

**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 JUNE 7, 2018**

1. Call to Order

Mayor Shanti Platt called the meeting to order at 7:00 pm.

2. Roll Call

Mayor Shanti Platt	Present
Councilor Micky Wagner	Present
Councilor Baltazar Gonzalez	Present
Council President Michael Gregory	Present
Councilor Wes Leiva	Absent, excused
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: Holly Byram, Mid-Willamette Valley COG; John Brosy, Rebecca Vasquez, Jessica Tarula, Chris & Diana Bartch, Ted Woodruff

3. Announcements:

- a. Additions/deletions to the agenda

4. Public Comment:

- a. **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.**

- 1) Rebecca Vasquez of 1021 Ivy Avenue came before the council to ask for a donation for the 2018 Senior Class Party. Rebecca is currently on the treasury committee for the Gervais Senior Class of 2018. Councilor Wagner declared a conflict of interest since she co-chairs the Senior Parent group. Chief Spirup mentioned that there were some community funds available if the council would like to donate an amount to the Senior Class.

The council gave consensus to donate \$500 to the Senior Class Party of 2018.

- 2) Jessica Tarula of 809 Peckner Street presented information to the council about the importance of clean drinking water and her concerns about chemicals sprayed into the air.

5. Consent Calendar:

- a. Approval of the minutes of the May 3, 2018 Regular Session
- b. Approval of the minutes of the May 17, 2018 Budget Committee Meeting
- c. Approval of the minutes of the May 24, 2018 Work Session
- d. Approval of bill list for April 26 – May 30, 2018

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

6. New Business

- a. Public Hearing: UGBA/CPMA 2018-01 Proposal to expand the Gervais Urban Growth Boundary (UGB) by 0.53 acres and apply a land use designation of Residential to that property

- 1) Open public hearing and note time for the record - 7:17pm
- 2) Declaration of ex parte contact or conflict of interest - None noted
- 3) Staff Report

Holly Byram read the opening statements of her staff report to the council regarding UGBA/CPMA 2018-01. She followed this by presenting her staff report to the council. This proposal is to expand the Gervais urban growth boundary by .53 acres. Holly explained how the soils in the land affect an urban boundary change. It was recently found out that there is some additional information required by Marion County and the State of Oregon. Since more information is needed, this public hearing can be closed and then re-opened at the August 2018 or other council meeting. Holly will provide a revised staff report in light of the requirements set by Marion County and the State. There was a brief discussion among the council about the population study provided by Oregon State University.

- 4) Proponents presentation

John Brosy of 161 High Street SE, Salem, gave information in support of the proposed UGB expansion. John talked about the population study performed by the Population Research Center (PRC). The PRC performs a population study for each city in Oregon every year. Mr. Brosy gave information to the council about the land in question and his work for James Arnold. He briefly touched on items relating to the soils and the surrounding lands.

- 5) Opponents presentation - None noted
- 6) Proponents rebuttal - None noted
- 7) Staff summary - None at this time due to rescheduling of public hearing

- 8) Close public hearing - 7:45pm
- 9) Council discussion - None at this time due to rescheduling of public hearing
- 10) Council motion, second and vote

Councilor Gregory made a motion to postpone this public hearing until the July 5th council meeting, seconded by Councilor Wagner. Motion is unanimously carried and so moved.

b. Public Hearing – Budget Hearing for 2018-19 Fiscal Year

- 1) Open the Hearing - 7:47pm
- 2) Hear Public Testimony - None noted
- 3) Take Additional Questions or Comments - None noted
- 4) Close Public Hearing - 7:49pm

c. Resolution 18-006 Adopting the 2018-19 budget, making appropriations, imposing the tax and categorizing the tax

Councilor Wagner made a motion to approve Resolution 18-006 Adopting the 2018-19 budget, making appropriations, imposing the tax and categorizing the tax. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.

d. Resolution 18-007 Requesting State Revenue Sharing Funds and Declaring the City's Election to Receive State Revenues

Councilor Wagner made a motion to approve Resolution 18-007 Requesting State Revenue Sharing Funds and Declaring the City's Election to Receive State Revenues. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.

e. Resolution 18-008 for Budget Transfers for Fiscal Year 2017-18

Councilor Wagner made a motion to approve Resolution 18-008 for Budget Transfers for Fiscal Year 2017-18. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.

f. Ordinance 18-002 Granting a Non-Exclusive Cable Television Franchise to WaveDivision VII, LLC, dba Wave Broadband

Councilor Wagner made a motion to approve Ordinance 18-002 Granting a Non-Exclusive Cable Television Franchise to WaveDivision VII, LLC, dba Wave Broadband. Seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.

g. Ordinance 18-003 Prescribing the Manner for a Person to be Nominated to Run for Mayor or a City Councilor Position.

