15,000 from late fees. He has been in contact with CAT, and they have not used all of those funds. They can give them more as users have a need. Councilor Birkle is in favor of a \$3 utility fee, with the ability to reduce the amount as growth occurs.

Council will vote on this at tonight's meeting.

5. Citizens Day Debrief - *Shanna/Lisa*

Parks & Recreation Manager Shanna Duggan and Deputy City Recorder Lisa Scholl gave a debrief from Citizens Day in the Park.

- It was a great event with a lot of community participation.
- Thankful for all of the sponsors.
- Served about 450 meals.
- This was the first year it was open for vendors/booths. They had 17 participate.
- Highway 30 Cruisers organized the car show.
- Public Works and Parks & Recreation were a huge help with setup, assistance, and cleanup.
- Proposed June 25, 2022, for next year's event. Council concurred.
- Proposed City departments display booths to provide information and meet staff.
- Display McCormick Park history at the event.

3:24 p.m. – Break

6. Strategic Action Plan Updates

Brown updated the Council on the main five Goals.

Goal Area One: Effective and Efficient Organization

- There were nine items to complete.
- They are on track to do all but one, which is the media training for Council and Commission. They would prefer that to be done in-person. It will be moved to the next Strategic Plan.

Goal Area Two: Community and Civic Engagement

- There were three items to complete.
- They completed all, except for the Strategic Communications Plan. That was put on hold due to COVID and Communications Officer King working remotely. It will be moved to the next Strategic Plan.

Goal Area Three: Livable and Safe community

- Most have been completed.
- Godfrey Park improvements are on hold until the Master Plan is updated. They will involve the community to find out what they would like to see.

Goal Area Four: Economic Development

- Most have been completed.
- The property on N. 10th & 11th Street bluff will be moved to the next Strategic Plan.
- Central Waterfront Development Plan
 - Moving forward on construction plans for the Industrial Business Park
 - Already have plans in place for the Waterfront Property
 - It will remain on the Strategic Plan as funding is still needed. Walsh added that they are continuing to seek funding.

Goal Area Five: Long-Term Planning

- A lot of master plans are being started or close to being complete
- Public safety plan is moving forward

7. City Administrator Report

- Staff is investigating ways to increase enforcement of City docks. Discussion ensued.
 - Kiosk
 - State Marine Board suggested adding a rule that all boats at the docks be licensed and registered. If they are not, they can be trespassed.
 - State Marine Board allows fees to be charged to stay at the docks.
 - The insurance company does not want our officers on the docks unless they have training.
- Discussing partnerships and training for enforcement of Sand Island.
- The Sandcastle event was remarkable this weekend. The builders love our sand.
- Hit Machine is playing at 13 Nights on the River on Thursday. Curtis Salgado is next Thursday.
- Working on changes with the tourism contract. There will be a report at the next meeting.
- Working with PGE for electrical access at the St. Helens Industrial Business Park.
- Mainstreet is working on bylaws and the coordinator job description.
- House Bill 2560 requires virtual public meeting options beginning in January 2022. Council can choose to switch to that sooner.
- Street and utilities project and Riverwalk project are moving forward. Discussion ensued about the Riverfront property.

ADJOURN – 4:07 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor



COUNCIL REGULAR SESSION

Wednesday, August 18, 2021

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
Matt Brown, Deputy City Administrator
Kathy Payne, City Recorder
Tina Curry, Event Coordinator

OTHERS

Jane Garcia
Brady Preheim
Stephanie Patterson
Steve Toschi

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

PLEDGE OF ALLEGIANCE

CITY COUNCIL MANTRA – Read by Councilor Birkle

VISITOR COMMENTS – *Limited to five (5) minutes per speaker*

- ◆ Brady Preheim. The mantra is a joke because the Council violates it every week. Although, it's good to have aspirations. This Council is not normal. There are so many things they are doing wrong. It's not normal to have an hour of public comment each week with people mad at the Council. It is not acceptable for a councilor to walk out of a meeting. It is not normal for a mayor to threaten to remove a councilor. It is not normal for the mayor to attack a councilor for asking about a \$27,000 overage in a department that he supervises and knows nothing about. Hopefully, they will find out what happened to that money during tonight's report. It is not normal to have two councilors openly lie in a public meeting, on the record, and have no consequences. It is not normal for people to complain about tourism and not mention the good things that have happened, like the Sandcastle contest. He only saw the mayor there. Mayor Scholl added that Council President Morten was there as well. Brady was Chair at the Chamber when they had the tourism contract for the City. He was responsible for hiring, directing, and setting the goals for the Tourism Director and how the contract with the City was spent. He failed miserably, just like people before him. He had plans to change it but was outvoted and the contract was returned to the City. After a few sinking boats and a couple of mishaps, they finally got E2C. Since then, tourism has brought thousands of people here and continues to grow. Councilor Chilton said at the April meeting that Halloweentown will be gone in two years. It has grown every year, except

