

**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL WITH ZOOM ALTERNATIVE AT 7:00 PM ON NOVEMBER 4, 2021**

1. Call to Order
2. Mayor Annie Gilland called the meeting to order at 7:00 pm.
3. Pledge of Allegiance
The Pledge of Allegiance was led by Councilor Gonzalez

4. Roll Call

Mayor Annie Gilland	Present
Councilor Pamela Foreman	Present
Councilor Baltazar Gonzalez	Present
Council President Micky Wagner	Present (via Zoom)
Councilor Diana Bartch	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Denise Dahlberg, Police Chief Mark Chase

Others Present: None

4. Announcements/Additions

Mayor Gilland read a Good Samaritan letter recognizing Councilor Gonzalez. The letter explained how grateful this person was for Councilor Gonzalez selflessly giving his time to help her figure out what to do. Mayor Gilland thanked Councilman Gonzalez for making Gervais shine.

Mayor Gilland moved action item 9.e. Authorize IGA between Portland State University and City of Gervais for the purpose of conducting a Pay Equity Analysis to New Business 11. d. and added a discussion about calling BOLI.

Mayor Gilland moved the item 11.b. Discussion about the Circus to the December agenda and added a discussion for Angelo Ferreira's Request for Football Scholarship. Gilland asked for a motion.

Councilor Bartch made a motion to move item 11.b. Discussion on Circus to the December council meeting, seconded by Councilor Gonzalez . Motion was unanimously carried and so moved.

5. Public Comment

Sandra Foote Gregory, 680 Douglas. Foote asked the council if anything could be done about so many cars parked on both sides of the street. She asked if the council could do anything to make it possible to park on only one side of the street so that cars and fire trucks can pass. Mayor Gilland disclosed that Sandra Foote Gregory was her mother and explained to Sandra that she heard her and the council is currently working on ordinances.

Councilor Bartch stated that ordinance discussion was more about property parking than street parking but that the council is aware of the street parking being an issue. She explained that it was a matter of finding a solution that keeps everyone happy.

Harvey explained there were rules in place for several areas to only have parking on one side where it is necessary for fire trucks to pass.

Laura Clifton, 1065 6th St. Clifton stated she was with parks and rec, there had been a committee formed and they have met. Clifton explained she had met with Sacred Heart and they were interested. She stated it sounded like it was a follow-up meeting from someone who had previously approached them but never followed up and they would talk to their council and get back to her in December.

Councilor Bartch asked what Laura spoke with Sacred Heart about.

Mayor Gilland interjected, informing the council that she was with Laura and they did an inquiry asking Sacred Heart if they would be willing to open a discussion about leasing some land. Gilland explained they would be invited back to Sacred Heart's council meeting to find out what they would negotiate. She explained at that time they would bring it back to council and if needed, council could give directives to staff.

Clifton stated she had been approached about the basketball court at the railroad and 5th St. They asked her if it was possible to make wider and longer and put in another hoop. She explained that it would be possible to take a bench out, move the curb and put in another hoop so that people could play at both ends of the court.

Harvey explained he and Councilor Gonzalez had spoken to John Robinson in Public Works about the same issue and Robinson said there was a good possibility it could be done.

There was a discussion about talking with Robinson to move forward and what the next step would be and what streets were city owned.

Mayor Gilland asked for a consensus to move forward and ask staff to look into this. All councilors were in favor and the directive was given.

Angelo Ferreira, 8th grade football player at Gervais Middle School read letter to the council describing his love for football and his lifetime accomplishments. Angelo shared his goal is to play college football and how it could give him a better education. He asked for the City of Gervais to sponsor him and help him with donations.

Mayor Gilland thanked Angelo for coming, said she was proud of him and the council would have a discussion about this later in the meeting. Bartch asked Angelo if he planned on playing Gervais High School Football and if so, what position. Angelo replied yes and he would play center position. Councilor Gonzalez told Angelo that his son was selected to represent Woodburn for 4 years and went on to play semi-pro ball in Yakima. He encouraged Angelo to keep at it and he would make it. Council President Wagner said on behalf of her family, she wanted to donate \$100 to sponsor him.

Melissa Brownell, 1143 Winfield St. Brownell noticed she had a lot of hard water build up in her home and wanted to ask the city if there was anything they could do before the water gets distributed. Mayor Gilland explained that she has hard water too, but she was a test house and it passes every time and assured Melissa that the water was safe to drink and bathe. Councilor Harvey and Council President Wagner identified with the same water build up and provided Melissa with some home remedies for hard water build up. Melissa suggested the city be more proactive about the situation. Mayor Gilland suggested Melissa call the city and ask for John in Public Works. In addition, Gilland suggested the council should perhaps discuss the issue. Gilland assured Melissa she heard her and thanked her for coming.

