

# City of St. Helens

## Consent Agenda for Approval

### CITY COUNCIL MINUTES

Presented for approval on this 1<sup>st</sup> day of December, 2021 are the following Council minutes:

---

2021

---

- Work Session, Special Session, and Regular Session Minutes dated November 17, 2021

#### **After Approval of Council Minutes:**

- Scan as PDF Searchable
- Make one double-sided, hole-punched copy and send to Library Reference
- Minutes related to hearings and deliberations get copied to working file
- Save PDF in Minutes folder
- Update file name & signature block on Word document & copy Word document into Council minutes folder in Shared Drive
- Upload & publish in MuniCode
- Email minutes link to distribution list
- Add minutes to HPRMS
- Add packet and exhibits to HPRMS
- File original in Vault
- Update minutes spreadsheet



# COUNCIL WORK SESSION

Wednesday, November 17, 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	Cameron Burkhart, Communications Support Spec.
Matt Brown, Deputy City Administrator	Matthew Kahl, City Attorney
Kathy Payne, City Recorder	Bill Monahan, City Attorney
Lisa Scholl, Deputy City Recorder	Tina Curry, Event Coordinator
Crystal King, Communications Officer	Dustin King, Police Corporal

### OTHERS

Stephanie Patterson	Claire Catt	Rick Goebel
Scott Keith	Richard Mason	Nicole Battista
Jaime Smith	Angela Wayman	Lisa Corda
Gordon Corda	Joanna Story	Colleen Ohler
Brad Rakes	Carmel Carrasco	Marsha Lee

### CALL WORK SESSION TO ORDER – 1 p.m.

Mayor Scholl read the Council Mantra.

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

Mayor Scholl announced that written visitor comments will not be read into the record after January 1, 2022. People can submit written testimony for the Council to review or attend the meeting in person, via Zoom, or by phone to provide oral testimony. Councilors can speak on behalf of citizens during their Council report.

- ◆ Colleen Ohler, Queen of Halloweentown. She reviewed the vendor presentation and pointed out her concerns:
  - Five of the participants were not Spirit of Halloweentown vendors. It's unfair for them to be included.
  - The organizer of the presentation was not a vendor this year.
  - She spoke with vendors every day. Any concerns brought up were taken to Tina and Stephanie.
  - There were people in costume every day, which included herself, her grandkids, her daughters, her sons-in-law, the pirates, etc. The presentation recommends not including the pirates because they are not part of Halloweentown. That was a free event and very successful.
  - She does not agree with advertising this as a free event.

- The presentation wants to only involve local people, but also recommends getting someone from Salem to make Benny animatronic and use him for Spirit of Halloweentown. They cannot use anything Disney-related in their advertising. They learned that when her husband created the pumpkin. They communicated with Disney and they were very specific about it looking different than Disney's. Her husband works for Michael Curry and has built many puppets for all over Disney, Universal Studios, etc. The park the presentation suggested is all concrete.
  - The presentation suggested more local involvement. People are welcome to get involved.
  - The presentation suggested offering discounted tickets for locals. They did that this year and only two were sold.
  - Parking is included in admission.
  - There were two vendors on the Plaza this year because they were also monitoring the information booth. There was also a recording that played on repeat giving information about Spirit of Halloweentown. She also carried a microphone around with her making announcements throughout the day.
  - Disagreed with people being willing to pay for music on the last night. People don't even want to pay for 13 Nights on the River.
  - Cannot hire people to wear costumes from the movie.
- ◆ Brad Rakes, owner of Plymouth Pub. He is speaking for a few businesses.
- They are inviting thousands of people here every weekend but there are not enough amenities.
    - Too few trash cans. Their trash overflowed with stuff that wasn't theirs and they had to pay for it.
    - They need to spread out bathrooms.
  - People were walking around and into his business with open containers. They should not be able to walk around with it. It's not fair for them to have to monitor it.
  - Businesses on Columbia Blvd. want to be more involved.
  - He paid \$495 to be included on the Spirit of Halloweentown map. The map did not include his business until the week before it was over. Customers left maps from 2019.
  - There was not good communication. He received hostile responses when he asked questions.
- ◆ Marsha Lee, owner of the Roof restaurant.
- This year was the worst for her restaurant. Business was good, but the restrooms were trashed every weekend. She had to hire someone to sit down there and monitor people coming in. Visitors were told that the restaurants had public restrooms. Her restrooms specifically say they are for CCB and Roof restaurant customers only. It's not fair to her.
  - She also received a bill for \$495 to be included on the map. There was nothing in there that said what her business was.
  - People were sneaking in open containers, which is a violation of OLCC regulations.
  - There was no communication with merchants about what was happening.
  - They received a lot of complaints about the parking fee. People were told at the information desk that if they spent \$25 at a merchant, they would refund their parking. She did not know anything about that.
  - Columbia Blvd. used to be included in activities. It's not fair to those merchants.
  - The redirection of traffic and blocking the street off makes no sense.
  - She encouraged them to make changes for next year.
  - It was a terrible year.

- ◆ Carmel Carrasco, owner of Rose Street Boutique on Columbia Blvd. and also does real estate in St. Helens. Spirit of Halloweentown is amazing and is great at bringing money to a small town. She has spoken with a lot of business owners on Columbia Blvd. None of them were included in Spirit of Halloweentown this year. A lot of money was made the first year. There was no communication with the small business owners this year. She recommends biannual or quarterly meetings. They did not get asked if they wanted to be included on the map. Where does the money go? It's discouraging. A couple people have said they are scared to come here because they have been threatened and it could hurt their business. That needs to be addressed. This could be a beautiful event. Friends from Portland came and were not enchanted. It was unorganized and overwhelming. She even had shoppers come into her shop with open containers and said it was allowed downtown.

Mayor Scholl asked Carmel to have people who received threats to contact him. He will keep their identity confidential and share the information with Council. It is not acceptable.

- ◆ Stephanie Patterson, Vendor Coordinator and City Council liaison for Spirit of Halloweentown. Things go wrong all the time. As the festival grows, they get more bathrooms and garbage cans. They had about 60,000 people come through. Not all of them were upset or frustrated and angry. There were a lot of happy children coming through. Erin Salisbury from Main Street came down on a Saturday to get an idea of what it was like. She observed how happy people were. They're willing to redesign and listen to vendors. Most of them have already signed up for next year. She requested permission to respond after the vendor presentation.

Mayor Scholl agreed to allow that.

City Recorder Payne read letters into the record from those requested. Additional letters are included in the archive packet for this meeting.