during COVID. It will continue to grow every year. What do those comments mean for potential development of the riverfront and hotel builders? Expect our town to die in two years? There is nothing in the community that brings people here like Halloweentown. They have always had softball, but it doesn't bring people here like Halloweentown. Those people have not saved the St. Helens businesses. He suggested she do some research before making a statement that will have a vast negative impact on downtown businesses. He is concerned about citizens who have Chilton as a caseworker since she is willing to lie. Councilor Topaz has also lied on public record. There should be consequences. Council should take action for the statement made that she has a list and then doesn't have a list. Topaz should have a business license. Brady will not purchase one next year if a councilor claims he has a business but doesn't have a license. They need to police themselves, not lie, and get a business license.

Mayor Scholl agreed that the Council can do better. They are committed to turning it around.

RESOLUTIONS

- 1. Resolution No. 1932:** A Resolution Determining that a Nuisance Exists Upon Property Located at 565 S. 9th Street within the City of St. Helens and Directing that Notice to Abate the Nuisance be Posted on Said Premises

Mayor Scholl read Resolution No. 1932 by title. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Resolution No. 1932. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

2. Amendment No. 2 to IGA with Columbia City for Water Filtration Discharge
3. Second Amendment to License/Permit to Enter Premises with Port of Portland for Tide Gauge Station at City Docks
4. Contract Payments

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '2' through '4' above.

Discussion.

Councilor Topaz pointed out the properties on the map that look like the County's. Is it referring to the City docks or maritime docks? Mayor Scholl confirmed that the docks are owned by the City. Councilor Topaz asked about the line drawn through County buildings and parking lot. Does the City have the right to speak for County property? The map needs to be corrected.

Council President Morten suggested the City Planner review the map if there is a problem.

Councilor Topaz said the location of the tide gauge on the map is the lighthouse.

Discussion ensued about the map. Council President Morten chose to keep his motion and the City Planner can come to the next meeting if the map needs to be fixed.

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

CONSENT AGENDA FOR ACCEPTANCE

5. Parks & Trails Commission Minutes dated July 12, 2021
6. Library Board Minutes dated July 12, 2021
7. Planning Commission Minutes dated July 13, 2021

Motion: Motion made by Councilor Topaz and seconded by Councilor Chilton to approve '5' through '7' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

8. Animal Facility Licenses
9. Accounts Payable Bill Lists

Motion: Motion made by Councilor Chilton and seconded by Council President Morten to approve '8' and '9' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

Chamber Request for Funds Discussion

Mayor Scholl reported that the City made a significant donation to the Chamber about three years ago for building upgrades. He has not seen other cities or the County stepping up. Councilor Topaz added that a lot of volunteers and staff also helped with the work.

Mayor Scholl reminded them that the Chamber is requesting the City pay for a full-time Visitor Center Office Coordinator and property taxes. Discussion ensued about the City supporting other programs this year. The County needs to provide financial support as well as the Chamber pursuing a grant writer.

Discussion of the visitor center sign being removed if the City does not fund the position. Council President Morten suggested local service groups possibly being able to volunteer, such as Kiwanis, Lions, and Rotary. The Chamber needs volunteers to help.

Mayor Scholl talked about the Chamber Centennial Celebration on Saturday, September 18, 1 – 7 p.m. The theme is Roaring 20's.

Mayor Scholl requested staff write a letter that Council regrets being unable to help but they hope they utilize the funds donated three years ago and ask the County and City of Scappoose for financial assistance.

Contract Payment for Emery & Sons

Deputy City Administrator Brown reported that there was a contract payment request at that previous meeting, which was not approved, for Emery & Sons Construction Group for \$27,774.45.

Council President Morten spoke with Public Works Director Zaher about it. This was done during an overlap of him beginning at the City. There was confusion about what was done and what was paid. Morten spoke with City Engineer Nelson, who explained that there is a 5% overage fee for all contracts in case it does go over. This was not an overage, but just a payment due. He is okay with it after speaking with Zaher and Nelson. City Administrator Walsh explained that the City retains that 5% until the work is complete and this is a release of that retainage.

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to pay the contract, which has been studied and found acceptable.

Discussion. The name of the contractor was not mentioned.

