

**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 DECEMBER 3, 2020**

1. Call to Order – The meeting was called to order at 7:00 PM. Mayor Platt requested that attendees should speak one at a time in light of the meeting being recorded on Zoom.

2. Pledge of Allegiance

a. The Pledge of Allegiance was recited.

3. Roll Call

Mayor Shanti Platt	Present
Councilor Micky Wagner	Present (via Zoom)
Councilor Baltazar Gonzalez	Present
Council President Michael Gregory	Absent
Councilor Diana Bartch	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Tim Rhyne (via Zoom), Police Chief Mark Chase, Public Works Superintendent John Robinson (via Zoom)

Others Present: Chief Budge (via Zoom), Dandy Stevens – GSD (Zoom), Holly Byram – Mid-Willamette Valley COG (via Zoom). Please see the meeting log sheet for other attendees.

4. Announcements/Additions

a. Additions/deletions to the agenda

1) Susie added an item to hold a discussion with Woodburn Fire Chief Joe Budge regarding a bond measure that will be coming up in May 2021. The discussion will be in relation to how that will affect the City of Gervais. Added as item (D) under New Business.

5. 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) Dandy Stevens from the Gervais School District spoke to the Council via Zoom about the new Police Service Contract and the School Success Officer. Mayor Platt told Dandy that she would like to connect with her about a Parks & Recreation Committee in Gervais.

6. Consent Calendar:

a. Approval of the minutes of the November 5, 2020 Regular Session
b. Approval of bill list for October 29 – November 25, 2020

Councilor Bartch made a Motion to approve the December 3rd, 2020 consent calendar as presented, seconded by Councilor Wagner. Motion is unanimously carried and so moved.

7. Public Hearing

- a. VAC 2020-01, Public Alley Vacation, Block 52 of the Gervais Plat, bound by 5th Street, 6th Street, Douglas Avenue and Elm Avenue.
 - 1) Open public hearing and note time for the record
 - Opened at 7:08 PM. Mayor Platt and Holly Byram read required opening statements as required by law.
 - 2) Declaration of ex parte contact or conflict of interest
 - None noted.
 - 3) Staff Report
 - Holly Byram presented the staff report regarding a petition from a Gervais resident requesting the vacation of a City alleyway. There are seven properties that abut alleyway in question. If the vacation is approved, the alleyway would be split down the center giving 10 feet of additional yard space to each abutting property. The only utility currently in the alleyway is a gas line owned by NW Natural, so it is recommended that the City reserve a utility easement in the case that further utilities are needed within the alleyway in the future.
 - 4) Proponents presentation
 - Chris Webster is one of the applicants and spoke to the council about the desire for the additional property space and stated that the easement should not be an issue for the future.
 - 5) Opponents presentation
 - None noted.
 - 6) Proponents rebuttal
 - None noted.
 - 7) Staff summary
 - None noted.
 - 8) Close public hearing
 - Closed at 7:25 PM.
 - 9) Council discussion
 - Mayor noted that a motion can be made following examples laid out in the staff report.
 - 10) Council motion, second and vote
 - Councilor Wagner made a motion to approve vacation of the 20-foot wide by 200-foot long public alley right-of-way located in block 52 of the Gervais town plat, and direct staff to prepare an ordinance which enacts the alley vacation and adopts the findings and recommended conditions of approval contained in the staff report dated November 25, 2020. Seconded by Councilor Bartch.
Individual vote:
 - a. Micky Wagner – Yes
 - b. Baltazar Gonzalez – Yes
 - c. Michael Gregory – Absent
 - d. Diana Bartch – Yes
 - e. John Harvey – Yes

8. Action Items

a. Ivy Woods Estates – Final Plat Approval & Authorization to Sign

Susie explained that Holly Byram prepared a staff report relating to the final plat submitted for the Ivy Woods subdivision. Holly reviewed the status of the plat submission and stated that the deadline for the submission of the final plat has been extended and the current plat submission is within that time extension. She spoke about the status of the subdivision. It is recommended that the council approve the final plat contingent either on the completion of improvements within both City and County jurisdictions or by a financial guarantee (bonding). The staff report includes procedures that must be considered for approval and also indicates that all the other conditions of approval for the final plat have been satisfied. The developer chose to pay a fee in lieu of park land. The final plat is largely unmodified from the preliminary plat design. Holly reviewed some of the minor changes in the plat. There will be two private driveways in the development that will be maintained by the homeowners who use the private drives. There was brief discussion about when the plat will be approved. Please listen to the audio minutes for more in-depth detail.