- ◆ Tammy Maygra. *"Good evening, Members of the council, and to the public. I am deeply disturbed that I must again address the City of St. Helens representatives /city councilors. It seems that the City and some council members have nothing better to do, than to try and degrade and destroy a tourism program that has done nothing but flourish under Tina and her company. Her vision and guidance have brought the City's failed, and I repeat botched tourism, from a gigantic failure to a huge success.*

*She has put St. Helens on the map with Halloweentown, with over 60 thousand people attending the event this year. That is the goal of tourism to advertise the city, which she has done. Not only with Halloweentown but with other various events throughout the year. I like the Sandcastle event myself.*

*Of course, some events are being done for the first time and will only improve thereafter. These events are bringing revenue to the city's downtown businesses. Many of you are too young to remember how downtown use to be. There were flourishing businesses in every store, no available parking could be found. Then downtown started to slowly die and did perish for decades. Until the City had the good sense to discover that tourism would certainly help downtown, and with the waterfront, possibilities were endless. But never getting going, it withered and died. Just like old town had done, but they did understand that they didn't have the skillset to run tourism. So, they contracted a professional tourism/event company. And things started to turn around. Money was being made, and people came, thousands of people. A success!*

*I could go on with the numbers of followers on Facebook, 776,101 up + 38% and Instagram 22,836 up + 14.7%. Anyone with basic math skills and basic reading ability can decipher that the symbol which we all learned in first grade, the plus sign means more.*

*So how can thousands of people who attended these events spend time and lots of money be wrong? How can some City Councilors be so dead set on continuously being detrimental or ending the contract with a successful tourism event planner? A person who has done nothing but bring money and recognition, to a lifeless old town St. Helens. The City wants the waterfront to be a reality, the City wants people to come, spend money yet here we are again writing letters, speaking at government meetings, hearing the same ole manure from the same ole people. We are trying to defend a program which is actually functioning appropriately, bringing money into the coffers and local non-profits. I really don't see the need of this. Maybe someone from the complaint department or individuals with personal feelings on this issue could actually come forth and explain precisely why in the heck are others and myself here again? Explain to the public, tell us just what have you have for evidence confirming enough negative charges to change tourism contractors?*

*What pettiness, that issue can never be put to rest, every time there is a concern it seems to get addressed quickly by the event director. Why do these non-issues always come back every few months? Is it the local witch hunt? By the way, is not associated with the prosperous Halloweentown.*

*Is it because you have had a discussion with Tina, and she was too direct when responding and it hurt your sensibilities? Grow up. Stop being a snowflake. You didn't like the answer she gave? Well, let me say this, I for one am a direct person. I like the truth; I respect a person who will tell me the truth instead of being mealy mouthed like I have witnessed from some individuals on City Council. You should not want the truth fluffed up. You should want and respect a person who is direct, then there are no miscommunications.*

*If you ask a person a question, expect an answer whether you like the answer or not. But we are not here to discuss snowflakes. We are here yet again, and again, and again, to defend an event planner who has had great success in doing the job which she was hired to do. Tina performs her duties as the professional she is, and the results are that of a professional. She is not given any special consideration, nor would she ask for, want, or expect any. So, change event planners when you have one that is successful, that makes a lot of sense.*

*I am not going to say that there has not been a bump or two in the road of tourism, but like all projects, bumps do occur. Then they get ironed out with common sense and the project moves forward.*

*Tourism in the City of St. Helens is like a fine bourbon, it gets better with age, or a painting by one of history's great masters. Like them, Tina started out with a blank canvas. As the artist began to mix the colors of the pallet and paint the masterpiece, it started out with a few brush strokes of paint. Slowly it starts to look like what they envisioned. Then as time goes by, the masterpiece started to form, the painting became a reality. It had shape, profile, and character. It was recognized, it was valued by many to admire. People came from far off destinations to see this work of art.*

*That too is the journey of St. Helens tourism. It too started out as a blank canvas, the mixture of different events made up the pallet, the events grew, the events got bigger, more and more people came to see the work of art in progress. Where the results have become well known across the country and internationally. Tina is doing her job and doing it extremely well. Let me be perfectly clear, tourism is and always will be an evolving endeavor, it will always have bumps. You don't throw away or needlessly attack a successful program or its director for unfounded charges, or petty complaints. You correct or address any concerns with professionalism and keep moving forward.*

*The City needs to reevaluate whether they want a successful tourism event planner, or do they want to go back in time to previous tourism events. Oh, wait a minute, you didn't have any successful events until Tina was hired.*

*These events are available for everyone. If you choose to participate great if you don't want to participate that's ok too. But let's not ruin the opportunity for the city and other people to enjoy the events and old town by changing what seems to be working great. The City has a bright prospect for the future of downtown and the waterfront, if they would just let it happen."*

- ◆ *Brady Preheim. "Well, here we go again, another Ground Hog Day in St. Helens. Same topic, over and over. I would like to know why there is such a concern about the ONLY department in the city that costs the local taxpayers NOTHING, brings in millions in economic activity, and brings thousands of people to our community, and all the city has to do is NOTHING? Why don't you spend some time focusing on the Parks and Recreation department that is so miss managed that the director was removed then reinstated. Or about the police who refuse to enforce city ordinances and make the homeless boaters move? Or the fact you want to build a new police station with no input from the voters who will pay for it?"*

*I will never understand why tourism is such a controversial subject here when we have a successful experience for our community. Finally, after years we have had something good happen and continue to grow rather than wither up and go away for one reason or another. We only have to look to the south at the Centennial Celebration in Scappoose with spending more than \$90 thousand dollars and ending up \$20 thousand in the red. Community input is great; but the community are not an experienced event planner for large scale celebrations. An inexperienced out of town event company that was hired to do the operations. Until E2C, these were the kinds of events that happened in St. Helens. I should know as I was the Chair of the Chamber when we were responsible for tourism in the city. We failed at it miserably.*

*I want to know what it is that the Council could possibly point to that would justify making a change that could possibly disrupt the forward momentum we have experienced. Having a local vendor that did not even participate in Halloweentown will not work well. That is literally like putting the inmates in charge of asylum. This came from a person that knows so little about events that they bought a trailer that would take two spaces. Then unhappily complained to the City Council about the vendor fees. So, the council gave them \$500 to help pay for the space, that they did not even use. Did they return that \$500 for a space they did not use? Now this person is the tourism expert?*

*Councilor Chilton claimed she had a list of "changes and improvements" to try and justify a clear predisposed agenda of replacing the current tourism director/ contractor prior to being elected. But when I did a public records for this list, I found she did not have a list and lied in public about having one.*

*Before City Councilor Jessica Chilton was even elected, she repeatedly attacked tourism and Tina Curry in particular on social media. Councilor Chilton was corrected a number of times on miss statements and derogatory comments on Facebook. Since elected, Chilton has asked for a change for changes sake. These efforts have been recalled twice upon multiple testimonials from businesses and supporters of Tourism, Tina Curry and E2C Corp in particular. In contrast, not one person has ever appeared before City Council in support of Chilton motions.*

*The challenge for the City Council is do you keep entertaining proposals from a councilor who has a grudge to pick, or do you support a company that has built programs that are envied throughout the country. The choice is clear a change for changes sake will tear down what has been built, cause disruption and turmoil to a tourism apparatus that is fine honed and brings respect and*

*renown to the City of St. Helens. We were number three on Martha Stewart's best places to go for Halloween.*

*The list of grievances has gone from one lie to another with no ability to verbalize what the change would result in or even what the change would be. If you want to use some excuse of an elevator not placed in a building the City doesn't own or a rude staff that supposedly was under their direction as a reason to sever a relationship, then you should likely fire everyone that is City staff. No one is perfect; but people are generally judged by the final results and in this case, it is clearly a winning one as the job is executed above and beyond expectations as many have stated at prior ground hog day meetings.*

*In reading Nicole's ill-conceived slide show, it is clear that we are to give time to a group that has almost no event experience. A glaring error is the comparison of a brick-and-mortar location where a food cart resides vs an event booth. First let's cover that a food cart is not for a few days and a food cart has a physical location with built in power as well. Add in the cost of rent, the cost of the cart itself, safety equipment, competitors right next door, staffing, insurance and advertising and promotion. How are you keeping your customer coming back? Compare to a festival. Your risk is minimal, the audience is delivered to you by the thousands a day. You show up and make a ton of money in two days vs weeks and you do not even have to haul garbage or worry about hidden costs. Good festivals create revenues many times over of a food pod simply because of volume created in two days vs weeks or even months. In talking with a couple of food vendors at Halloweentown I learned they make in seven weekends enough to live for the year. Many sold out of their products on the first day and were unable to return Sunday because they had nothing left to sell.*

