

**MINUTES OF THE REGULAR MEETING OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL ON APRIL 7, 2016**

**1. Call to Order**

Mayor Platt called the council meeting to order at 7:08 pm after the close of the proceeding work session.

**2. Roll Call**

Mayor Shanti Platt	Present
Councilor Micky Wagner	Present
Council President Wes Leiva	Present
Councilor Michael Gregory	Present
Councilor John Harvey	Present

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

Others Present: Woodburn Fire Chief Paul Iverson, Regine Lovely, Jim & Sally Mackey.

**3. Announcements:**

- a. Additions/deletions to the agenda
  - i. DLCD Technical Assistance Grant – Added as letter “h” under new business.

**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 March 3, 2016 Regular Meeting
- b. Approval of the bill list for February 24 – March 30, 2016

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

## 6. New Business

- a. Award Water Plant Filter Media Replacement Project contract to Stettler Supply Company and authorize the Mayor to sign the same
  - i. Susie Marston stated that Gervais had received two bids for replacement of the water filter media in the water plant. Stettler Supply had the low bid at \$26,415 and is recommended by Tetra Tech. The other bid was from H3O, Inc. and was quoted at \$45,570.

***Councilor Wagner made a motion to award the Water Plant media replacement project to Stettler Supply Company in the amount of \$26,415 and authorize the mayor to sign same, seconded by Councilor Gregory. Motion is unanimously carried and so moved. All councilors gave approval by saying, "aye."***

- b. Adopt Proclamation for Child Abuse Prevention Month
  - i. Mayor Platt talked about Child Abuse Prevention Month and then read the proclamation. April 2016 is proclaimed Child Abuse Prevention Month.

***Councilor Wagner made a motion to accept the proclamation as read, seconded by Councilor Leiva. Motion is unanimously carried and so moved.***

- c. Adopt Arbor Day Proclamation
  - i. Mayor Platt discussed what Arbor Day membership entails for the City of Gervais. She then read the Arbor Day Proclamation.

***Councilor Gregory made a motion to accept the proclamation as read, seconded by Councilor Wagner. Motion is unanimously carried and so moved.***

- d. Adopt Ordinance 16-001 – An ordinance of the Gervais City Council amending Chapter 10.16 of the Gervais Municipal Code to allow flexibility for the Gervais School District in regulating a Pedestrian Mall and declaring an emergency
  - i. The council discussed the change being made by Ordinance 16-001. The hours at the schools are changing and this ordinance will allow the Gervais School District to create a pedestrian mall on 1<sup>st</sup> Street during specified hours on school days. The council discussed how traffic would be affected by the pedestrian mall and how students are brought to and from the schools. Chief Spirup stated that this ordinance is being made effective by the City Council in their capacity as road authority in Gervais.

***Councilor Wagner made a motion to adopt Ordinance 16-001, an ordinance of the Gervais City Council amending Chapter 10.16 of the Gervais Municipal Code to allow flexibility for the Gervais School District in regulating a pedestrian mall and declaring an emergency, seconded by Councilor Leiva. Motion is unanimously carried and so moved. All councilors gave approval by saying, “aye.”***

- e. Adopt Resolution 16-001 – A resolution to update the list of signatories for the City of Gervais

- i. This resolution removes Tony Miller from the list of approved signatories of the City of Gervais.

***Councilor Leiva made a motion to adopt Resolution 16-001, a resolution to update the list of signatories for the City of Gervais, seconded by Councilor Gregory. Motion is unanimously carried and so moved. All councilors gave approval by saying, “aye.”***

- f. Adopt Resolution 16-002 – A resolution to transfer appropriation authority in the Water Fund

- i. This resolution was created since the accepted bid by Stettler Supply for work on the water filters was about \$6,400 higher than what was budgeted. The bid includes replacing lower distribution assemblies which was not budgeted for during the 2015-16 budget meetings. At that time, it was not known that the lower distribution assemblies would need to be replaced. This resolution is simply moving money within the Water Fund between line items. Including a 10% contingency, \$9,057 will be moved from Professional Services to Construction.

***Councilor Harvey made a motion to adopt Resolution 16-002, a resolution to transfer appropriation authority in the amount of \$9,057 in the Water Fund, seconded by Councilor Wagner. Motion is unanimously carried and so moved. All councilors gave approval by saying, “aye.”***

- g. Adopt Resolution 16-003 – A resolution of the Gervais City Council amending the city manager employment agreement

- i. The council discussed potential changes being made to the city manager employment agreement by Resolution 16-003. The council discussed what is changing in the employment contract and what the reasons were for making the individual changes. The severance package, by contract, for the city manager was discussed by the council. Susie outlined the differences between the current and proposed contracts. Councilor Harvey asked for clarification on some wording in the proposed revised contract.

