



# COUNCIL REGULAR SESSION

Wednesday, September 16, 2020

## APPROVED MINUTES

### MEMBERS PRESENT

Mayor Rick Scholl  
Council President Doug Morten  
Councilor Keith Locke  
Councilor Ginny Carlson  
Councilor Stephen R. Topaz

### STAFF PRESENT

John Walsh, City Administrator  
Matt Brown, Assistant City Administrator  
Sue Nelson, Interim Public Works Director  
Jenny Dimsho, Associate Planner  
Lisa Scholl, Deputy City Recorder

### OTHERS

Natasha Parvey

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

### PLEDGE OF ALLEGIANCE

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

No visitor comments were received.

### ORDINANCES – *First Reading*

- 1. Ordinance No. 3256:** An Ordinance to Amend the City of St. Helens Comprehensive Plan Map for Certain Property from the Suburban Residential (SR) and Public Lands (PL) Designations to the General Commercial (GC) Designation and the Zoning District Map from the Moderate Residential (R7) and Public Lands (PL) Zones to the Mixed Use (MU) Zone

Mayor Scholl read Ordinance No. 3256 by title for the first time. The final reading will be held at the next regular session.

### RESOLUTIONS

- 2. Resolution No. 1899:** A Resolution Authorizing the Execution and Delivery of a Financing Agreement and Escrow Agreement; Authorizing the Issuance and Negotiated Sale of Full Faith and Credit Refunding Obligations to Refund Outstanding Loans; Designating an Authorized Representative, Special Counsel, and Underwriter; and Related Matters

Mayor Scholl read Resolution No. 1899 by title. Motion made by Councilor Carlson and seconded by Councilor Topaz to adopt Resolution No. 1899. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

### APPROVE AND/OR AUTHORIZE FOR SIGNATURE

- 3. Satisfaction of Mortgage for 120 Melvin Avenue (Ridenour) - CAT Loan Payoff**

## 4. Agreement with Arciform for Design Services for Facade at 275/277 Strand Street

Councilor Locke asked if he needed to recuse himself from the CAT Loan Payoff. Mayor Scholl said that would not be necessary since there is no monetary gain.

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

**CONSENT AGENDA FOR ACCEPTANCE**

## 5. Planning Commission Minutes dated August 11, 2020

**Motion:** Motion made by Councilor Carlson and seconded by Councilor Locke to approve '5' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**CONSENT AGENDA FOR APPROVAL**

## 6. Accounts Payable Bill Lists

**Motion:** Motion made by Councilor Carlson and seconded by Councilor Topaz to approve '6' above. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**WORK SESSION ACTION ITEMS**

- Request from Drake's Towing for an RFP to be done for towing services.

Councilor Locke talked about tow companies are charging different rates. He suggested the City set the rates for police tows, etc. It needs to be equal for everyone. Councilor Topaz asked who would research the legality. Mayor Scholl suggested using the language the City of Scappoose used. Council President Morten agreed. Assistant City Administrator Brown explained the last RFP. There was a fee schedule attached to Drake's Towing contract.

Mayor Scholl asked for staff to draft a proposed RFP. Discussion ensued. Consensus of Council for staff to bring back a proposal.

- How to move forward with the Mainstreet Program

Consensus of Council to add a discussion to the next work session agenda.

- Public Safety Facility Ad-hoc Committee members

Reviewed the names and background for people who submitted an application and who expressed interest verbally. Councilor Locke would like to see a student from the high school leadership or Youth Council participate.

**Motion:** Motion made by Mayor Scholl and seconded by Councilor Carlson to follow staff's recommendation for the Ad-hoc Committee, including those who express interest verbally. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

- Proposal to change the Youth Council to Youth Advisory Committee

**Motion:** Motion made by Councilor Carlson and seconded by Council President Morten to change the Youth Council to Youth Advisory Committee and partner with the Recreation Program. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

**MAYOR SCHOLL REPORTS**

- He read a letter to the editor in the September 3<sup>rd</sup> Spotlight from Councilor Topaz stating that he was silenced by himself and staff. That was not true. Voters have your voice in the Council reports at every meeting. Councilor Topaz spoke during visitor comments and that has never happened as long as he has been Mayor, or as long as he has been observing meetings. Councilor Topaz interjected that he was cut off. Mayor Scholl asked him not to interrupt his report. Brady Preheim

made a very concerning statement during visitor comments at the September 2<sup>nd</sup> meeting. The City and State have recently adopted laws regarding inappropriate workplace harassment. It applies to all employees, Councilor members, and Board and Commission members. The claims potentially put the City at risk. All staff and volunteers need to be aware that the City has a process in place to address harassment. You have the right to make complaints known to the City. If Brady's statements are found to be true, that is a real problem for the City. It is unacceptable and he would like to open an investigation to look into the allegations about Councilor Topaz's conduct.

**Motion:** Motion made by Mayor Scholl and seconded by Councilor Locke for the City Administrator to gather and provide the necessary and factual information on topics raised by Brady Preheim, so the Council can direct the next steps in the investigation.

Discussion.

Mayor Scholl said that Brady addressed finances, staff grievances, etc. To not investigate would not be serving the citizens.

Councilor Topaz asked what the recourse is if the allegations are wrong. He assumes the situation is false and made by a citizen, which he has the right to do under the First Amendment. What is the Council's action if his statements are false? Mayor Scholl responded that they would do an investigation to find out and they will make a statement. Right now, they are gathering information to determine if it warrants an investigation.

