



COUNCIL REGULAR SESSION

Wednesday, August 04, 2021

APPROVED 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. [Updated after 9/15/21 Council Regular Session to add]: Mayor Scholl said that Councilor Topaz continues to spin lies and manipulate half-truths. The truth is that if anyone wants to add anything to the agenda, it needs one councilor plus two approvals. It is perfectly legal by Oregon Ethics law. Councilor Topaz argued that it is against the rules. Mayor Scholl said they can do it and there is no discussion on it. He told Councilor Topaz not to interrupt him. Councilor Topaz asked if Mayor Scholl is bullying him. Mayor Scholl called for a Point of Order and said he runs the meeting. He is going to take charge and they will be professional. He just returned from a Mayor's Retreat, and it was one of his topics. If Councilor Topaz continues to interrupt, he will call for Point of Order and have him removed. He repeated that Councilor Topaz is the master at spinning half-truths and dropping bombs for the public to see that is not true. He is trying to get out of personal trouble by using his business card. That is unethical. They have already tried with the Ethics Commission... Councilor Topaz said he lost... Mayor Scholl responded that they did not lose. He did not file the complaint. Councilor Topaz pointed out that Mayor Scholl did not sign his letter of intent or education. Mayor Scholl argued that is untrue. Mayor Scholl told everyone that this is

what Councilor Topaz does well and is selling it. The people who voted for him are not being told the truth. Mayor Scholl is not proud of his own behavior at the dais lately. It has been very frustrating dealing with Councilor Topaz. Mayor Scholl apologized. Councilor Topaz continues to ridicule and belittle professional staff members, instead of encourage and promote. He puts down to make himself look good. Mayor Scholl called Councilor Topaz a liar and he has had enough. He is not speaking for the Council as a whole.

Councilor Topaz attempted to speak and was told by Mayor Scholl they are done and he would be removed. He will have time during his report. Councilor Topaz went on to say they are \$870,000 in the rears from not collecting money. Mayor Scholl threatened to have him removed again.

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:

/s/ Kathy Payne

Kathy Payne, City Recorder

/s/ Rick Scholl

Rick Scholl, Mayor