The council asked that Resolution 16-003 be brought back to the May 2016 council meeting with explanation of certain wording in the contract.

h. DLCD Technical Assistance Grant

- i. Susie explained to the council that Gervais was awarded a technical assistance grant from the DLCD for \$1,000. Gervais will use the funds to pay for research to be completed by a “Green Cities Class” through the University of Oregon. The class would perform research about how to promote economic development and vitality in Gervais. Susie and the Mayor will be visiting the class to discuss what Gervais is looking at for the future. Susie discussed with the council how this research will be used in Gervais and outlined the schedule of events. Mayor Platt also commented on what the events would entail at the time the research is completed. This research will be a good tool for the council in setting goals each year. Mayor Platt encouraged the council to be available for the meetings that will be held by the Green Cities Class.

***Councilor Gregory made a motion to accept the DLCD Technical Assistance Grant Award, seconded by Councilor Wagner. Motion is unanimously carried and so moved.***

i. Appoint New Council Member

- i. The council received three applications for the open city councilor position: Baltazar Gonzalez, Regine Lovely and Jim Mackey. Applicants Regine Lovely and Jim Mackey addressed the council about their desire to be councilors. Baltazar Gonzalez was unable to attend the council meeting. Mayor Platt stated that Mr. Gonzalez has lived in Gervais for over 25 years, is a very proud Marine veteran, serves on the 4<sup>th</sup> of July Committee and Budget Committee, and has volunteered extensively in Gervais. Mayor Platt made a recommendation for Regine Lovely as council member.

***Councilor Wagner made a motion to appoint Regine Lovely as city councilor. There was no second so the motion failed. Councilor Gregory made a motion to appoint Jim Mackey as city councilor. There was no second so the motion failed. Councilor Harvey made a motion to appoint Baltazar Gonzalez as city councilor, seconded by Councilor Wagner. Councilors Harvey, Leiva and Wagner: Aye. Councilor Gregory: Nay. Motion is carried and so moved.***

Baltazar Gonzalez will be sworn in at the next meeting. Since Mr. Gonzalez’ position on the Budget Committee is now vacant, Mayor Platt asked Jim Mackey if he would be interested in taking that open position. Jim Mackey stated that he would like to be on the Budget Committee.

*Councilor Wagner made a motion to appoint Jim Mackey as a member of the Budget Committee, seconded by Councilor Gregory. Motion is unanimously carried and so moved.*

## **7. Staff Reports:**

### **a. City Manager**

The grant for the repaving of Ivy Avenue between 3<sup>rd</sup> and 1<sup>st</sup> Street has been approved and received from ODOT and it is expected that plans will be laid for the construction before the end of this fiscal year. Construction is expected to begin after July 2016. The upcoming Dollar General location is still making progress and they will probably be in the permitting process in the next 2-3 months. There will probably be a site development hearing in June 2016. The council discussed the construction of the Dollar General.

Susie reminded the council that their Statement of Economic Interest filings are due by April 15<sup>th</sup>, 2016. Susie also reminded the council that the first Budget Committee meeting will be May 12<sup>th</sup> at 7:00pm.

### **b. Police Department**

Chief Spirup noted that the department is down one officer and recruitment for a new officer is underway. The Police Department continues to work with the Gervais School District to assist and improve safety in the schools. The council discussed the recruitment of a new police officer.

### **c. Public Works**

Public Works employees are continuing to keep up with maintenance as Spring progresses. Mayor Platt commented that the flower beds are groomed nicely and look very good. The council discussed properties that are rutted from vehicles and how they are maintained.

## **8. Business from the Mayor or Council**

### **a. Mayor**

Mayor Platt updated the council on the Arbor Day and Spring Cleanup activities which are occurring the week of April 23<sup>rd</sup>. The cleanup is on Saturday, April 23<sup>rd</sup> and Republic Services will be providing dumpsters for the event. There will be no charge to bring appliances containing refrigerant. Mayor Platt discussed details of the cleanup.

b. Council

The council discussed what drives the tax rate in Gervais.

**9. Executive Session as Authorized under 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 executive session was opened at 8:57 pm.
- b. The executive session was adjourned at 9:23 pm.
- c. The employment contract and letter of recommendation will be brought before the council for approval at the May 2016 council meeting.

*Councilor Harvey made a motion to maintain and continue Susie's employment, seconded by Councilor Wagner. Motion is unanimously carried and so moved.*

**10. Adjourn**

- a. Council was adjourned at 9:30 pm.

**I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON APRIL 7, 2016 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:



Tim Rhyne, City Recorder



Shanti Platt, City Mayor