*Isn't it time to acknowledge what we are doing is really working? What would that look like if instead of wasting valuable time correcting lies and false agendas? How much better would we really be right now? How much have we already lost in time and energy that could propel us even more forward?*

*Halloweentown continues to amaze me by growing in leaps and bounds each year. Even in the middle of covid, it was a successful event with no outbreaks due to the protocols that the tourism director created. The sheer number of people that come here from all over the WORLD is astounding. Vendors are happy, merchants are happy, the tourists are happy. WHY IS THE CITY NOT HAPPY???*

*Finally, I would like to comment on Steve's censure. He did not respect the censure, and in fact used his censured status to try and blackmail the City Council into remove the censure. The censure should not be lifted but extended for another 12 months at least. And, you need to add new measures to make it effective."*

- ◆ Jane Garcia and Jennifer Pugsley, Keller Williams Realty Professionals. *"We respectfully request this letter be read for the record for the City Council's work session and the City Council meeting on November 17, 2021.*

*As the city has now wrapped up another year of Halloweentown, we'd like to share our personal experience. We're the principal brokers of The Jane Garcia Team, Keller Williams Realty Professionals, and the owners of 50 Plaza Square. As such, we have a very direct viewpoint for the festivities. We're also very proud to be City Sponsors for the last three years. We truly believe in this city and are very excited to be involved here and excited about the future here.*

*As the last couple of years have been a challenge in so many ways, Halloweentown has been such a bright spot for so many. People from all over the country have stopped by our office to*

*take a picture with our decorations, pick up a map or just to share how excited they were to be there. The energy and excitement was contagious and for us a privilege to be a part of the event.*

*One thing that was very noticeable this year was the number of visitors during the weekdays. It wasn't just the events of the weekend that drew the crowds. The plaza was filled with visitors each and every day, in our opinion, a direct result of E2C's successful public relations and marketing efforts.*

*For us, a business on the plaza, directly affected by the events, we want to thank Tina from E2C Productions for making sure our agents had parking passes and in no way our business compromised during the weeks of Halloweentown.*

*Tina's time, energy and attention have been and continue to be greatly appreciated by us and our agents."*

- ◆ Matt McHugh, Cascadia Home Loans. *"For more than five years, I have been involved with the City of St. Helens as a City-Wide Sponsor and business owner. Having formerly been a Media Planner in Portland, I have a strong background in marketing and recognize quality work when I see it. Tina Curry's work as an event coordinator exemplifies how to manage big events. Here's what separates her from other event administrators that I have worked with:*

1. *Has a clear vision and the ability to convey it to everyone involved*
2. *Stays on task and always does what she says she's going to do*
3. *Great with details*
4. *Meets with major sponsors regularly and is open to suggestions*
5. *Makes sponsors and volunteers feel valued*
6. *Completely invested in all that she does*
7. *Anticipates problems and plans accordingly*

*I think it's important to note that the type of success that St. Helens has experienced with tourism does not happen everywhere. In most small cities, it's hit and miss. There's often no identity that compels non-locals to visit. Much of that success is due to Tina's leadership and relentless effort."*

- ◆ Courtney Allison, owner of Woodland Cottage. *"The purpose of my letter is to share my experiences as a business owner in St. Helens over the past seven Halloweentown events, and beyond. I write this in support of Tina and E2C Productions.*

*I opened at 245 South First Street in August of 2015, after starting my business at 2C's in May. Upon opening, I had no idea that a month later we would experience the wild ride that is Halloweentown. We'd come down during Octobers prior while it was a teeny thing, because my kid loved it. I had no idea when we opened how pivotal the event would become for our small City. On opening weekend, the first attendees I met were a couple of newlyweds from Chicago. They told me that they'd planned their honeymoon here. Assuming "here" was Portland, I asked if they knew about Halloweentown, and they laughed at me and said that was their very reason for visiting us. Halloweentown. I would go on to meet people from all over the globe that month. London to Australia, Montana to NYC. It was mind blowing. I went into the event month without expectation and thought we would actually lose money as our regulars informed us that they tended to stay away from downtown during October. "I'll see you in November", many said. Our closing numbers for that month pale in comparison to 2021, but it was an exciting time, nonetheless. Here in 2021 with years of like experiences under our Halloweentown belts, I would like to express my concern for the constant attacks on tourism. While they have been going on for as long as I can remember, this year really takes the cake. I hope that everyone reading this takes note of our experiences, because as a business they matter. If I were not a business owner,*

*as a community member I would be absolutely interested in hearing positive experiences with the firm contracted to handle our City's tourism. Especially since it seems that all we hear lately is negative.*

*While we opened in 2015, I did not meet Tina until September of 2018. This was in part due to the constant infighting between the other agencies that were meant to "promote" businesses in our community. My experience with those is null, as we were never involved in the cliques promoted. I regret not taking it upon myself to meet with Tina, because I would have had that much more time working alongside someone that cares about our business community and its extended growth. While Tina may not be from here or reside here, her heart is here. I know from working with Tina at several Halloweentown events and by being present downtown regularly how much of her time she dedicates to our downtown core. Some may say that it's her job and I agree, to an extent. Knowing how much time Tina puts in, the City would go broke paying her hourly.*

*In addition to doing her job and doing it well, Tina is a secret Good Samaritan of sorts. She supports our local businesses not only by patronizing them, but she also comes up with ways to help when people are struggling, Ask me how I know? During 2019 we were experiencing an extreme business drought and I ran into Tina when I was closing up shop for the night. I off handedly told her that I was thinking of closing, and she immediately gave me more ideas in two minutes than I came up with during months of struggling. Sometimes you need an extra set of eyes and her ideas and innovation have benefited many small business owners downtown. This is not required of her. But she is that much of an asset to our business community. She doesn't receive the accolades and does not expect them. She truly wants to see our community thrive.*

*During one of the sessions a few months ago, Councilor Birkle mentioned that he had gone around asking businesses to share their numbers and experiences on Halloweentown. My business was never asked. I wonder if that is because we would answer in a positive light, or if we are just looked as insignificant or unimportant by our City Council? With the constant attacks on Tourism, it often feels like small brick and mortar businesses don't matter to our City Councilors. Otherwise, you would set aside personal notions and keep the good things that are happening, going. Though, I must give props to Councilor Chilton for checking in on us the first weekend of Halloweentown this year. Thank you. Going forward, I ask if this is something that all of you can take turns doing during these events? It definitely seems like it would be in the best interests of everyone and would also provide a more fair and balanced opinion. I realize it is your time, but also know that you can't get the entire story without being there. Regardless, I am always willing to share my experiences as a small retailer with any of you. Right now, I happily share that from 2015 to this past Halloweentown season we experienced a 2608% sales increase. Is that a long-time span? Yes. The growth every year has been exponential. Yes, that is due to the hard work of myself and my employees. HOWEVER, those sales would not happen without Halloweentown, or E2C at the helm. We shift our business model every year for this event, rather than looking at it as an inconvenience. Is it our preferred aesthetic? No. But we are grateful to have the opportunity to experience this every year for many reasons and know that no one could run this event better than E2C.*

*I know I am speaking for my team at the Cottage but the feedback we received from the thousands of customers that we served this year were all positive. We usually hear a few complaints, but nothing of significance this year. Everyone was happy and telling us all about how much they were enjoying being here. I worked with Tina during one of the talent events and people were absolutely excited about their opportunities.*

