



COUNCIL REGULAR SESSION

Wednesday, April 21, 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
Matt Brown, Assistant City Administrator
Kathy Payne, City Recorder
Rachael Barry, Government Affairs &
Project Support Specialist

Mouhamad Zaher, Public Works Director
Jenny Dimsho, Associate Planner
Lisa Scholl, Deputy City Recorder
Tina Curry, Event Coordinator

OTHERS

Brady Preheim	Sebastian Bean	Olivia Fantus
Arthur Leskowich	Katelyn Wells	Anna Richardson
Becky Jesse	Addison Wells	

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

PLEDGE OF ALLEGIANCE

Mayor Scholl lead the Pledge of Allegiance.

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

- ◆ Brady Preheim. Yesterday, he said he was in support of giving Councilor Topaz a redacted report. Since then, he received contact from a few City employees who told him they were assured that the information given in the investigation would remain confidential. Council already has a history of not protecting their employees. They certainly cannot violate their trust. The executive summary should be distributed to every person who was interviewed for their approval before releasing it. Secondly, he had the opportunity to listen to part of Councilor Topaz's tirade. The Council's failure to act shows they are being dragged along with him "on the crazy train." There is an option to remove him from office if he is mentally incompetent. Preheim suggested the Council order him to have a mental health evaluation by May 15. If he does not, then they can declare him as mentally incompetent and remove him from office. He has delayed time and time again. The audio from yesterday was very hard to hear. Council needs to protect their employees. Council needs to censure him and not allow for his continued disruptions.

ANNOUNCE & AWARD PRIZES TO "IF I WERE MAYOR..." STUDENT CONTEST WINNERS

All participants received a box earlier in the day and was instructed not to open it until Mayor Scholl made the announcement. When he announced it was time to open their box if a blue balloon floated out, they won first place, and if a red balloon floated out, they won second place. First place winners

won \$150. Their entries will compete for a prize at the State level. Second place winners won \$50. All participants received a certificate, St. Helens pens, St. Helens postcard, candy, and a Wellness Program lip balm. Mayor Scholl invited all participants to join him for a pizza lunch to be scheduled in the summer.

Fun Fact: All of the entries received at least two votes. The winners only won by one vote!

Grades 4-5 Poster Category:

First Place Winner – Anna Richardson

Second Place Winner – Sebastian Bean

Grades 6-8 Essay Category:

First Place Winner – Addison Wells

Second Place Winner – Olivia Fantus

Grades 9-12 Digital Presentation Category:

First Place Winner – Hayden Stram

Second Place Winner – Katelyn Wells

ORDINANCES – Final Reading

1. Ordinance No. 3261: An Ordinance Vacating a Portion of S. 2nd Street Right of Way

Mayor Scholl read Ordinance No. 3261 by title for the final time. **Motion:** Motion made by Councilor Topaz and seconded by Council President Morten to adopt Ordinance No. 3261. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

2. Ordinance No. 3262: An Ordinance to Annex and Designate the Zone of Certain Property at 35526 Firway Lane

Mayor Scholl read Ordinance No. 3262 by title for the final time. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Ordinance No. 3262. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

3. Ordinance No. 3263: An Ordinance to Annex and Designate the Zone of Certain Property at 58830 Firlok Park Street

Mayor Scholl read Ordinance No. 3263 by title for the final time. **Motion:** Motion made by Council President Morten and seconded by Councilor Topaz to adopt Ordinance No. 3263. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

ORDINANCES – First Reading

4. Ordinance No. 3264: An Ordinance Amending the St. Helens Municipal Code Chapters 17.16, 17.24, 17.32, 17.40, 17.56, 17.64, 17.68, 17.72, 17.80, 17.84, 17.88, 17.92, 17.96, 17.100, 17.104, 17.108, 17.124, 17.132, 17.136, 17.152, and 19.20, and Deleting Chapter 17.128, Focusing on Duplex Housing to Comply with Oregon House Bill 2001 and Other Matters

Mayor Scholl read Ordinance No. 3264 by title for the first time. The final reading will be held at the next meeting.

RESOLUTIONS

5. Resolution No. 1914: A Resolution Authorizing a Designated Agent for the Application to the State of Oregon Office of Emergency management for the Purpose of Obtaining Financial Assistance through the Hazard Mitigation Grant Program (HMGP)

Mayor Scholl read Resolution No. 1914 by title. **Motion:** Motion made by Councilor Topaz and seconded by Councilor Chilton to adopt Resolution No. 1914. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPROVE AND/OR AUTHORIZE FOR SIGNATURE

6. Extension of Agreement with Columbia Pacific Economic Development District for Grant Administrative Services for the Columbia Pacific Food Bank Project
7. Contract Payments

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '6' and '7' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

8. Appointments to City Boards and Commissions

Motion: Motion made by Councilor Topaz and seconded by Council President Morten to appoint Jessica Sturdivant to the Library Board. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to appoint Brandon Sundeen to the Parks & Trails Commission.