6. Consent Calendar:

- a. Approval of the minutes of the October 7, 2021 Regular Session
- b. Approval of the minutes of the October 21, 2021 Work Session
- c. Approval of bill list for September 29 – October 26, 2021

Mayor Gilland asked for two amendments on the minutes. She explained that she asked the City Manager about the pay equity study and she also asked if she had contacted BOLI and she wanted that put in there. Mayor Gilland requested more detail on the discussion when Councilor Foreman asked about the recruitment process for Admin Assistant and Police Officer. Gilland commented that if she had to sign the minutes she wanted them to be more clear.

City Manager responded to the Mayor with a point of clarity, explaining that the amendments would be made but the minutes did not need to be word for word. She explained that the minutes provide a lot of detail and some minutes are action minutes. Marston advised that the audio recording is always available.

Mayor Gilland asked for a discussion to be put on the December Agenda about providing zoom recordings of the meetings to the community.

Councilor Bartch made a motion to approve the November 4, 2021 consent calendar with amendments as discussed for October 7th and the rest as presented, seconded by Councilor Harvey. Motion is unanimously carried and so moved.

7. Presentations

- a. Gervais School District Proposed Bond, Dandy Stevens Gervais Schools Superintendent

Dandy Stevens, Gervais Schools Superintendent provided the council with a board packet with items for her presentation for the Gervais School District Proposed Bond. Stevens clarified that the work that is being done right now is part of a pre-bond planning committee. She explained

the implementation of Gervais school District's strategic plan through goal setting and described the core values as a district (equity, integrity, excellence, relationships, community). Dandy stated that if all the goals are accomplished, by the end they should be graduating resilient responsible students whose learning extends to the global community beyond Gervais. Stevens asserted the importance of resiliency and talked about the impacts of the Covid 19 pandemic. Stevens provided the council with the knowledge of some of the buildings being older and established that they are in desperate need of repair and remodel so that they can provide programs that the students deserve. Dandy referenced slides and provided the council with information about the last bond that was paid off in 2009. Stevens pointed out that it had been more than 31 years since any monies had been dedicated to the school facilities. She explained the recent history on Gervais School District property taxes. Stevens communicated the importance of partnering to increase the property tax base because it is becoming extremely expensive to operate and continue to offer modern facilities if there isn't a plan on how to do it. Stevens explained that Gervais has positioned itself to receive a \$4 million grant from the state just for passing the bond. Stevens explained that if Gervais passes a bond of \$31 million, then Gervais will get \$3.8 million from the seismic grant and the \$4 million. They have a line on a sponsorship for turf for soccer fields and that plan includes lighting, bleachers and a concession stand and taking care of things that have to happen in the schools. Dandy explained the most important piece to this was the survey link she provided with a QR code. She explained that it would only be up for two weeks and urged the community to take the survey. The survey outlines things needed for each of the schools and how the voters would feel about that. Stevens asserted that the Gervais community needed a strong school district. Stevens concluded that the City of Gervais needed to be strong as well, which meant partnering to bring in business, medical facilities and services. Dandy thanked the council for their time.

Mayor Gilland thanked Superintendent Dandy Stevens for coming.

8. Public Hearing - None

9. Actions Items

- a. Approve renewal of Oregon Public Works Emergency Response Cooperative Assistance Agreement.

City Manager Marston informed the council that the last renewal of the Oregon Public Works Emergency Response Cooperative was approved in 2016 and they expire every 5 years. She explained that the agreement enables public works agencies to support each other during an emergency. Marston communicated the importance of this renewal because it sets up documentation needed for maximum reimbursement possible.

Bartch made a motion to approve the renewal of the emergency response cooperative assistance agreement, seconded by Councilor Foreman. The motion is unanimously carried and so moved.

- b. Approve Agreement with Office of Emergency Management and City of Gervais for Grant No. 21-235 and authorize Mayor to sign the same.

City Manager mentioned that staff had been talking with the council about a grant that they applied for through Emergency Management. She explained that Gervais is a sub applicant to Marion County. Marion County is the applicant for the grant. This was the agreement for Gervais to accept the award for the grant in the amount of \$30,000 to purchase a generator to be used at City Hall.