*During the height of the pandemic last year, I resigned to the fact that Halloweentown would most likely flop for us business wise. Prior to the event, I met with Tina to discuss how it would be safely run and was impressed by the plan. At that point, all I really cared about was people being safe. Our numbers didn't matter, and hopefully the next event would make up for it. We closed last year's event at 80% more than the year before, where we had major talent was available to attendees. The first year that tickets would be required. To say 2020's event exceeded my wildest dreams would be an understatement. People paid to come to Halloweentown, and our numbers were exponentially better because of it. An 80% increase was definitely not in THAT forecast. We also saw an 80% increase this past August due to the Sandcastle Competition. Totally unexpected and totally welcome.*

*As a business owner that resides in St. Helens, but out of the voting area, (aka County with a St. Helens Zip) my way of contributing to my community is through this business. I am able to provide work and pay out bonuses during these windfall months. Because of these events I am able to give back in ways that I couldn't without them. If we keep picking someone apart for doing their job or attacking them based off of comments sections or special interests, you can be certain that businesses like mine and others will face certain death. We need a thriving tourism economy downtown. When we first opened, I was repeatedly told that I should relocate to the highway, by SO MANY people. They would say "I never come down here" or "Nothing ever lasts here, GOOD LUCK." And they could have been right. We are in our seventh year of business and there are businesses thriving in spaces where life had been gone for a long time when we opened. First Street is beautiful, when its full. We are ALL part of the puzzle and while we love our locals and our regulars more than anything, it is too much of a burden to place on all of them to keep us open during months that are historically terrible for everyone. Like, August. Or October. Halloweentown brings people here for a month and a half if you're looking logistically. Yet we have had regulars for years that reside out of the County that found us on a chance visit to our City's biggest event of every year.*

*I have written many letters over the past several months to present to Council and have not had the need because decisions were rescinded. There will always be people that are disappointed in how things worked out for them but often it's a matter of perspective. Not to discount anyone's experiences, but how will events evolve into being better without things to learn from? I have had things happen in past events and openly discussed them with Tina. They have always been solved amiably. So much can be done with open communication.*

*I feel it is in the best interests of everyone to take a clean slate look at what E2C provides to our community. As a business owner that has worked in events in some fashion or another for most of her adult life, I know that Tina is the best person to run this. The growth of the event every year speaks for itself. Let's build on mistakes and make it better. Tina is part of our proverbial "Village" no matter where she resides. She spends most of her time in our community, helping to make it successful. We should all ask ourselves what we are contributing to the success of our community."*

- ◆ Jaime Smith. She worked every weekend in the information booth. They did not direct people to restaurants for public restrooms. They did point them there for sit-down meals. They also directed people where to shop and get local souvenirs. They can learn from comments provided. The group that shows up to help at local events are the same people. The people who complain are the ones who are not stepping up to help. She has seen multiple comments on Facebook and when they're asked to come help, they refuse. The Council needs to look at how to bring volunteers in. The community needs to come together to grow and thrive in a positive direction. She hopes this is the last time they have to defend Spirit of Halloweentown. Future conversations

should be about how to grow, bring volunteers, and involve Council in participating to see and hear for themselves what is happening. 98% of what they hear is positive. She challenged everyone to come volunteer. The negative comments are going to cause everyone who helps to walk away.

Mayor Scholl reiterated that events are happening in St. Helens. He hears businesses with concerns about trash, bathrooms, open containers, including the Houlton District, and updating the Spirit of Halloweentown maps. Any business feeling threatened should contact him confidentially.

## **DISCUSSION TOPICS**

### **1. Communications Semi-Annual Report - *Crystal***

Communications Officer King and Communications Support Specialist Burkhart reviewed the PowerPoint presentation. A copy is included in the archive packet for this meeting. They reviewed the following:

- major projects
- social media
- eNewsletter rebranded to "The St. Helens Strand"
- Facebook business suite change

Mayor Scholl reported that City business communicated on personal pages is public record and needs to be archived. It can potentially open your social media page to public record. King agreed and encouraged the Council to keep their personal pages separate from government work.

Councilor Topaz asked if she leads FEMA. King responded that she's the head PIO, which plays into FEMA and emergency response communications.

City Administrator Walsh thanked the Council for their support of communications. Many communities don't have this.

### **Break – 2:55 p.m.**

### **2. Tourism Program Debrief - *John***

Walsh reviewed a memo. A copy is included in the archive packet for this meeting. Tourism is about attracting visitors. Tourism revenue is generated from a hotel tax. With only two hotels, they have to be strategic about what they invest in. The Council chose to move from having a Tourism Committee to designating the City Administrator to work with the third-party contractor for producing events. It has grown every year since the first year Marnie attended. They want to see nonprofits and local businesses make money during the events.

Event Coordinator Tina Curry reviewed Spirit of Halloweentown:

- Covid was a challenge
- People return annually
- Suggestions are listened to
- Stayed in the black by raising money
- Have 60 active participants
- The first Halloween, they had two people and no budget. The City should celebrate the continued growth.
- To increase traffic throughout the City and on Sand Island, finds them needing a tram and boat.
- Renting the Masonic building as a location for some of the main events
- Need creative ways to engage the audience at Halloween and throughout the year
- Running 40 days of large event activities
- The budget for Halloween events is \$400,000 - 500,000. The demand is more.
- Nonprofits and businesses raise thousands of dollars
- Sponsors are very supportive

- It's been a good year considering the pandemic
- Thanked City staff for their assistance
- Funded a cleanup on the end of S. 1st Street to make that area more welcoming
- Encourages the community to have pride on their streets
- Will have banners at the entrance to the Waterfront property talking about the development
- Thanked citizens for participating in picking up garbage. Having a clean city is important. They had 39, 50-gallon garbage cans and 24 restrooms. They need to be better about communicating public restroom area locations. They never had more than eight people in line at the port-a-potties. No one contacted her about the restrooms being a concern. If she knew, she could have helped with it.

Councilor Chilton asked Tina how she communicates with business owners. Tina said they can send an email. Stephanie is the Community Liaison, so she communicates all the time. She is around and often stops to talk. Councilor Chilton expressed that it's not very organized. Tina responded that they have tried holding organized meetings and no one showed up. People can call and text her any time. There is a lot of communication. If people don't communicate the problem, she can't help. Councilor Chilton asked if she provides receipts. Tina said yes, she provides invoices.

Councilor Birkle talked about Stephanie mentioning a clean slate. They have a new beginning with the Mainstreet Alliance. There is also the Chamber of Commerce, Economic Team, and Keep it Local. What is her plan to coordinate and communicate with them? Tina responded that this year was different than any other. The parade was cancelled, St. Frederic's Harvest Festival did not happen, and the Kiwanis Children's Fair did not happen. There was not the typical community involvement due to Covid. In the past, the Chamber participated in a program drawing people there. They chose not to participate this year. She gets the people here and businesses need to get them into their doors. If you have an event, she will add it to the schedule and promote it. One issue is that a lot of the Houlton District businesses don't want to be open on Sunday. They can communicate the event is only on Saturday. She asked restaurants if they did well, and they said yes. Warren Country Inn did very well on the weekends.

Councilor Topaz asked how she helped the 100-Year Celebration. Tina said that's not a tourism event. It was a community event organized by the Chamber.