Councilor Bartch made a motion to approve final plat as presented and authorize the Mayor, City Manager and City Engineer to sign the plat and authorize the Mayor to sign the approval and acceptance of dedication subject to the two recommended conditions prior to signing. Seconded by Councilor Wagner. Motion is unanimously carried and so moved.

b. Approve Small City Allotment Program Grant Agreement between ODOT and City of Gervais for Juniper and Seventh Street Improvements and authorize Mayor and City Manager to sign the same.

Susie stated that Gervais had received the SCA Grant for \$100,000 and will be used near the entrance to the new subdivision. The proposed project will close off 8th Street and will improve Juniper Ave. between 7th and 8th Streets. This grant agreement accepts the award. Susie gave brief details about how the agreement is laid out. Councilor Harvey asked about how the streets will be modified, specifically Juniper Ave. Susie responded that Juniper will be widened enough to allow two cars to pass each other. No sidewalks will be installed, but there will be drainage improvements. There was brief discussion about parking on the new streets.

Councilor Wagner made motion to approve the Small City Allotment Program Grant Agreement between ODOT and City of Gervais for Juniper and Seventh Street Improvements and authorize Mayor and City Manager to sign the same. Seconded by Councilor Bartch. Motion is unanimously carried and so moved.

c. Approval of IGA between City of Gervais and Gervais School District for the purpose of providing a Student Success Officer for Gervais Public Schools

Chief Chase noted that this IGA was provided at the November 2020 council meeting for the review of the Council. Councilor Bartch asked the area which the SSO would provide service to the community. Chief Chase replied that the SSO is available to any family or home within the boundaries of the Gervais School District. Mayor Platt asked about the different payment options in the agreement and gave example if either part would want to opt out of the

agreement. Chief Chase responded and gave further detail about the payment options.

Susie stated that the City Attorney has reviewed the agreement and is ready to be approved.

Councilor Bartch made a motion to approve the IGA between the City of Gervais and Gervais School District for the purpose of providing a Student Success Officer for Gervais Public Schools. Seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.

d. Acceptance of 2020 City of Gervais election results for city council

Susie informed the Council that the City had received the results of the November 2020 General Elections. Susie read the results of the election:

- 1) Office of Mayor
 - Andrea Gilland – 290 votes
- 2) Councilor – 2 year term
 - Diana Bartch - 570 votes
- 3) Councilor – 4 year term
 - Baltazar Gonzalez – 466 votes
 - Micky Wagner – 356 votes
 - Pamela Foreman – 348 votes

Councilor Wagner made a motion to accept the 2020 Gervais election results, seconded by Councilor Bartch. Motion is unanimously carried and so moved.

Mayor Platt spoke briefly about the results of the 2020 general election.

9. New Business

- a. Consideration for City of Gervais to be a sub-applicant to City of Woodburn’s application to Business Oregon’s CDBG COVID Funding for Rental Assistance

Susie explained that page 82 of the council packet provides a memo and mentioned that Jamie Johnk is joining the council meeting via Zoom to provide more information regarding this topic. The City of Woodburn is seeking a CDBG grant through Business Oregon and would like to include Gervais and Hubbard in the application. The funding would be used for rental assistance in the Cities of application. All that is needed from Gervais is a statement of support from the City Council. Jamie Johnk gave further details to the Council about the grant. In response to comments from the Mayor, there was brief discussion about how the information would be distributed throughout the communities. Councilor Wagner asked about application process for the grant benefits and how it will be ensured that the application process will be secure.

Councilor made a motion to authorize the City of Gervais to be a sub-applicant for the City of Woodburn’s application to Business Oregon’s CDBG COVID Funding for Rental Assistance. Seconded by Councilor Wagner. Motion is unanimously carried and so moved.

b. Merit increase request for City Manager

Susie Marston submitted a letter to the Council requesting a merit pay increase. Mayor Platt outlined the request and stated that Susie is currently paid 4% less than the highest paid position in Gervais. She is requesting a pay increase of 9% bringing her salary from \$90,132 to \$98,244 effective October 1, 2020. Councilor Harvey suggested waiting until the salary study is complete before approving a salary increase for the City Manager. Councilor Bartch asked about Susie's current pay amount compared to the highest paid Gervais employee. There was discussion among the council about a salary raise for the City Manager. Please listen to the audio minutes for more detail.