Mayor Gilland asked if the grant was written by the county and if the city bootstrapped it. City Marston explained that Marion County was the main applicant and that Gervais was the sub-applicant.

Chief Chase voiced that he and City Manager Marston worked on the grant application process together, the county reviewed and accepted it.

Councilor Bartch made a motion to approve agreement with Office of Emergency Management and the City of Gervais for Grant No. 21-235 and authorize Mayor to sign the same, seconded by Council President Wagner. Motion is unanimously carried and so moved.

- c. Surplus wastewater treatment plant generator.

City Manager Marston explained that John Robinson provided a memo in the council packet about the wastewater treatment plant generator. She informed the council about the old army generators out at the lagoons and asked to surplus this particular one because it is dead in the water. The replacement has been ordered with a 30 week lead time.

Mayor Gilland asked if we would be okay during that time and if there were backups. Marston said they do have generators. Gilland asked if there was an ice-storm would we be in trouble. Marston said that we could be, but that we should be fine.

Councilor Harvey was curious if the generator was working at all. Marston explained that there had been some repairs done to it, it's old, leaks oil and now not working. Marston stated it worked up to a point but they were purchased back in the Dave Miller days, and it had been operating for a long time.

Councilor Foreman made a motion to surplus the wastewater treatment plant generator, seconded by Councilor Bartch. Motion is unanimously carried and so moved.

- d. Intent to award contract for Wastewater Treatment Plant Poplar Tree Crop Restoration and authorize Mayor to sign the same.

City Manager Marston provided the council with an email and a hard copy of a recommendation letter from the project engineer to move forward with a bid. Marston explained that there was an advertisement to solicit bids to restore the poplar tree farm, bids were due November 4th and there was only one responsive bidder. His bid came in at \$228,000. The project engineer had talked to the bidder about the bid and with certain conditions he is recommending the council give their intent to award the contract to Advance Land Management.

Foreman asked why the bid had to be closed so quickly and if there was a possibility of getting someone else. Marston explained that the advertisement had been open for three weeks. The council confirmed with Marston that the bid was advertised and it was the only bid she received. Marston replied yes and that it was done in accordance with the state procurement law. Marston announced that this company would also be taking care of Woodburn poplar tree farm and has worked with other cities as well. She explained that Public Works had an opportunity to meet them and they have seen the tree farm. Marston recounted their price at \$228,000 and explained she was told there would be minimal chances of any change orders.

Councilor Harvey asked if there were funds available. Marston informed the council that this project was FEMA eligible and we do have a 25% match. The rest would be covered with a grant from Business Oregon.

Mayor Gilland once more confirmed that the bid was advertised, there wasn't a lot of response, minimal chances of change orders with no guarantee, confirmed that John Robinson was okay with it and if Susie recommended this. Susie did recommend it and so did the project engineer at AKS Engineering.

Councilor Foreman asked about the grinder on site and if that was a piece of equipment that will be on site. Marston confirmed that the City does not have a grinder and they would have theirs onsite.

There was a council discussion about how the wood chips were going to be used. Bartch read from the letter and specified that the chips generated from this work would be distributed on site and stock piled for future use along road ways. Listen to audio for further detail on this discussion

Council President Wagner made motion for the intent to award contract for Wastewater Treatment Plant Poplar Tree Crop Restoration and authorize Mayor to sign the same, seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.

10. Old Business - none

11. New Business

aa. Discussion on calling BOLI (Mayor Gilland added this agenda item)

Mayor Gilland spoke with BOLI and found that the Pay Equity Study could be done internally. Gilland told the council she could do it and appoint an ad hoc committee to help her. City Manager Marston explained to the council that it was an administrative duty and she could give the analysis verbally at a very high level. The council agreed to the verbal report. Marston verbally gave the Pay Equity Analysis and will bring documentation to the December 2nd council meeting. Listen to audio for further details on this topic.

Mayor Gilland asked for a motion to remove off the agenda item authorizing IGA between Portland State University and City of Gervais for the purpose of conducting a pay equity analysis.

Councilor Foreman moved to table permanently the PSU Pay Equity Study for \$3,500 as we have already established what we need in that aspect, seconded by Councilor Bartch. Motion is unanimously carried and so moved.