Councilor Chilton asked about the beer trailer. Tina said they do not own or run the trailer. It is ran by a different group. Council approved open containers for any events. Councilor Chilton disagreed. Tina went on to say that there were six alcohol monitors controlling no alcohol beyond a certain point. She thought that Brad thanked them for doing that, now she's not sure. Mayor Scholl clarified that they approved a tailgating area and the Plaza for alcohol on 4<sup>th</sup> of July. That was a confined area. That is not the same as allowing it on First Street. Councilor Chilton did not think that approval applied to Spirit of Halloweentown. Tina agreed that it should not have left the Plaza on First Street.

Mayor Scholl talked about two different issues. There is an event with some hiccups and a Tourism Director that is perceived as being under attack. He wants a Spirit of Halloweentown debrief. They had a special meeting in April about tourism and it has been brought up a number of times. The City has no participation in the community events E2C plans. He wants everyone to understand what the \$100,000 from hotel tax pays for. Councilor Chilton pointed out that the City pays E2C and should have oversight. Mayor Scholl agreed but it is tourism dollars that cannot be spent on anything but tourism.

Councilor Birkle talked about the public attack made at the April meeting saying the Council was trying to get rid of Tina. The Council requested a revised contract at that meeting and they still do not have it. Where is the material from City staff who have been meeting about this? It's deplorable how one member of the community repeatedly attacks Councilor Chilton. It undermines her professionalism and undermines a whole class of people in the community who suffer with addiction and needs services. It's horrible that he is allowed to repeatedly bring that stuff up. They are in this situation because they

continue to be put off. In July, they were told that a committee is working on it and it's November and they have seen nothing. He apologized.

Councilor Chilton declared that she loves Spirit of Halloweentown and has nothing against Tina. They need to fix some problems as a team. Tina responded that it's a problem when she uses the word "team." She is an independent contractor. Council cannot tell her to change things. Mayor Scholl interrupted and said this is an internal issue that needs to be handled. He understands the frustrations. Staff has drug their feet, but he has seen a memo, which was a draft resolution sent by Walsh asking Council questions about what they see and what they hope for. Walsh oversees tourism. A brief history of tourism was discussed.

Councilor Birkle apologized for his bluntness.

Mayor Scholl understands the issues brought up. He will communicate the need for changes to Walsh to speak with the contractor. The City is not in charge of promoting the Chamber's 100-year celebration. No one has volunteered to coordinate 4<sup>th</sup> of July fireworks. It will not happen without volunteers. Tina and Council will be blamed if it doesn't happen.

Councilor Chilton asked if what he sent to Council was the staff committee report about tourism? Walsh said it was his opinions about how to evaluate tourism.

Walsh explained that the current contract is not very specific. He has been working on those things. The City owns the events. A third-party contractor is hired to operate the events. They have to be careful to not tell the contractor what they can and cannot do. He checked with other cities, and most don't do tourism. They give the money to other groups, and they handle the events.

Councilor Topaz said they do have a hotel tax. It's dedicated for only one thing. But it's still a tax. At one time, the Tourism Committee was fight night with different personalities. They used to have big mills that funded events. They need to come up with a system to get people here. He talked about the extra rules with fireworks since 9/11. They need to figure out what to do now. The contract is not well put together. Can money be transferred from tourism to cover the cost of City workers setting up events? They need to start cleaning up problems. Mayor Scholl mentioned that City workers will be helping set up for Christmas. Councilor Topaz said people just want to know what is going on.

Walsh explained that the City owns the events and props. He is working on a contract that clearly defines the City's role and contractors role. A lot of what was heard today can be included in it. Mayor Scholl said he knows Walsh has a lot on his plate, but this needs to be a priority. Walsh agreed.

Councilor Birkle apologized for being frank. He appreciates what Walsh is doing.

### **3. Spirit of Halloweentown Vendor Concerns - *Nicole Battista***

Nicole thanked the Council for giving them time to discuss their concerns. She's heard a lot of defensive comments. The intent of the discussion is not to cause ill-will. It's not an attack. They got together and made a proposal. Tina has personally supported her group. She has seen some backlash on BSA. She is not here on their behalf. They weren't able to be vendors this year. She reviewed a PowerPoint presentation. A copy is included in the archive packet for this meeting.

- Reviewed participants. Some did not want to be named in case of potential backlash.
- The objective was to understand the needs of the City, vendors, community, and visitors
- Suggests improvements to vendor contracts
- Suggests improvements to advertising
- Reviewed vendor concerns and proposals
- Reviewed suggestions based on community concerns
- Reviewed suggestions for improvements to events and attractions
- Submitted a grievance letter into the record. A copy is included in the archive packet.

Gordon Corda came up to speak as a vendor. They discussed the need for longer hours. It was over at 6 p.m. but should have later hours.

Councilor Birkle thanked Nicole. He was not aware of what it was like to be a vendor. Council will not be making a decision on this, but he appreciates the information. He was disappointed that another person making comments suggested the presentation was ill-conceived and attacked her for it. That is part of the dialog and educational process. Council President Morten agreed with Councilor Birkle. He appreciates her comments. He encouraged Nicole to work with Walsh and Tina. Council does not make the decisions about the event. It's the job of staff and participants to meet and discuss how to work together.

Councilor Topaz said the Council accepts the contract and the rest is done by the contractor.

Mayor Scholl appreciates the detailed and thoughtful presentation.

Councilor Chilton appreciates them coming here and speaking. It's the Council's job to make sure they feel heard.

Walsh commented that the Council has a lot of say in this with the approval of contracts. They are policy makers.

Stephanie Patterson followed up on the presentation. She appreciates hearing the concerns so they can respond.

- Event vendor space has a much higher cost than a food truck permanent space. Their costs are very competitive with other events.
- There was a concern about moving vendors. They try to work with everyone if there is a concern about their location.
  - They moved everyone when the rain started. They were losing product.
  - They moved someone else when there was a concern about smoke.
  - They moved one vendor because of PTSD and being located next to the pirate's cannons.
- Vendors started setting up Friday because there wasn't much time in the morning to do so.
- The vendor spaces will be better marked next year.
- They did have meetings pre-covid.
- There was a comment about the haunted house. They get a lot of compliments from people saying their children weren't terrified and there are a lot of exit doors. Pre-covid they had an adult haunted house and children's haunted house.
- There was a concern about hours. Per the contract, the power remains on until 8:30 p.m. They'll keep it on later if a vendor still has a crowd. No one gets their power cut.
- They don't do pumpkin lightings every weekend because they found out sales and revenue was better when they reserved it for the big opening and a celebrity appearance.
- She was there every day and was always available by cell phone. She only left once during the storm to change. She communicates regularly with vendors.
- Parking was included in the cost. Visitors were told online and in various booths that if they spent \$15 from a vendor and then show the receipt it would validate their parking.
- They had 15-20 witches in costumes each weekend. They interacted with visitors.

Councilor Birkle appreciates the amount of communication had. No matter how much you communicate, more always seems needed.

Councilor Chilton asked about a pre-vendor meeting. Stephanie said it would be good done on Zoom since vendors aren't all from the area. Communication is important.

#### 4. Discussion regarding Councilor Topaz Censure Resolution

Mayor Scholl opened discussion. A copy of the censure is included in the archive packet for this meeting.

Mayor Scholl talked about recent incidents where Councilor Topaz did not comply with the censure. He spoke of the developer incident at a recent meeting. Councilor Topaz came in the following Friday and attacked Mayor Scholl, saying he wouldn't let him speak. That was not the case. Luckily, there was no office staff in the front. It could have been very traumatizing to them. There was also the incident telling Deputy City Recorder Scholl to put something on the agenda, or else. He is allowed to talk to Walsh and Payne, but that's no way to talk to them either. He also presented his City Councilor card to an officer.