Susie Marston explained that the City Charter outlines how someone may run for office in Gervais. The City Charter is consistent with state law. This ordinance gives the council authority to set a filing fee by resolution.

Councilor Wagner made a motion to approve Ordinance 18-003 Prescribing the Manner for a Person to be Nominated to Run for Mayor or a City Councilor Position and declaring an emergency. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.

- h. Resolution 18-009 to Establish a Filing Fee for a Nomination to an Elective City Office

Councilor Harvey asked who came up with the fee for filing by declaration. Susie responded that she had researched what other cities charge for the same fee. There was a discussion about the method of running for public office in Gervais.

Councilor Gregory made a motion to adopt Resolution 18-009 to Establish a Filing Fee for a Nomination to an Elective City Office. Seconded by Councilor Wagner. Motion is unanimously carried and so moved.

- i. Approve Intent to Award Contract for 6th Street Widening Project to Canyon Contracting, LLC

Susie stated that the rebid for the 6th Street Widening Project was held on May 22nd, and there were 3 bids. Canyon Contractors was the lowest bid and was checked out by the City engineer. The amount of the bid is \$122,703. The project is expected to begin after the 4th of July.

Councilor Wagner made a motion to approve Intent to Award Contract in the amount of \$122,703.00 for 6th Street Widening Project to Canyon Contracting, LLC. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.

- j. Approve Contract for Services for Financial Audit of Fiscal Year Ending June 30, 2018

Susie mentioned that the annual audit is scheduled for the middle of September. Grove Mueller and Swank is the firm, and their fee is unchanged from last year, \$12,500. Mayor Platt asked if the City has looked into the fee being charged and if it is comparable to other firms. Susie stated that she would be glad to look into the fee but suggested that any potential change in firms should wait until after this year's audit. There was a brief discussion about auditing firms and the related costs.

Councilor Wagner made a motion to Approve Contract for Services for Financial Audit of Fiscal Year Ending June 30, 2018 to Grove, Mueller & Swank, PC. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.

7. Staff Reports:

a. City Manager

Susie reminded the council about the upcoming dog licensing program in which Gervais will be participating. Susie recently submitted two different grant applications one of which is to Marion County for \$25,000 to help pay for the cost of updating the master plans (except for the Park Master Plan). The other grant is for DLCD for assistance with updating the housing needs analysis for Gervais. There have been developers asking city staff about when Gervais is expecting to expand its urban growth boundaries. Having the study done will help put Gervais in a good position for expanding its UGB.

b. Police Department

Chief Spirup updated on the progress of the new officer, Ben Snell. The Chief has also recently met with the newly elected District Attorney, Paige Clarkson, to discuss issues that small police agencies face. Recently, the Chief and Lieutenant Chase met with the Marion County Sheriff to discuss a potential change in dispatch services from Salem to Woodburn. More information will be coming on that topic as it could affect the City of Gervais. There was a brief discussion about the effects from that change.

The Chief gave some details on recent activities by the department and also mentioned that the new MDTs for the patrol cars are being set up.

c. Public Works

Pat stated that the flower baskets have been hung, and Councilor Gregory is working on making some additional brackets to add new 4th of July banners in town. 4th of July plans are underway.

Pat told Councilor Harvey that he recently met with Wolfers to discuss filter systems that are able to filter arsenic. Councilor Harvey suggested performing quarterly water tests to see what the arsenic level is at. There was a general discussion about arsenic and how it can be monitored and filtered. Pat talked about water testing with the council.

Councilor Gonzalez asked if there was a dump site at the north end of 4th Street. Pat replied that there is no dump site there and that some people have illegally dumped out there before.

Councilor Wagner asked about backyard burning in Gervais and what is allowable. Her concern stemmed from the proximity of burn piles from fences. There was a discussion among staff and the council about backyard burning.

Councilor Wagner also asked about the Public Works truck that is going to be surplus in the near future. There was brief discussion about the use of the truck.

8. Business from the Mayor or Council

Mayor Platt mentioned that she will not be conducting the annual yard sale until later in the year.

Councilor Harvey asked about the status on the old city hall. Susie and the council had a short discussion about its current status and next steps to take.

9. Adjourn

The meeting was adjourned at 8:45 pm.

I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON JUNE 7, 2018 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Timothy Rhyne, City Recorder

Shanti M. Platt, Mayor