Councilor Wagner made a motion, that based on Susie Marston's positive performance evaluation on October 1, 2020 and as she has respectfully requested a 9% merit increase which would increase her annual salary from \$90,132 to \$98,244 effective retroactive to October 1, 2020 to approve the request. Seconded by Councilor Bartch. Council vote: Micky Wagner – Yes, Baltazar Gonzalez – Yes, Michael Gregory – Absent, Diana Bartch – Yes, John Harvey – No. Motion is carried and so moved.

c. Reconsideration of Martin Luther King Jr. Holiday – January 18, 2021

In light of the current political climate, Susie stated that she thought it right for the council to reconsider recognizing as a City holiday. The Mayor spoke about the impact of recognizing certain holidays in the current climate. There was discussion among the council about the reasoning for adding Martin Luther King Jr. (MLK) holiday to the list of recognized City holidays. There was discussion about the police contract recognizing MLK as a holiday. Councilor Wagner spoke in support of having MLK as a recognized holiday for the City. Chief Chase and Susie Marston stated they would be willing to give up their birthday in exchange for MLK.

Councilor Gonzalez made a motion that the City of Gervais accept Martin Luther King Jr. Day as a recognized holiday for the City employees. Seconded by Councilor Wagner. Council vote: Micky Wagner – Yes, Baltazar Gonzalez – Yes, Michael Gregory – Absent, Diana Bartch – Yes, John Harvey – No. Motion is carried and so moved.

d. Fire Apparatus Housing in Gervais

Woodburn Fire Chief Joe Budge spoke to the Council about a request to build a structure on City Public Works property to house a fire apparatus. Quotes are being retrieved to estimate the cost to build such a structure. It is hoped to come to a decision by January in order to have the information to go on the ballot in February. The Fire District will be requesting an extension or renewal of the current general obligation bond which expires in 2022. The bond would renew for 20 years and would be set at \$.22 per thousand. There was brief discussion about the bond levy.

10. Staff Reports:

a. City Manager

Susie updated the Council on the compensation study and has checked into alternate methods for completing a compensation study. None of the other methods were available so Susie has

moved forward with Portland State to complete the compensation study. Susie mentioned the December 17 work session and Councilor Harvey mentioned that it should be canceled at this time since he was the one who requested it.

Gervais has been allocated \$79,000 of COVID-19 relief money. To date, Gervais has spent approximately \$9,000. It has been decided to open a micro-grant program to help distribute some of the remaining funds back into the community. With that program already in action, the City has already distributed \$29,000 back into the Gervais community.

With a new Mayor and Council coming in on January 2021, Susie mentioned that the authorized check signer list needs to be updated. Currently the Mayor, City Manager and Councilors Harvey and Gonzalez are the current signers. Councilors Harvey stated that he would be fine continuing to be check signer.

The agreement with Marion County to supply a CERT trailer has been fully signed. The trailer should be delivered soon. Councilor Wagner thanked the Mayor and Chief Chase for their efforts in getting the CERT trailer for Gervais. Councilor Wagner also asked about access for the trailer and John Robinson spoke briefly about who would have access to the trailer.

b. Police Department

Chief Chase stated that D.A.R.E. classes have started and that the participation level has been good considering that they are online classes. The D.A.R.E. program has changed a lot and is now evidence based and is the largest and most successful prevention program in the world. The SSO position has been posted and recruitment has started. The accreditation process is nearly complete for the Gervais Police Department. Mayor Platt talked about the great progress the City and Police Department have made over the years.

c. Public Works

John updated the council on the Ivy Woods subdivision and mentioned that the new sidewalk at the entrance on 8th Street is being poured. The sidewalks in the development will be poured as the homes are built. Gas lines are being installed shortly. Some TMDL work has been done as well as some weatherproofing done at City Hall. Kyle Jentzsch is now back to work. Mayor Platt thanked John and his crew for their help around town. John mentioned that a new metal Christmas Tree has been made and installed on 4th Street. Councilor Gonzalez asked if businesses are still being charged the full amount for the water accounts. John replied in the affirmative that all active meters are still receiving water bills.

11. Business from the Mayor or Council

Mayor Platt said that she is still wrapping up her City business as Mayor. She took time to recognize the 20 years that Councilor Gregory worked on the City Council. Shanti gave some closing remarks and encouraged those who are coming into the City as Mayor and Council. The Mayor also updated the Council about putting together some goody bags for the kids in town.

Councilor Wagner informed the council about the Woodburn Food Drive and read a letter from a Woodburn Fire Fighter that gave information about a food drive amidst COVID-19. There was a short

discussion about being involved in the food drive. If anyone is interested in being involved in the Woodburn Fire Food Drive, please contact Councilor Wagner or the Woodburn Fire District.

12. Recognition and presentation to Mayor Platt and Councilor Michael Gregory

Susie recognized the service provided by Shanti Platt and Michael Gregory and spoke about the involvement that they have had with the City of Gervais. She presented a plaque to Shanti though Michael was not present at the meeting to receive his recognition plaque.

13. Adjourn

The meeting was adjourned at 9:29 PM.

I, SUSIE MARSTON, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON DECEMBER 3, 2020 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Susie Marston, City Manager

Shanti Platt, Mayor