

City of St. Helens

CITY COUNCIL

Special Session Minutes

October 26, 2020

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

Staff Present: John Walsh, City Administrator
Matt Brown, Assistant City Administrator (until approx. 11:26 a.m.)
Kathy Payne, City Recorder
Ed Trompke, City Attorney (until approx. 11:26 a.m.)
Matt Kahl, City Attorney (until approx. 11:26 a.m.)

Interviewees: Mouhamad Zaher (from approx. 11:00 a.m. – 12:00 p.m.)
Ty Barger (from approx. 1:00 p.m. – 2:00 p.m.)
Sue Nelson (from approx. 2:00 p.m. – 3:00 p.m.)



At 10:05 a.m., Mayor Scholl called the Special Session to order.

At 10:06 a.m., Mayor Scholl moved into Executive Session pursuant to the ORS 192.660(2)(h) Consult with Counsel/Potential Litigation and under ORS 192.660(2)(a) Consider Employment of Public Officer/Employee to conduct interviews for a Public Works Director.

At 11:03 a.m., Mayor Scholl returned to Special Session.

Motion: Upon Carlson's motion and Morten's second, the Council unanimously approved moving Sue Nelson's interview from 10:00 a.m. to 2:00 p.m.

Motion: Carlson moved to add three staff members to the interview panel including their scores in the assessment process: City Administrator John Walsh, Asst. City Administrator Matt Brown, and City Recorder Kathy Payne. Morten seconded.

Discussion ensued and Matt Brown removed himself from the panel due to the fact that Councilor Topaz is not going to recuse himself from the interviews.

Amended Motion: Carlson amended her motion to just have John Walsh and Kathy Payne added to the interview panel. Morten seconded the motion. Motion passes with four in favor and one opposed (Councilor Topaz).

There was discussion regarding the potential conflict of interest with Councilor Topaz interviewing one of the candidates. There was continued discussion about Councilor Topaz not recusing himself from the process. The Council asked Topaz to recuse himself and he refused. Topaz said that he believed that Mayor Scholl said he could not make a fair decision and got upset. Mayor

Scholl stated for the record that there is a potential conflict of interest with Topaz participating in the interviews but Topaz refused to recuse himself.

Mayor Scholl said that there was a motion made and seconded to add two staff members to the panel.

City Attorney Ed Trompke said that there are two items up for discussion: 1) put together a committee to interview the candidates to include the City Council and two staff members; and 2) take the high and low scores off each candidate's scores.

Motion: Mayor Scholl moved to form a committee including the City Council and two staff members (Walsh and Payne); and to throw out the high and low scores of each candidate. Morten seconded the motion. All in favor. Motion passes.

Motion: Mayor Scholl moved and Morten seconded to have Payne read the interview questions and disclose to each interviewee the potential conflict of interest with Councilor Topaz. All in favor. Motion passes.

Councilor Carlson commented that this is a difficult process but we were elected so we do our best.

The Council returned to Executive Session at 11:26 a.m.

At 4:01 p.m., the Council moved back into Special Session.

Motion: Upon Topaz's motion and Carlson's second, the Council unanimously directed staff to make the offer to the top candidate contingent upon them passing the background investigation.

The Special Session was adjourned at 4:03 p.m.



ATTEST:

/s/ Kathy Payne
Kathy Payne, City Recorder

/s/ Rick Scholl
Rick Scholl, Mayor