- a. Request from Angelo Ferrera for football scholarship

The council discussed sponsorship options in helping Angelo reach his goal of \$1,500. Councilors Bartch, Wagner, Harvey, Gonzalez and Mayor Gilland donated \$100 out of their own pocket. Councilor Bartch and Mayor Gilland asked Marston how the City could help out and if there was a budget for this. Marston replied that depending on the amount the council would like to contribute, the budget could absorb it. She confirmed with Councilor Foreman that it would come out of the General Fund. Councilor Harvey warned of future donation requests if the council decides to donate now. Marston validated the point that Councilor Harvey made, noting that a precedence would be set. Councilor Bartch agreed, and also said that by individuals stepping up to help, community support is still be shown. Mayor Gilland and Council President Wagner volunteered to fundraise to help Angelo meet his goal. Listen to audio for further details on this topic.

- b. Consideration to partner with Gervais School District on grant writing services to assess and address community development needs

City Manager Marston provided a report to the council. She explained that her and Dandy met to discuss opportunities to get with a grant writer to help us look for opportunities in Gervais. Marston met with Lisa Leslie and discovered she had been doing grant work for a long time. She had experience and background in planning and education. She was an educator at the Silver Falls School District, she has been involved in City Planning and Dandy has worked with her for many years. Susie and Dandy talked with Lisa about what she could provide Gervais and she shared her perspective of Gervais. She knows it's a relatively low income community. She would like to gather information from the City and the council about what the real needs are of the community. City Manager Marston spoke in agreement with Dandy that building up the Gervais community would provide a positive impact on the school district. Lisa is willing to do that work for Gervais. The school committed \$5,000 towards her services and Susie recommended the City match that amount and use the Community Prosperity Initiative Funds.

Councilor Foreman requested adding wording that included a start and finish date to respect the use of Lisa's time and to know how long it will take for her to deliver the information.

Mayor Gilland communicated the service would pay for itself and believes it would be a positive increase for the Gervais community. Gilland explained this service would be a way to give back to the community.

Councilor Bartch asked to be reminded where the Community Prosperity funds came from, how much there was, and what they have used it for so far. City Manager Marston replied the funds come from Marion County and every city in Marion County gets \$15,000 each year for three years. They are looking to extend it for another two years. That is money that the council used to contribute to the Kiosk.

Councilor Foreman reiterated that she wanted a time frame to honor Lisa's time and not over use her. Dandy Stevens replied that the School District would be carrying the contract with Lisa with a start date of January 1 and would reassess the first part of July. Foreman suggested reassessing in March or April. Stevens responded that Lisa would provide quarterly updates.

Council President Wagner asked Dandy if they could take a look at the contract before the end of the fiscal year to avoid issues going into the new fiscal year. Stevens explained that the money being used was Emergency Relief money and there was no fiscal year attached to that money. They have three years to use it.

Mayor Gilland asked how long the City had to spend their money. Marston replied three years, possibly five if they extend it.

Dandy Stevens provided the council with a point of clarification from the District's perspective. Stevens stated the service would not be about finding grants for the District persay. If Lisa found something for a skate park that would be great, but Dandy's approach was for opportunities for small businesses to get money or to have a beautification in downtown. That would be recognized as parent/community engagement for the District and if her focus was more on tangible things overall for the city, that would be fine.

Mayor Gilland voiced that the District's goals of beautification and small businesses were right in line with what the City wanted to do.

Councilor Bartch made a motion to parter with Gervais School District on grant writing services to assess and address development needs at a match of the recommended \$5,000 that the School District is putting in, seconded by Councilor Foreman. Motion is unanimously carried and so moved.

c. Discussion on Christmas Tree Lighting

Council President Wagner reported a tentative date of December 10th for the Christmas Tree Lighting and would confirm the date after communicating with Sylvia Garcia. Wagner has contacted people for donations for goodie bags. Wagner has asked people if they would like to donate candy to drop it off at City Hall. In addition, she will also be in touch with the local Santa and wife to see they are available.

Mayor Gilland spoke to Brian Belleque on the food boxes and Dollar General for the toy drive. Gilland suggested Wagner contact Sacred Heart about their guidelines in regards to Covid and Santa.

Mayor Gilland asked for council consent to keep working on the Christmas Tree Lighting. All Councilors gave consensus.

12. Staff Reports

a. City Manager

City Manager Marston notified the council that she applied for a Small City Allotment Grant through ODOT, and the City was awarded \$100,000. This project is to improve and build sidewalks along 7th between Grove and Ivy and will improve Grove between 7th and 6th Streets. There would be a forthcoming agreement from ODOT to accept that award and then proceed with project.

John Robinson spoke to Marston about taking the hoop down at Gervais Community Park on Black Walnut for a time to see if the increasing vandalism would go away.