Question.

Councilor Chilton thought the appointment process for committees was changing. Assistant City Administrator Brown explained that Boards and Commissions already go through an interview process to select someone. The Budget Committee recently changed to follow what the others do.

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

CONSENT AGENDA FOR ACCEPTANCE

9. Library Board Minutes dated March 8, 2021
10. Parks & Trails Commission Minutes dated March 8, 2021

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '9' and '10' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

CONSENT AGENDA FOR APPROVAL

11. Council Executive Session Minutes dated March 31, 2021 and Council Work Session, Executive Session, Public Hearing, and Regular Session Minutes dated April 7, 2021
12. Amended Associate Planner/Community Development Project Manager Job Description
13. Accounts Payable Bill Lists

Motion: Motion made by Council President Morten and seconded by Councilor Topaz to approve '11' through '13' above. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

WORK SESSION ACTION ITEMS

Council President Morten would like to bring forth a Parks & Trails Commission recommendation for Columbia Botanical Gardens. Mayor Scholl suggested he present that during his report.

STRATEGIC ACTION PLAN UPDATES**PEG Channel 29**

Brown talked about the problems with the audio during yesterday's in-person Council meeting. He and IT Specialist Darin Cox have found a solution for future meetings. However, they are still having problems uploading Zoom files to Comcast. Based on a recent community survey, Channel 29 is being used very little. Is the Council open to not streaming to Comcast? It would drastically simplify things in the Council Chambers. Videos will continue to be uploaded to YouTube with links on the Agendas page.

They would just stop uploading videos to the Comcast PEG Channel. He suggested ceasing using it for some time and revisit it if they receive comments from the public requesting it be available again.

Discussion of Comcast Ch. 29. Only recorded videos can be uploaded, and sound is not working on the program at this time.

Councilor Birkle is concerned about the perception that the City may be trying to keep people from accessing meetings. He suggested communicating the proposed change first. Brown agreed that Communications could release the information for feedback. Councilor Chilton agreed with communicating the change.

Mayor Scholl expressed that there have always been problems with the audio on the Comcast Channel. They could allow other entities to use the channel as well.

Council President Morten appreciated the channel for rebroadcasting meetings. He personally utilized it to view other Board and Commission meetings. Brown reminded him that all of the meetings are on the City's YouTube page. They could potentially use the Comcast channel to broadcast flyers with meeting and community information.

Motion: Motion made be Council President Morten and seconded by Councilor Topaz to move forward with fixing the audio for the Council Chambers, keep the channel to post information and direct citizens to the meeting links on YouTube, and communicate the change to the public. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Topaz, Councilor Chilton; Nay: Councilor Birkle

Millard Road RFP

City Administrator Walsh reported that this is a request to put out a Request for Proposals for the Millard Road property. It is an attempt at a public/private partnership for a developer to propose projects and uses. Council will be involved in the review process.

Motion: Motion made be Council President Morten and seconded by Councilor Birkle to allow staff to put out an RFP for Millard Road. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

Fireworks

Mayor Scholl summarized the discussion from the work session.

Discussion of a volunteer nonprofit organization taking over the fireworks beginning next year.

- Encourage the organization to offer sponsorship levels and accept cash and credit card donations.
- Encourage the organization to partner with other local nonprofit organizations.
- The City will continue to support the event.
- In the past, it was organized by volunteers. The City recently took it over when there were no volunteer groups willing to do it.
- Work with Communications Officer Crystal King to communicate the need for a volunteer organization.

Motion: Motion made by Mayor Scholl and seconded by Councilor Topaz to have the City communicate that they are currently in the process of finding a volunteer organization to take over the fireworks.

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

CITY ADMINISTRATOR REPORT

- The "Smith Timber Sale" should be ready within the week. The sale would be the two units, totaling 92 acres, and containing roughly 2.7 million board feet. The bid opening is proposed to be May 26.

Council President Morten confirmed that timber prices are very high now.

Motion: Motion made by Mayor Scholl and seconded by Councilor Topaz to direct Walsh to direct Mason Bruce and Girard to proceed with the advertisement for timber cuts. **Vote:** Yea: Mayor Scholl, Council President Morten, Councilor Birkle, Councilor Topaz, Councilor Chilton

- There was discussion at the tourism meeting about events not being the only piece of tourism. The State's Regional Solutions Team and County-wide Tourism Plan both have a strong emphasis on outdoor recreation.
- COVID numbers are trending downward, but not enough to keep businesses from continuing to struggle.
- With the nice weather they have had, there has been a desire to open the splash pad and turn on drinking fountains. The Governor's orders highly discourage the use of drinking fountains. The splash pad is ready to be turned on when it is allowed.