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

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to pay Emery & Sons Construction Group as described by staff. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Public Safety Facility Fund

Mayor Scholl reported that Council discussed this at length during the work session. The most fiscally responsible fee would be \$3 per month. When it was originally campaigned, they proposed the fee to be between \$6-11. They found all the funding sources possible to reduce the fee.

Councilor Topaz wants it to be clear that they can increase the amount if needed.

Council was in consensus to set the fee at \$3 and direct staff to bring back a resolution.

MAYOR SCHOLL REPORTS

- Camped at Sand Island Wednesday night through Saturday night. The Sandcastles were unbelievable. He encouraged everyone to ride the ferry over to the Island. He met people from Arizona who were visiting Washington and Oregon and heard about it, so came to see it.
- Citizens Day in the Park was a blast. It had a good flow, good atmosphere, and good music. The Decades will come back and perform again next year for free. Thanked Moda and all the vendors for being there. He really enjoyed it.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- There has been a lot of public testimony about tourism and an RFP. No one who provided testimony was in favor of making changes. As President of the Council, he has to respond to it. He has also been asked about it on the street numerous times. He responds by saying it was a Council decision. He did not support it for so many reasons. He sees the potential of what tourism can do for the city. He hasn't seen that many glitches in tourism events. If they were had, they were rectified the following year. The tourism director follows through, is very committed, and upfront. He hears the word "recall" being used and it brings shivers up his back. He was a victim of a recall process during his first term, due to being outspoken during a Charter review process. It didn't go anywhere but it didn't feel good. It really shook things up. Going out for a tourism RFP is challenging the staff. They already have a lot of work to do. The Council has to have some time to be involved and figure out what they want. He respects the process. He would like to rescind the motion and have a discussion or amend the motion with an extension for a timely period, such as a year. It was too much of a bomb to digest at that time.

Motion: Motion made by Councilor Birkle to rescind the direction given in July to City staff to develop an RFP for tourism.

Motion died due to lack of second.

Council President Morten clarified that he is requesting Council's feedback.

Councilor Birkle recently met with Tina Curry and reviewed the April tourism meeting minutes. Council did give direction to review the contract. They had asked Walsh to return in May with something, but that didn't happen. There were a lot of other things going on that needed their attention. It was never his intent to end her contract and start fresh. He wanted a dialogue, but it never happened. He is perfectly content to go back to where they were in April to revise the contract based on changes with how things are being done now or need to be done.

Councilor Topaz said he mentioned Curry's contract in 2019 and was told it was automatically renewed but they could review it in July. That never happened. He requested an RFP be done in December and there was no backing. He has been contacted by a number of people in the community who would like to see other people be approached or have a chance at the position. To say they are too busy and couldn't do it, is not businesslike. They cannot keep making excuses. Could there be someone better than Curry? Yes. Could Curry be better than anyone else? Yes. They need to have the test. They are not

following what the Council had agreed to do. They also need a better description of the job, which requires an RFP. Councilor Birkle responded that the contract can be revised without doing an RFP.

Council President Morten requested Walsh talk about alternatives and directions they can go. Walsh explained that the Council wants to see deliverables, an audit, reports, events, and aligning the events budget with the fiscal year. Those are all possible and is what staff is working on. They are keeping the separation as a contractor and not an employee of the City. The risk in opening up an RFP or RFQ is that last time it cost them more money.

Councilor Topaz pointed out that an RFP lists the criteria that must be met.

Councilor Chilton asked why they would add job qualifications and duties to someone who is already in the position and expect them to do it. They should revamp the job, put the job back out there, and tell the person that is what is expected.

Mayor Scholl explained the history of the process. When he came on board, he found out they had been through five different people in 10 years. Some events have been successful and some not. It's helpful to ask people in the community about events that struggled or did not succeed in the past. One of the proposals, who doesn't live in the area, said they were going to run all of the events with volunteers. That does not work.

Councilor Chilton is not changing her thoughts. She will not be pushed around and strong-armed.

Council President Morten asked Walsh to bring back staff recommendations for how to proceed with the contract. Walsh responded that a staff workgroup is working to align the contractor's needs with the Council's needs. It's important to understand what events will take place and how they will support the contractor.

Discussion of the Luminight Festival. Money was spent on it, but they weren't able to hold the event due to Covid.

Motion: Motion made by Council President Morten to rescind the existing motion about getting an RFP on tourism and allow the City Administrator to come back with scenarios they can work through, so they all have a better understanding of what tourism is and how to best understand it as a Council.

Discussion.

Motion restated: Motion made by Council President Morten and seconded by Councilor Birkle to rescind the motion made in July to go out for a tourism RFP.

