

**MINUTES OF THE REGULAR MEETING OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL ON SEPTEMBER 1, 2016**

1. Call to Order

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

2. Roll Call

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

The council gave consensus to allow Council President Wes Leiva to be absent from the meeting.

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

Others Present: Matt Cofer, Republic Services; Carl Leder; Fred Fortaleza

3. Announcements:

- a. Additions/deletions to the agenda

Discussion on relocating the crosswalk by the high school (New Business, 6d)

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.**

5. Consent Calendar:

- a. Approval of the minutes of the August 4th, 2016 Regular Meeting
- b. Approval of bill list for July 28 – August 24, 2016

Councilor Wagner made a motion to adopt the Consent Calendar as presented, seconded by Councilor Gregory. Motion is unanimously carried and so moved.

6. New Business

a. Consideration of Republic Services Proposed Rate Adjustment

Matt Cofer of Republic Services addressed the council about a proposed rate increase of 11.8% to the Gervais customers. Matt outlined the various factors that are effecting this proposed increase. The council discussed the rate increase and asked questions about how the rate was decided. The council asked that there be a discount to senior citizens and veterans. The council discussed a possible senior/veteran discount with Matt Cofer. There was a short discussion about composting services in Gervais.

Councilor Wagner made a motion to approve the proposed Republic Services rate adjustment of 11.8%, seconded by Councilor Gregory. Motion is unanimously carried and so moved.

b. Adopt Ordinance No. 16-003, An Ordinance Amending Title 12 of the Gervais Municipal Code to add a New Chapter 12.10 Governing Temporary Right-of-Way Encroachments

Susie Marston outlined Ordinance 16-003 and how the permit process would work. The council discussed property owners and their individual share of the alley way with revocable permits. Chief Spirup talked to the council about how this permit process would aid in the enforcement of laws in Gervais. Any approved permit may not be allowed to violate an ordinance code. The council talked about what would be allowed in an alley way. There was discussion to waive the \$75 application fee for the first 60 days. There was a short discussion about having the signatures of both neighbors on the application depending on how much of the alley was being used.

Councilor Gregory made a motion to adopt Ordinance No. 16-003, An Ordinance Amending Title 12 of the Gervais Municipal Code to add a New Chapter 12.10 Governing Temporary Right-of-Way Encroachments, seconded by Councilor Wagner. Motion is unanimously carried and so moved.

c. Adopt Resolution No. 16-009, A Resolution to Establish a Permit Fee for Temporary Use of or Encroachment Into Right-of-Way

Susie explained that this resolution is needed to establish a fee for the right-of-way permit application. She also mentioned that the fee amount is similar to what other cities are charging.

Councilor Gregory made a motion to adopt Resolution No. 16-009, A Resolution to Establish a Permit Fee for Temporary Use of or Encroachment Into Right-of-Way, seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.

d. Discussion on relocating the crosswalk by the high school

Chief Spirup talked to the council about having the crosswalk at the Gervais High School moved to the west side of Black Walnut. This would help with traffic that is leaving Gervais during the school rush in the mornings. Chief Spirup told the council about a few different near misses that have stemmed from the current location of the crosswalk. The sidewalk will have to be modified to accept the new design and the cost will be brought to the council. The council discussed the

concept of moving the crosswalk and how people would be routed to the correct side of the street. The council gave consensus to proceed with having the crosswalk moved.

7. Staff Reports:

a. City Manager

Susie Marston updated the council on the Dollar General project. Marion County is still reviewing the plans. From what Susie knows, the structural, mechanical and electrical plans have been approved. The storm drain plans are still under review. Susie outlined the storm drain issues that are being worked through. Once permits are issued, Dollar General already has a contractor ready for the construction of the building. The council briefly discussed the storm drainage on the property.

Susie said that Renee Willer of DataVision mentioned that the telephone company is planning to possibly offer cable television services in the upcoming future. Renee will be meeting with Susie to talk about a video franchise for DataVision Coop.

The annual audit is coming up next week. Susie and Pat have been working with a representative from RCAC to compile information to meet the requirements set by USDA for the loan that is issued to Gervais.

The city manager of Donald is hosting a Public Traffic Safety meeting next Wednesday the 7th at 6:30pm at the Donald Fire Hall. The council is welcome to attend the meeting. Mayor Platt encouraged at least one person from Gervais to be in attendance at that meeting to gain information about public transportation in Gervais.

b. Police Department

Chief Spirup commented that there is a minor revision to the Law Enforcement Use of Physical Deadly Force Plan. Under Senate Bill 111 every county needs to have a plan in place for investigation when physical deadly force is used. The old plan has been modified from *use* of physical deadly force to the *intentional* use of physical deadly force. This simply changes when the task force is activated by the county. There was a short discussion about the change in language.

Mayor Platt talked to the council about a potential way to show support for the Gervais Police Department. Councilor Wagner mentioned ways that police officers are trying to fight against the negativity in the media. Councilor Wagner asked if a friend of hers could knit sweaters for the police department to hand out to those in need. Chief Spirup said that would be fine.

Councilor Gonzalez asked Chief Spirup about the procedures for responding to accidents in and around Gervais. There was a short discussion about how accidents are handled on roads outside of city limits.

c. Public Works

The Grove Avenue storm drain project is done and went very well. The water meter at the high school was recently replaced, and the old water tank will be inspected sometime in October. They were originally going to inspect it during September but it was pushed back.

Every three years there are a large series of water tests that are performed for Gervais water system. Of the 102 tests that were completed, all of them came back as undetectable except for two; arsenic and sodium. The arsenic level was a thousand times lower than the limit so there was no concern there. The other item was sodium which came back a little high. That is just salt so no concern there, either.

Pat talked to the council about the need to order a generator for the wastewater ponds. There was a brief discussion about generators. Pat reported that the Ivy Street paving project is completed. Pat talked to the council about security at the public works yard.

8. Business from the Mayor or Council

a. Mayor

Mayor Shanti Platt reported that city hall week is from September 12-16. There will be a meeting held at the Keizer Civic Center. Shanti outlined some of the topics to be discussed at the meeting. The Mayor mentioned that she would be on vacation and if anything was needed to contact Council President Leiva.

Mayor Platt asked that the council schedule a work session to discuss banning backyard burning, mandatory utility use, and banning fireworks. It was decided to put the items for discussion on the November 2016 agenda. There was a short discussion about backyard burning.

b. Council

Councilor Wagner addressed the council about the CERT program and recent safety meetings. Items were discussed to bring Gervais and Woodburn together for emergency preparedness. Councilor Wagner also talked about the Woodburn fire trailer that is used to educate kids about fire safety. Susie Marston suggested talking to the school district about arranging training for the kids. There was a short discussion about becoming a part of the CERT program.

Councilor Harvey talked to the council about changing the classification of Sam Brown creek so that it can be more easily maintained by the city. The council discussed the history behind Sam Brown creek being a riparian right-of-way.


Mayor Platt talked about grants from the HEAL Oregon Cities program that would help support a city newsletter.

9. Adjourn

- a. Council was adjourned at 8:58 pm.

I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON SEPTEMBER 1, 2016 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:


Tim Rhyne, City Recorder


Shanti Platt, City Mayor