Councilor Chilton said there are ethically questionable things other members in the room have done. Handing a card to an officer does not seem like enough grounds to continue a censorship. Council President Morten asked for clarification of other members being unethical. Councilor Chilton said members say traumatic things to people, talking about trauma informed. They stare each other down and do horrible things to one another. Council President Morten pointed out that they haven't acted on anything else, so he's not aware of what she's talking about. Councilor Chilton stated that the Mayor called her out about Facebook and stared her down. That was traumatic. He constantly calls her out. Mayor Scholl argued that is not what happened. He brought up a discussion that occurred during the Oregon Mayor's Association. Councilor Chilton told Mayor Scholl that he was gaslighting. Mayor Scholl was not aware of doing that. They can do an investigation if needed, but right now they are talking about an investigation of Councilor Topaz.

Councilor Birkle is not diminishing the encounter with L. Scholl, but have there been other instances? Mayor Scholl repeated what happened when Councilor Topaz came into the office. Councilor Topaz asked how many times Mayor Scholl has cut him off and said he'd throw him out because he was out of order. That seems unethical. He talked about the reasons for the censure. One of the things he did was report a legal executive session out of town. Staff, Council, and other people were in attendance. The mayor announced it was an executive meeting. When he reported it to the Ethics Commission, it said that Councilor Topaz self-reported. The City attorney was in attendance and did not express concerns. The attorney was paid \$31,000 for this great investigation and the Mayor asked why he didn't talk to the attorney. That's because the attorney protected the rest of the Council in front of the Ethics Commission. It was a conflict of interest. A presentation was made by Deputy City Administrator Brown and Councilor Topaz asked how much money was spent on the leaking water reservoir. At the next meeting, Brown returned with an eight-page letter explaining that Councilor Topaz should have come to him for that information, and it bothered him so much that it bothered his life and sleep. What Brown told him to do was illegal. He asked about public money in a public place, and he was instructed by Brown to do it in private. Mayor Scholl interrupted Councilor Topaz. He is calling for point of order because Councilor Topaz is getting off topic. There was an investigation. He is confusing events. An investigation was done and sustained with video evidence. It was multiple people who filed grievances. Please do not mention Brown and single him out. This is why they are here. They had another employee who felt uncomfortable doing his or her job.

City Attorney Bill Monahan understands that this was on the agenda to be consistent with direction given on May 19 when the resolution was passed creating the reprimand and censure. At the end of the resolution, they included three requirements. One of those three requirements is that the Council may review compliance with the restrictions, and based on evidence received, they could decide if the remedial actions were properly honored and they could consider reducing the restrictions. Have those requirements been honored? He recommends Council direct Walsh to gather information needed to make a decision of whether or not to reduce the censure, and then wait until January to make a decision.

Monahan clarified that he was not involved in the ethics issue Councilor Topaz referenced. He does not have knowledge of that situation. Councilor Topaz agreed he was not involved but there should be attorneys there who are capable of understanding Oregon law.

Councilor Topaz said he was informed by Walsh that there are only two people he could affect their employment, yet he was told there was a list of 17 people who were afraid he would affect their employment by character or conduct with them. He was never given the list. In his defense, it was obscure.

Councilor Chilton would like to follow legal counsel's advice.

Mayor Scholl directed Walsh to put this on the January 5 agenda as recommended. Each Councilor should speak with Walsh directly.

**5. Strategic Action Plan Updates**

No update.

**6. City Administrator Report - *John Walsh***

Postponed until tonight.

**ADJOURN – 4:59 p.m.**

**EXECUTIVE SESSION - CANCELLED**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

---

Kathy Payne, City Recorder

---

Rick Scholl, Mayor



# COUNCIL SPECIAL SESSION

Wednesday, November 17, 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  
Rachael Barry, Government Affairs Specialist

**CALL SPECIAL SESSION TO ORDER – 5:30 p.m.**

### DISCUSSION TOPICS

#### 1. Council Retreat Part 1:

- 2022 Goal Setting
- Celebrate Accomplishments
- SWOT Exercise

Rachael Barry, Government Affairs Specialist, was the facilitator for this meeting.

City Administrator Walsh reviewed the Council's Goal Areas and some of the projects and accomplishments that are listed on the City's website at

<https://www.sthelensoregon.gov/administration/page/strategic-work-plan>:

- Effective and Efficient Organization
- Community and Civic Engagement
- Livable and Safe Community
- Economic Development
- Long Term Planning

Council President Morten talked about federal funds available for infrastructure. He wants to make sure Master Plans are updated to include possible projects, such as an overpass over the railroad, so they can be ready to apply for funding. Walsh and Barry agreed that infrastructure, especially pertaining to rail, is a priority. Moving the switching yard and safer crossings are two examples of priorities.

The Council went through a SWOT exercise. At the end, they each selected their top two as numbered below.

#### Strengths

- Different modes of transportation
- Connection to water – 2
- Planning

- Safe city – 3
- Passion
- Access to nature – 1
- Dedicated staff – 2
- Visioning – 2
- Commission volunteers and friends groups

Weaknesses

- Hwy 30/Gable Road intersection – 2
- Industrial past – 1
- Fragments of town – 2
- Council communications (internal) – 5
- Serial meetings
- Surface transportation
- Lack of local jobs

Opportunities

- Master plans working together – 1
- General connectivity – 1
- Industrial past – 1
- Passion
- Relationship with railroad
- Regional meetings – 1
- Regionalism in general
- Culture Change – 2
- Job creation – 4
- Ferry
- Building in flexibility for staff and council to make decisions/take opportunity

Threats

- Natural disasters – 1
- Passion
- Overextended – 3
- Misinformation – 4
- Perception of Portland – 1
- Out commute (time availability) – 1

**OTHER BUSINESS**

None

**ADJOURN – 6:42 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

---

Kathy Payne, City Recorder

---

Rick Scholl, Mayor



# COUNCIL REGULAR SESSION

Wednesday, November 17, 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  
Sharon Darroux, Engineering Project Manager I  
Crystal King, Communications Officer  
Tina Curry, Event Coordinator  
Chris Cannard, Events

### OTHERS

Brady Preheim	Stephanie Patterson	Art Leskowich
Colleen Ohler	Tommy Sullivan	Christina Sullivan
Byron Ohler	Peter Oslén	Emily Flock
Scott Jacobson	Lindsey Pykonen	Kelsey Almont

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

### PLEDGE OF ALLEGIANCE

Mayor Scholl led the pledge of allegiance.

Councilor Birkle read the Council mantra.

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

- ◆ Colleen Ohler. Responded to the vendor presentation.
  - Spirit of Halloweentown food vendor booth - \$1150, which is \$65/day
    - A booth at the fair is \$500 for seven days plus 25% of sales
    - The fair does not have the same attendance as Spirit of Halloweentown
    - Return vendors should not receive a discount. That helps pay for the event.
  - There are signs everywhere indicating where to park
  - When tickets are purchased, it tells people what they are paying for. The information booth and recording also tells people what the tickets include.
  - Special parking was created for the hair salon
  - The last time a vendor meeting was held, only four showed up, and she was one of them
- ◆ Byron Ohler. He made the pumpkin for the Plaza 12 years ago. He never expected it to get as large as it is now. In the early days, it was difficult with a very small budget. Disney approved

them doing a tribute to Halloweentown but said they could not do anything that reproduces the actual scenes or characters. They changed the pumpkin to make sure it was different. They cannot use Disney licensed merchandise in advertising. That year, with the lawyers involved, he and his wife paid for and ran Spirit of Halloweentown. It was a one-day event and only cost about \$170. It has grown and grown. They had record numbers this year. It is not fizzling out. Last year cannot be used for reference due to Covid and limiting visitors to 250 people per day. This year, they had 60,000-80,000 people come through. That has a positive impact on merchants. He challenged the Council to stop creating tension. Stop listening to the same 20 people who complain about everything. Instead of working with those people, ask Tina what you can do to help or tell her she's doing a good job.