Discussion.

Councilor Birkle stated that he is making his decision based on the original direction Council decided on at the April meeting to revise the contract.

Mayor Scholl explained that there are many moving parts to tourism. E2C does a wonderful job. There is a small minority of people who are easily offended and have a bone to pick because they are offended. He does not answer to any group or individual. They heard positive comments from businesses. There are a certain few that are constantly negative. This is a city of 14,000 people who they have to deliver services to. Some people are just selfish and self-centered enough to get what they want. They have all seen those people out there and they are heard. Councilor Topaz said that it cuts both ways. Mayor Scholl agreed. He is not here to manipulate anyone. He thinks for himself and steps back to look at things as a whole. He asks for information when he is unsure. He is driven by the citizens.

Vote: Yea: Council President Morten, Councilor Birkle, Mayor Scholl; Nay: Councilor Topaz, Councilor Chilton; motion passes.

Councilor Chilton said she votes no because she does not respond to bullying and antagonizing to get your way. It is cowardly and she will not back down.

Mayor Scholl agreed that there were comments made about Councilor Chilton that he should have corrected during the meeting. He publicly made amends for that happening. Councilor Chilton appreciated that but said they cannot condone it any further. It happens at every meeting.

Mayor Scholl is committed to holding a respectful meeting, including Council and visitor comments.

Councilor Topaz reported...

- He was asked by a citizen if a company conducted a survey of the Boise White Paper property to make a recommendation to Council before it was purchased. If so, is that a public document?

City Recorder Payne said she will check.

Walsh requested more specific information about what he was seeking. Councilor Topaz responded that it would have details about the property with a recommendation of whether or not to purchase it. Walsh said there is an extensive environmental survey. Boise White Paper came with a 50-year indemnification that the parent company would back any cleanup efforts for industrial, park, etc. It is part of the purchase and sale document. Councilor Topaz will pass that on to the person asking him.

- Last week, he tried to bring up the fact that they had a resolution that Council gave Walsh the ability to buy or sell the marijuana plant. Looking at the Charter, it says the Council can't do that. They cannot vote to get rid of their duty. Walsh can negotiate but not sign. He passed out thumb drives to each Council member and said he would get one to Payne. It includes the suit that Boise has brought against the City. A number of the comments made by the judge are about procedure. The judge says the City has to do the procedure, and City Council is the City. If it was done by the staff it doesn't count. If staff did it wrong, it's still their problem.
- The Food Bank is on schedule for being constructed. He was told by people working there that the poorest area they see in Columbia County is St. Helens. They need jobs and training for jobs.

Mayor Scholl confirmed that the City is managing the Block Grant for the new Food Bank building.

Councilor Chilton reported...

- She is pleased to see the police station moving forward.
- She continues to work with the Police Chief to problem-solve for the docks and Sand Island.
- They represent 14,000 people in this community, not just the people sitting in this room or at Running Dogs. Go to Pacific Stainless and the other parts of the community where there are still working blue-collar families. They may not have time to come into meetings.

Council President Morten talks to people in the community and at events. Councilor Chilton said you will hear different things when you talk to different areas of the community. They should not answer to the bullying and attacking that comes into City Hall.

Councilor Birkle reported...

- He hopes to have the calm discussion about tourism that was intended in April. He is concerned by the attacks that were made during public comment. He has reached out to Curry following criticism. He also contacted people in the room to talk with them but has not heard back. He publicly apologized to an individual who spoke at a previous meeting. He met with her at Citizens Day in the Park, apologized, and had a great conversation. He appreciates Council President Morten contacting him. People may not agree with him, but he is not an unreasonable person. He is distressed that Councilor Chilton has been subjected to unacceptable comments and judgements about her character.
- He has also been subjected to a recall before. He is doing his job and will continue to serve in the position in which he was elected.

- He had a great time at Citizens Day in the Park.
- He attended the Grocery Outlet grand opening on Thursday. It was exciting to see that.
- Planning Commission met last week. There is potential development at Columbia Commons. He will be talking to them about topics to discuss during the joint meeting.
- Was glad to see the Sand Island sandcastle building went well. It's unfortunate that just because someone doesn't show up, it was seen as lack of interest or non-support. His daughter is moving to New York City this month and he was spending time with her. He makes no apologies for spending time with family.

Mayor Scholl talked about the sand there being unique. It has potential to really grow. Again, they are all here for the right reasons.

OTHER BUSINESS

ADJOURN – 8:36 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

Kathy Payne, City Recorder

Rick Scholl, Mayor