Mayor Scholl agreed with opening them when the Governor allows. Council concurred.

Council President Morten said that drinking fountains have been changed to fill-containers where he works at Mount Hood Meadows and Timberline.

- Congratulations to Officer Hartless on receiving the Lifesaving Award from Columbia River Fire & Rescue.
- Congratulations to City Recorder Payne for 20 years of service.
- There is a lot going on right now and staff is working really hard.

MAYOR SCHOLL REPORTS

- Congratulations to Officer Hartless and Officer Massey on receiving the Lifesaving Awards.
- Congratulations to the "If I Were Mayor..." Student Contest participants.
- City Planner Graichen's report during the Work Session really showed how much development is happening. Staff is working really hard. Kudos to the Planning and Building Division staff.
- There is a lot more information to come following the Central Waterfront project Public Forum. That was a good meeting.

COUNCIL MEMBER REPORTS

Council President Morten reported...

- Thank you to Lions Club member Kathy Syrstad for her dedication to our parks. They are donating benches to the City from their fundraising proceeds.
- Congratulated Brandon Sundeen for being appointed to the Parks and Trails Commission. Brandon's passion to research history is unmatched. He researched all the names located on the war memorial plaza.
- He would like the Council to consider a unanimous recommendation from the Parks & Trails Commission for staff to research options for obtaining the six acres adjacent to the Columbia Botanical Gardens.

Motion: Council President Morten moved to direct staff to research obtaining the property adjacent to the Columbia Botanical Gardens.

Mayor Scholl pointed out that this is sensitive based on what was discussed earlier today.

Councilor Chilton clarified that he is only asking staff to research the options and not purchase it.

Discussion ensued. A motion is not needed. Staff is already investigating it.

Motion died due to lack of second.

Councilor Topaz reported...

- The Library operations are going quite well. Youth Librarian Gretchen Kolderup was honored for her five years of service and received Employee of the Year for 2020.

- He would like a placard made for Christina Sullivan so people know who she is.

Councilor Chilton reported...

- This week has been busy with Special Sessions and Tourism Workshops. She has received a lot of feedback from community members regarding tourism, encouragement, and ideas. She is very excited about that.
- Met with the Police Chief this week and talked about changes and trainings. Shout out to Officer Hartless. That says a lot about the type of police officers they have in St. Helens.
- She is going to be coaching T-ball. She is very excited about softball and baseball in the community again.
- Encouraged people to reach out to her. She would like to hear all the different perspectives, ideas, and problem solving from community members.

Councilor Birkle reported...

- It has been a very full two weeks with various Council meetings on various topics. He is excited about the amount of activity in the community. He encouraged all residents to become and continue to be informed, advocate for what they believe, and present their points of view.
- The Planning Commission met. He continues to be impressed with the work of the Planning Division and the level of commitment from the Planning Commission. They make some difficult decisions. He is proud and impressed with their dedication and deliberation in making decisions.
- There are several spring clean-up events this weekend.
- He is looking forward to a reduction in the number of Council meetings.
- Congratulations to the "If I Were Mayor..." Student Contest participants.
- Congratulations to the employees recognized for their length of service.
- Congratulations to our officers on receiving the Lifesaving Award.

OTHER BUSINESS

Walsh reported that the Council will need to hold a short special meeting next week. It can be held on Tuesday before the Budget Committee meeting or held individually on Wednesday. Consensus of Council to hold it the same night as the Budget Committee meeting.

Mayor Scholl talked about last night's Council meeting. The Council has never had to deal with it before and it is exhausting. They are working with their attorneys to release a redacted executive summary. City employees are very valued. They want a safe, respectful work environment for everyone to feel welcome, wanted, and needed. They will not release anything, in his opinion, that will hurt anyone. Grievances were made a long time ago and action taken to open an investigation on Councilor Topaz's conduct. It has taken a long time. He apologized to staff for feeling that nothing was being done. They are continuing to work on it, and they are being heard. Please be patient. This is very unique and complex.

Council President Morten asked Walsh to field any concerns from staff members regarding the issues of redaction and bring them to Council. Mayor Scholl agreed. They are also working with their attorneys. Staff is being heard and they are working on it.

ADJOURN – 8:32 p.m.

Respectfully submitted by Lisa Scholl, Deputy City Recorder.

ATTEST:

/s/ Kathy Payne
Kathy Payne, City Recorder

/s/ Rick Scholl
Rick Scholl, Mayor