

**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL AT 7:00 PM ON NOVEMBER 1, 2018**

1. Call to Order

Council President Michael Gregory called the meeting to order at 7:00 pm.

2. Roll Call

Mayor Shanti Platt	Absent, excused
Councilor Micky Wagner	Present
Councilor Baltazar Gonzalez	Present
Council President Michael Gregory	Present
Councilor Wes Leiva	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Tim Rhyne, Police Chief Peter Spirup, Public Works Superintendent Pat Claxton

Others Present: Pam Rushing & Melissa Rodriguez, Coldwell Banker; Joe Budge, Woodburn Fire District; Diane Bartch

3. Announcements:

a. Additions/deletions to the agenda

- 1) Delete New Business 6(b) and move that item to the December 2018 regular council meeting.

4. Public Comment:

Public comment is limited to three (3) minutes per person with an optional two (2) minutes for Council questions and answers. If you wish to address Council please come forward to the podium and identify yourself for the record.

5. Consent Calendar:

- a. Approval of the minutes of the October 4, 2018 Regular Session
- b. Approval of the minutes of the October 16, 2018 Special Session
- c. Approval of bill list for September 27 – October 24, 2018

Councilor Wagner made a motion to adopt the consent calendar as presented, seconded by Councilor Leiva. Motion is unanimously carried and so moved.

6. New Business

- a. Public Hearing: Sale of the old City Hall building located at 524 Fourth Street, Gervais, OR, pursuant to ORS 221.725
 - 1) Open public hearing and note time for the record
 - 7:04pm
 - 2) Declaration of ex parte contact or conflict of interest
 - None noted
 - 3) Staff Report
 - Susie presented her staff report pursuant to ORS 221.725 and reviewed information relating to the sale of the old City Hall building located at 524 4th Street. The buyer has accepted the counter offer that was submitted by the City. The buyer is Catarino Alegria Olvera, the current owner of the market right next to old City Hall. Susie supplied required documentation for the sale of the old City Hall building. The sales agreement lists a purchase price of \$85,000 with a down payment of \$20,000. The City will carry the contract of \$65,000 for a term of (5) years at an interest rate of (8%). The monthly installments will be \$1,317.97. As part of the sale, it was stipulated that the buyer must have a professional company replace the aging roof within (120) days of purchase. One other requirement of the loan was that no walls were to be removed before the contract term was completed. There was a short discussion whether the wall between the buildings was load-bearing.
 - 4) Proponents presentation
 - None noted
 - 5) Opponents presentation
 - None noted
 - 6) Proponents rebuttal
 - None noted
 - 7) Staff summary
 - Susie recommended that the Council approve the sale of the old City Hall building with the noted contract stipulations.
 - 8) Close public hearing
 - 7:09pm
 - 9) Council discussion
 - There was a brief discussion after the motion about the old fire department materials that were located in the old City Hall building.
 - 10) Council motion, second and vote
 - ***Councilor Wagner made a motion to approve the sale of the old Gervais City Hall located at 524 4th Street, Gervais, OR to Catarino Alegria Olvera for \$85,000 on the terms preliminarily negotiated by the parties, and authorize the City Manager to execute all necessary documents on behalf of the City to complete the transaction. Seconded by Councilor Leiva. All voted "aye" on individual vote. Motion is unanimously carried and so moved.***

See section (9) for discussion after the motion.

~~b. Observance of Martin Luther King Day~~

- c. Approve Ordinance No. 18-008, An Ordinance of the City of Gervais Amending Ordinance No. 11-003 Section 8.04.120 Relating to Smoke and Particulate Matter and to Establish Rules for Open Burning and Declaring an Emergency

Chief Spirup offered to answer any questions and the Council discussed some details of the new ordinance. Some of the things discussed were burn barrels, proximity of a burn pile to property lines, allowed burn materials, age requirements for a “responsible person,” etc.

Councilor Harvey made a motion to approve Ordinance No. 18-008, an ordinance of the City of Gervais amending Ordinance No. 11-003 section 8.04.120 relating to smoke and particulate matter and to establish rules for open burning and declaring an emergency. Seconded by Councilor Wagner. All Councilors voted “aye.” Motion is unanimously carried and so moved.

7. Staff Reports:

- a. City Manager

Susie mentioned that Republic Services will be updating the council on the proposed recycling surcharges in an upcoming meeting. Susie will soon be meeting with Republic to get further information. Susie also updated the council on the recruitment status for the Public Works Superintendent position. She and the Chief will be interviewing applicants on November 7th.

There was a recent pre-application conference with a developer (Jim Swee) regarding a proposed development 8th Street off Ivy Avenue. They provided a preliminary site plan at the meeting. The size of the development is approximately 13 acres. Pat Claxton talked briefly about the supply of utilities to the proposed development. There was a brief discussion about supplying water and sewer to a location that far from the plant. Initial water pressure tests were good.

Regarding the vacant lot next to City Hall, Fred Kasachev also brought in a preliminary site plan for a 12-unit, 3-story apartment complex along with a laundromat. Fred has also recently purchased industrial property on 5th Street.

There is currently industrial land for sale out on Checkerboard Road that is within City limits. There have been discussions with a potential buyer about supplying utilities to that site.

- b. Police Department

Chief Spirup briefly discussed a recent auto accident involving Officer Palmer. The Chief also updated the council on the new speed radar signs that have been installed in Gervais and said that the initial results have been positive. The Chief stated that the electronic speed signs also collect data that can be analyzed by the Police Department. Councilor Wagner asked about speed warning signs outside of Gervais City limits.

Currently, Gervais contracts with the City of Salem for its records management system. The Chief mentioned that Salem is in the process of updating its system from the current PRIORS to

a new one called Mark 43. He also stated that the Department is planning to continue its relationship with Salem for records management. With no objections from the council, Chief Spirup will be signing a contract for ongoing services from Salem and Mark 43.

On another note, the Department will be receiving training on Narcan which is a remedy that is used for drug overdose cases. There was a short discussion about the device and method of administration of the Narcan device. Councilor Wagner asked about the consolidation of dispatch centers.

c. Public Works

Pat didn't have much to add that had not already been discussed.

8. Business from the Mayor or Council

Councilor Harvey requested that an agenda item be added to discuss the proceeds from the sale of the old City Hall building. He suggested creating an emergency fund that could be used in case of a City emergency.

9. Adjourn

The meeting was adjourned at 7:40 pm.

I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON NOVEMBER 1, 2018 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Timothy Rhyne, City Recorder

Shanti M. Platt, Mayor