- ◆ Christina Sullivan. She is disappointed to have to address the Council when there are other issues more important.
  - She wanted to address the letter from Calli Ross about herself and other workers that was read into the record at a previous meeting. An aggressive individual approached them and insisted they stop helping others and give her their attention immediately. They took time to explain to her the activities available, which she said she already participated in and enjoyed. However, she was upset about two that were inaccessible. They apologized to her about the lack of access and offered to help carry the chair up the stairs and load it onto the bus. She demanded a refund, and the event coordinator gave her a full refund at that time. There were other negative things said about the volunteers and the interactions she had with them. Christina was surprised that they weren't consulted about their perspective. It was assumed that someone who does not even live here was fully in the right. The Council took the complainants word as truth. There were many other positive experiences they had with visitors. Their workers are incredible. They take time away from their families to give back to their community.
  - As the manager of the main alcohol sponsor, she was disheartened to hear the comments earlier today. They partnered with the other alcohol sponsor to coordinate an approved OLCC license for an open container area. Their license was signed off by the City and they maintained their area as required by OLCC. They provided five alcohol monitors each week to work along with multiple signs to serve as a barricade. Their beer tenders informed customers where they could drink. There were other businesses downtown that were also selling alcohol. Some were selling it in an event fashion with no event license. They also had to turn away people trying to bring in outside alcohol. Their on-site OLCC manager even spoke with a restaurant about open containers being seen leaving their space and it was shrugged off as a non-issue. She was taken aback to hear Plymouth Pub present the situation, as they had spoken to them and brought in additional monitors to appease their concerns. One of her monitors was even thanked by Plymouth Pub management for the work being done to contain the event alcohol.
  - There was a presentation today about vendors for Spirit of Halloweentown. She has helped run a vendor booth for the last several years at various City events for dance team members, 4-H groups, and softball and youth football team members. What was presented to Council does not represent how she feels this season, or the past four seasons have gone. They, along with the majority of other vendors, were not asked to participate. She hopes future discussions can include all vendors.
  - She has been a leader for 13 Nights on the River and 4<sup>th</sup> of July. No event is perfect, and you will never please everyone. She has been screamed at, cursed at, bad mouthed, and even spit at. She has chosen to see the bigger picture and see the positive. Can the Council do the same?

- Speaking for herself and many other individuals who come to Spirit of Halloweentown, she is incredibly thankful for Chris, Tina, and E2C Productions. Their attention to detail, ability to breath life into the community, and desire to support and empower the business community is an asset and value to the city. They may even love our town more than most people who live here. She thanked them for continuing to show up even when it's hard, the countless hours they work, their positive attitudes and contagious smiles despite all the bullying and attacks, for loving the community, and making the community successful. They are appreciated.
- ◆ Brady Preheim.
  - The mantra seems to be a to-do list of bad behaviors to accomplish at each meeting; including disrespecting the mayor, wasting time, revisiting the same items repeatedly after a decision was already made, opponent of uproar, and predictable service.
  - He is disappointed about the policy change to not read letters into the record.
  - Following up on the vendor presentation, the City is not an independent contractor. The employer has the legal right to control the details of how the services are performed. If the Council implements any of the ideas that were presented, they are making the tourism contractor an employee and would owe them hundreds of thousands of dollars in back pay, hourly wages, and PERS. The Council has no control over what was presented. They are abiding by the terms of the contract and the Council needs to leave them alone. He was offended by the presentation requesting a discount for nonprofits. Nonprofits typically have more money than most businesses. How many other nonprofits did the Council grant \$500 to that they didn't bother to use?
  - He doesn't understand why the tourism director was asked about promoting the Chamber of Commerce event. The Chamber is not about tourism. Their focus is the local economy and businesses. It shows him they don't understand what tourism is.
  - He will continue to bring up lies he hears in public record.
  - Councilor Topaz was at least censured for lying in public record. Now it seems like they are willing to say they will forget about it. The comment he made to Deputy City Recorder Scholl should be considered. He also attempted to blackmail the Council by saying he had a really big developer that he would bring if his censure was removed. That's a reason to make the censure stronger and last longer.

### **ORDINANCES – First Reading**

- 1. Ordinance No. 3272:** An Ordinance to Annex and Designate the Zone of Certain Property at 58241 South Division Road

Mayor Scholl read Ordinance No. 3272 by title for the first time. The final reading will be held at the next meeting.

- 2. Ordinance No. 3273:** An Ordinance to Annex and Designate the Zone of Certain Property at 35285 Millard Road

Mayor Scholl read Ordinance No. 3273 by title for the first time. The final reading will be held at the next meeting.

### **RESOLUTIONS**

- 3. Resolution No. 1939:** A Resolution Adopting the St. Helens Stormwater Master Plan

Mayor Scholl read Resolution No. 1939 by title. Motion made by Council President Morten and seconded by Councilor Birkle to adopt Resolution No. 1939.

Discussion.

Councilor Topaz sees factual problems with the Stormwater Master Plan. Some of the pipes in the ground are not indicated in the Plan. Will that be corrected? Mayor Scholl responded that there are sections highlighted in red that will be addressed. Councilor Topaz asked if the things that are wrong in the Plan will be fixed? Councilor Birkle asked why that was not brought up two weeks ago during the presentation. Councilor Birkle responded that he brought it up. There are tile pipes around the old Dillard Lake that were not installed by the City. They are not currently part of the system but are still draining water. Councilor Birkle pointed out that this was a study of the current system and improvements. He doesn't know that those concerns are relevant. Councilor Topaz wants to know what they will do with them. Councilor Chilton believes those issues will be addressed as they work through the noted problem areas highlighted in red.

Council President Morten suggested moving ahead with the approval and give Councilor Topaz leeway to work with City Administrator Walsh to speak with the Public Works Director and the City's Engineer. In the meantime, these projects continue to get backed up. People complain about the City being slow, and he would like to move forward. Councilor Topaz wants to know if they can fix the mistakes in the Plan. Councilor Birkle explained that a master plan is a vision for the future. Each project will be dealt with accordingly when the time comes.

Engineering Project Manager Darroux asked Councilor Topaz what specific pipes he's referring to that are not shown on the Master Plan. Councilor Topaz responded that they run east and west from about the middle of 6<sup>th</sup> Street, including backyards, and end up just short of the apartments. They are perpendicular to the old sewer lines. They are eight-inch bell and tooth pipes. They took pictures of them when they were digging back there. Darroux agreed with Councilor Birkle's explanation of the Master Plan. It looks at the expansion of the system and improving certain problem areas, specifically with trunk lines. The smaller lines are usually addressed in-house and would not be found in the Master Plan. Walsh added that all of the plans are about addressing future capacity. It gives them a foundation for Capital Improvement Plans, priorities, and the ability to track funding for projects that are a high priority to the community. With infrastructure money available, they need to have these plans ready to go.