Mayor Gilland disagreed to taking the hoop down and believed that the community would see it as a punishment. Gilland would rather see the lights put up, cameras put in and have Gervais PD patrol the park area more. Council President Wagner agreed with the Mayor and explained that the trouble is coming from the kids sitting underneath the playground equipment and the covered area. Wagner pointed out that there was a camera at the park. Wagner suggested blocking off the covered area during the colder season. Gilland suggested surveillance signs. Councilor Harvey is against taking down the hoop and suggested looking at the camera to see who is doing the damage and providing solar lights. Harvey stated the cost would be minimal for solar lights. Foreman asked who monitors the feed on the camera. Foreman asked if there was money in a fund accessible to develop the park with lighting. Susie stated she would look. Susie summarized that what she was hearing from the council is that they did not want to take the hoop down. She would follow up with Superintendent John Robinson and bring it back to council. Councilor Bartch asked Chief Chase if they were looking at the camera to see who was doing the vandalism. Chief Chase stated in the past they have identified a number of juveniles who vandalized the tines and the bathroom and Gervais PD has worked with their parents. He stated at night the camera isn't as visible and that Councilor Harvey was correct in suggesting lighting. PD has provided Public Works with the ability to also review the Cameras. Chase suggested lighting and repairing the wall back to the way it was would help PD see who is currently doing the vandalizing. The council suggested posting video surveillance signs.

City Manager Marston stated she had been responding to Laura Clifton about questions from the park ad hoc committee.

John Robinson dropped off a toy barrel at Dollar General.

Marston spoke with Chad the City attorney about updating council rules. She distributed copies of the LOC's model council rules and the council's current rules. She explained the attorney's suggestion was to look at them, compare and contrast, see what you dislike and what you want to add to the updated rules. He will come back in January for work session. Based on discussion he will draft a new set of rules to consider for adoption.

Mayor Gilland suggested council making their own rules without a facilitator to save money and the council could pay the attorney to update them. Harvey suggested the council go over the LOC rules, review their own rules and each council member write in changes. Bartch asked if the attorney was going to be at work session. Marston replied yes, he was coming to the

January work session to have discussion with council and find out what they wanted for changes. Bartch suggested council members going through the rules before work session and having the attorney present at the work session to facilitate appropriate wording. Marston recommended the attorney's oversight at some degree. Harvey suggested checking with COG and asked for a comparison before deciding. Council President Wagner agreed with having a facilitator present to help with wording and stated it would be beneficial to get an outside view because they do that a lot. Bartch asked Marston to come back with cost comparison of facilitators at December meeting. Mayor asked for a perspective from another City to see what their process was or bring in a committee to help. Marston stated that the model rules from LOC website were reviewed by Gervais City attorney office and they are credible.

b. Police Department – Chief Mark Chase

Chief Chase reported that the DARE graduation is December 15th during the school day.

Chase communicated appreciation to City Manager Marston for all the help with grants and funding they've had in regards to the Student Success Officer Grant and now the Emergency Grant. The Police Department has benefited from \$150,000 worth of grants individually.

Lieutenant Seibel retired and the new officer will be starting November 22nd. Officer Markum Megale is going to Lake Oswego.

Mayor Gilland wanted to see better scheduling for coverage. Gilland asked if Chief did the scheduling. Chief replied that Lieutenant Seibel did the scheduling with his oversight, and now Student Success Officer West would step into that position.

c. Public Works – Superintendent John Robinson

Marston stated John was absent and he provided a written report. Mayor Gilland affirmed that she read it.

13. Business from the Mayor or Council

Council President Wagner reiterated what Chief Chase said in regards to Susie. Wagner communicated that City Recorder Denise had taken on a new position and said she was doing an amazing job. During the ice storm and Covid Susie stayed in touch and followed through with policies and procedures with Covid and keeping everyone safe. Wagner recognized Marston for working hard to get the grants and thanked her for keeping Gervais on top of things. She commented that staff had worked really well together thanked them from her and her family.

Wagner reported that if she could make it to the DARE graduation she would be there.

14. Executive Session pursuant to ORS 192.660(2)(i), to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

a. The council met in executive session for approximately two hours to discuss the annual performance review of the City Manager.

15. Mayor Gilland adjourned meeting at 11:19 PM

I, DENISE DAHLBERG, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON NOVEMBER 4, 2021 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Denise Dahlberg, City Recorder

Annie Gilland, Mayor

DRAFT