Councilor Locke reported that there have been several letters of complaints from staff. If an investigation is going to happen, the investigator will do the work and then Council can make a decision from that. Mayor Scholl added that anyone who has a complaint needs to submit it. The City cares.

Council President Morten has heard complaints of harassment from staff. Grievances have been filed regarding Councilor Topaz. Some of those complaints have been read in the record. Councilor Topaz has thrown the Council under the bus. He filed an ethics complaint to the State Ethics Board. An error did occur in the opening of an educational, fact-finding session under executive session, regarding the City's wastewater lagoon. Councilor Topaz named Mayor Scholl, Councilor Locke, Councilor Carlson, and Council President Morten in the filing of the complaint. However, he did not include himself in the complaint. He was there and participated. Council President Morten compared what Councilor did with team sports. Morten has coached sports over 30 years, and he has never experienced anything like that. It cost him and cost taxpayers. It is wrong. This is more of a personal thing for him. Citizens need to know what he did.

Mayor Scholl agreed. Councilor Topaz immediately went to the newspaper with what was discussed during the executive session. What he did was dirty and blindsided.

Councilor Carlson agreed with the motion. She is glad to see that something is going to be done about it now. It is not acceptable to not act on it.

**Voting:** Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

- The Chamber of Commerce is holding a grand opening and ribbon cutting at Purrz and Pawz at the corner of Columbia Blvd. and Fourth Street.

### **COUNCIL MEMBER REPORTS**

Council President Morten reported...

- Parks & Trails Commission recommended a concrete pad be placed to hold three benches and install one bench at the north end of Grey Cliffs Waterfront Park.

**Motion:** Motion made by Council President Morten and seconded by Mayor Scholl for staff to pour a concrete pad for three benches and install the one bench at the north end of Grey Cliffs Waterfront Park. Voting Yea: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson, Councilor Topaz

- The Parks & Trails Commission was directed by the Council to discuss the playground design at McCormick Park as part of the MODA Assist Grant. Parks Field Supervisor Thad Houk was asked earlier on to propose a design, which he had done. However, there are still questions about funding. Council President Morten suggests that Parks Field Supervisor Thad Houk, Interim Public Works Director Sue Nelson, Associate Planner Jenny Dimsho, and Recreation Manager Shanna Duggan work together on the proposal with the community. Mayor Scholl agreed. Councilor Carlson emphasized the need to make sure it is all-inclusive. Consensus of Council for staff to move forward as suggested by Council President Morten.

Councilor Locke reported...

- He met with Johnathon at Cascades. They agreed to disagree and came up with a compromise. The compromise said we need to start drawing the line. He intends to do that before leaving Council.

Councilor Carlson reported...

- Planning Commission has two expiring positions with members who have served two or more terms. It will be open to the community now. It is a four-year term.
- Her job is Direct Support for people with disabilities. This is the national week recognizing people who do home care. As an essential worker on the front lines, some people get no time during the pandemic. It is an everyday job and they are appreciated.
- Need to keep Christmas Ships on the radar since Councilor Locke is retiring this year. Mayor Scholl volunteered to follow Councilor Locke and learn what to do this year if another Councilor will join him. Councilor Carlson helps as well. She suggested the possibility of boxed dinners. Mayor Scholl talked to Tina about doing fireworks at Christmas again. There is plenty room to physically distance on the Waterfront property. Christmas Ships will be here on Saturday, December 12. It takes work and money to do fireworks in December.

Councilor Topaz reported...

- Next week, he and Government Affairs & Project Support Specialist Rachael Barry are going to have a re-education program for the Arts & Cultural Commission. He hopes to incorporate the bureaucratic mechanism that Boards and Commissions are supposed to follow.
- He checked with Chris Iverson about our Spirit of Halloweentown insurance. Insurance does not cover infection diseases. There is some money in the insurance policy for some legal fees but damages beyond that are not covered. We still have not seen a document from a safety committee for Spirit of Halloweentown that needs Council approval.
- He has been requested by several citizens to make a motion to stop Spirit of Halloweentown as of tonight.

**Motion:** Motion made by Councilor Topaz and seconded by Council President Morten to abandon the 2020 Spirit of Halloweentown.

Discussion.

Councilor Carlson visited Mainstreet merchants over the last week. They thanked her for continuing to hold events, trust citizens to wear a mask if they need it, and stay home if they need it. She heard from four of them and they want to continue Spirit of Halloweentown.

Mayor Scholl said the City was the first to declare a State of Emergency with the pandemic. Spirit of Halloweentown has been downsized. It will only allow 250 people during the ticketed hours on the

weekend. Masks will be required and there will be hand sanitation. There are no major pumpkin lightings, no parades, and no major celebrities unless they are in small groups. If there are any issues, it will be cancelled.

Council President Morten heard Tina Curry speak at the Kiwanis meeting. She is limiting attendance to control safety. Tina is taking the responsibility to manage the event.

**Voting:** Yea: Councilor Topaz; Nay: Mayor Scholl, Council President Morten, Councilor Locke, Councilor Carlson; motion failed.

**OTHER BUSINESS** – None

**ADJOURNMENT** – 8:00 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Lisa Scholl  
Lisa Scholl, Deputy City Recorder

/s/ Rick Scholl  
Rick Scholl, Mayor