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

**4. Resolution No. 1940:** A Resolution Adopting the St. Helens Wastewater Master Plan

Mayor Scholl read Resolution No. 1940 by title. Motion made by Council President Morten and seconded by Councilor Birkle to adopt Resolution No. 1940.

Discussion.

Councilor Topaz wants to verify that this Master Plan will be looked at the same way as the Stormwater Master Plan just discussed. Council concurred.

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

**APPROVE AND/OR AUTHORIZE FOR SIGNATURE**

5. Infrastructure Design Work Order #1 with Mackenzie for St. Helens Industrial Business Park
6. Contract Payments

**Motion:** Motion made by Councilor Birkle and seconded by Council President Morten to approve '5' and '6' above.

Discussion.

Councilor Topaz wants to stop the design work by Mackenzie for the St. Helens Industrial Business Park (SHIBP). He attended a meeting about the pathway on the Waterfront property last week. It was very well laid out. The plan presented was 35 feet along the water's edge. It had design problems that can be taken care of. The 30-foot roadways were narrowed down to six-foot paths. Councilor Birkle pointed

out that the agenda items are for the SHIBP. Councilor Topaz went on to say that the six-foot wide path completely changes the cost. They were not told that there would be a major design change. It changes fire hydrants and fire building. They were also told during the meeting that the Marine Board did not encourage motorless... He contacted the Marine Board and was told the opposite. The architects did not show that there is going to be a wall next to the walkway. What was presented to the Council and public was completely different. Are the plans for the SHIBP exactly what it says or are they completely different? He has spoken with the Port, and they would like to access the back of their property into the White Mill and come out Kaster Road. Mayor Scholl confirmed that is in there. There is a 50-foot easement.

Councilor Topaz went on to talk about the single entrance to access the proposed Public Safety Facility. That affects the insurance being in the floodplain. He is pushing this because they were not given correct information. The City is being sued by Boise for a number of problems with the marijuana facility. The City is also being sued by Boise for expenses. There has been a ruling that says the sales of the marijuana facility are null and void because of procedure. The appeals case in Salem should have been brought to the attention of the Council so Council could advise the attorneys to move forward. Without a definitive direction, the Council is violating the law. He received this information from the courts. He has received a lot of information that does not correlate with what he's been told at these meetings. Council President Morten addressed the concerns brought up. The Public Safety Facility will have a road and easement for ingress and egress. Councilor Birkle requested Councilor Topaz provide this information to staff and Council before they discuss it. Councilor Topaz argued that it's not an option. He has done that before. He has tried to put things on the agenda prior to being censured and they were removed. He has also tried to get information to the Council and was told by the attorney that it can't be done because of meeting laws. He is trying to point out that there are a couple problems in the report. Mayor Scholl pointed out that he continues to drop bombs and waste their time. He is lumping multiple projects together. They are trying to move the City forward.

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

#### **CONSENT AGENDA FOR ACCEPTANCE**

7. Amendment No. 2 to Mayer/Reed, Inc. Agreement to include Archaeological Survey
8. Library Board Minutes dated October 11, 2021
9. Planning Commission Minutes dated October 12, 2021

**Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to approve '7' through '9' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Chilton

#### **CONSENT AGENDA FOR APPROVAL**

10. Council Work Session, Executive Session, Public Hearings, and Regular Session Minutes dated November 3, 2021
11. Animal Facility Licenses
12. Accounts Payable Bill Lists

**Motion:** Motion made by Councilor Chilton and seconded by Councilor Birkle to approve '10' through '12' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

#### **WORK SESSION ACTION ITEMS**

None

#### **CITY ADMINISTRATOR REPORT**

- Good discussion about tourism today.
- Received a request from Toy N Joy for two \$100 utility bill credits. No objection from Council.

- Provided a letter of support to Columbia River Fire & Rescue to allow the use of an off-road vehicle on the Watershed property.
- There is an opportunity for Grey Cliffs Park to receive dredge materials from the river.
- The container homes on S. 7<sup>th</sup> Street are nearing completion. There is a lease amendment to make the lots legal to sell.
- Have a meeting scheduled to review the dock enforcement on December 14. He will make sure the docks are clear for Christmas Ships on December 11.
- The Library Director position is open until filled. He reviewed the proposed recruitment process. Council President Morten would like Walsh to be included in the discussion and vote for the new person.
- He will be attending the League of Oregon Cities (LOC) Board retreat Thursday and Friday.
- There are lots of projects going on.

### **MAYOR SCHOLL REPORTS**

- Attended the Riverwalk Technical Advisory Committee (TAC) meeting. They participated in two on-site tours. There was an issue of gazebo placement, which they found a good solution. It was exciting to see the development potential.
- Happy Thanksgiving!

### **COUNCIL MEMBER REPORTS**

Council President Morten reported:

- Exciting and long day today.
- He looks forward to staff working through comments and suggestions made for Spirit of Halloweentown. The Council is not going to micromanage and fix things. That is up to the staff.
- He is concerned about long-term energy consumption. He would like to see a study conducted on transitioning to an all-electric fleet, with exception to police. It would be a tremendous savings for the City.

Councilor Topaz reported...

- The Riverwalk meeting was very informative. One thing that was overlooked was access for emergency services. He brought up that the 30-foot-wide access from the road to the river was narrowed to six-foot wide.
- Connecting the various plans is important. All of the plans should be stopped to review for modifications and government financing.
- He has not been paid for his legal fees. His attorney asked how the Boise suit is going. They looked up the court records and discovered that the City is being sued again for \$144,500. The partial finding is that the sale of the marijuana facility is illegal. The business has been added to the suit. He is disturbed because the Council was not informed. The attorneys reported earlier this month that the PUD power station was closer and there were no problems. There is a legal problem on procedure. He has caught a lot of things this week that did not match what he was told before. If everyone brings back their thumb drives, he will give them the updates that has very little to do with substations. The Council is responsible. The staff is under the Council.
- He reviewed an article that said the average police station cost \$200 per square foot. The Oregon City station is between \$335-540. The cost seems to be very much controlled by what part of the country you live in. Deputy City Administrator Brown has his work cut out for him.

Councilor Chilton reported...

- Enjoyed the special session earlier today. It's a good way to focus on direction and City goals. She thanked staff for keeping them on track.
- She toured the new Oregon City police station and encouraged Councilor Topaz to do the same. They already have a huge cost savings in the design. Brown has worked diligently on that project.

- She has been talking with local business owners. It's nice to hear from other people in the community.
- It's not her goal to destroy Spirit of Halloweentown. She comes down, shops, brings her kids, and participates. Tourism needs an open, consistent, and transparent evaluation. They are still waiting for a staff committee report on tourism, so it will come up again in a Council meeting. It will help them analyze areas of growth. It is not an attack. It is a way to be transparent and talk to staff about needs and changes.

Councilor Birkle reported...

- Planning Commission met last week. More annexations are coming up.
- Still accepting applications for the Planning Commission until November 19.
- Popeyes is forging ahead.
- Burger King has officially begun the process of development near the old hospital.
- Had a great time Saturday pulling weeds and planting plants at Nob Hill Nature Park. He heard very positive comments from Caroline and Howard. Nob Hill Nature Park wouldn't be in existence without them. He commended them for their continued work.

Council President Morten added that Council made that a nature park much before Howard and Caroline came along. They have helped it progress.

Council President Morten reported that the Parks & Trails Commission are sponsoring a work party at the Botanical Gardens on Saturday at 9 a.m.

#### **OTHER BUSINESS**

#### **ADJOURN – 8:21 p.m.**

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

---

Kathy Payne, City Recorder

---

Rick Scholl, Mayor