

**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 3, 2022**

a. Call to Order

Mayor Annie Gilland called the meeting to order at 6:59 pm.

b. Pledge of Allegiance

Diana Bartch led the Pledge of Allegiance

c. Roll Call

Mayor Annie Gilland	Present
Councilor Pamela Foreman	Present
Councilor Baltazar Gonzalez	Absent
Council President Micky Wagner	Present
Councilor Diana Bartch	Present
Councilor John Harvey	Present

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

Others Present: None

d. Announcements/Additions:

Marston announced Superintendent John Robinson’s retirement effective November 4, 2022. Marston acknowledged Robinson’s 14 years working for Gervais Public Works. She recognized his wife Shelly and daughter Katie and wished him well. Marston noted the succession plan of bringing Kyle Jentsch up into the Superintendent position. His promotion will be effective Monday, November 7, 2022. Marston explained that Kyle has been with the Gervais for 7 years and has demonstrated loyalty on every level and Marston is confident he will do well in the position.

5. Public Comment

Joe Ruiz, 1025 Ivy. Ruiz asked about Amazon and if any of the council has asked Amazon for anything. He expressed his concern about traffic through Gervais. Ruiz inquired about ticketing outside of Gervais. Chief Chase noted ticketing process on Butteville. He spoke about ODOT grants and traffic enforcement. Mayor Gilland mentioned a meeting with Susie and Amazon. Gilland opined Gervais needed a no truck zone because of the impact to the roads.

Councilor Harvey asked Chief Chase how much the ODOT grant was for. Chief Chase responded that he didn’t know exactly without looking but he thought it was between \$5,000 and \$10,000.

Tilda Flores – 1173 Winfield. Flores expressed her concern about the school bond and taxes and stated Dandy Stevens was asking for a lot. Mayor Gilland explained the city council had no control over the issue and that it was up to the voters.

Laura Clifton, 1065 6th St. Clifton asked for clarification and if the city was in a partnership with the school district for a grant writer. Gilland understood that they were in partnership. Mayor Gilland asked City Manager Marston to clarify what Dandy Stevens meant by “still partnering”.

Lisa Stravens, 980 7th St, Since the Juniper Rd improvement 8th street is being blocked off, explained Stravens. She asked if 8th and 7th could be opened or if it had to be blocked. Superintendent Robinson explained the reason for blocking was the blind corner coming in off Butteville. He noted that to replicate this, the city received a grant that blocks that area off and leaves it for a fire lane only. 7th and Juniper was widened to redirect traffic to Ivy. Robinson affirmed it had to stay blocked.

Kathy Harvey, 1080 7th St., requested a dead end sign at 7th St because of all the people turning around in her driveway, child at play sign because there are at least 10 children that play outside. She complained about curbs with no sidewalks.

Council President Wagner offered her a children at play sign and Kathy Harvey said she wanted the city to do it. Councilor Harvey pointed out that Public Works would be moving stop sign that was on 8th to the corner where 8th comes across into 7th.

Mayor Gilland asked Kyle to look into putting up dead end signs. Kyle responded that he would have to make sure it didn't interfere with any existing infrastructure issues, but putting up signs was traditionally not a problem. Mayor Gilland asked for a council consensus to make that happen.

6. Consent Calendar:

- a. Minutes of the September 15, 2022 Work Session (with GSD)
- b. Minutes of the October 6, 2022 Regular Session
- c. Bill list for September 28 – October 26, 2022
- d. Treasurers Report for period ending October 26, 2022

Requested Action: Motion to approve the November 3, 2022 consent calendar as presented.

Council President Wagner made a motion to approve the November 3, 2022 consent calendar as presented. Seconded by Councilor Bartch. Motion is carried and so moved.

7. Committee Reports

- a. Ad Hoc – Skate Park / 4th of July
 1. Using railroad property or Black Walnut Park for the skate park was mentioned. In response to Gillands’ comment about owing Ivy Woods a park, Robinson clarified that the city did not owe Ivy Woods a park and the funds were for a park. Councilor Wagner asked about utilizing the open space in Black Walnut for a Skate Park. Mayor Gilland asked for a council consensus on Black Walnut being the spot for Skate Park. Foreman mentioned lighting still being an issue. Gilland suggested a set of plans establishing grant funds for both, park and lighting. Gilland asked Laura Clifton to call Charles Parker. Brian Wagner (from the audience) understood the original concept for the park was to be located on the other side of town because Gervais already had two parks on the east side of town. Gilland noted that adding a Skate Park to the current park was being discussed and that there could still be potential for a smaller park on the other side of town.

8. Presentations – None

9. Public Hearing

- a. VAC 2021-03, a petition to vacate the public alley in Block 25 of the Gervais Plat, bound by 2nd Street, 3rd Street, Elm Avenue and Fir Avenue.
 - I. Open the hearing – Mayor Gilland opened hearing at 7:35 pm
 - II. Ex-parte Contact or Declaration of Conflict of Interest – None noted
 - III. Staff Report – Holly Byram, Associate Planner, Mid-Willamette Valley COG delivered her staff report.

Kristie Richardson noted that the alley is located behind her house and asked if there would be any cost to them as homeowners? Byram explained that the remaining cost for the legal description and recording is the responsibility of the applicant. It is a private agreement with the neighbors if they decide to share the cost with Andrade. Mayor Gilland shared her personal experience of signing off on an alley vacation behind her home. She said she did not have to pay additional fees and informed Kristie with the increase in her property she would see an increase in her property taxes.
 - IV. Proponents Presentation

Janelle Cooke, corner of Fir Ave., felt it would be wonderful for the neighbors to split alley behind her house and maintain it because it would improve the area. Sam worked hard and spoke with all neighbors. Everyone she talked to is in support of it.
 - V. Opponents Presentation – no opposition

Applicant – Samuel Andrade
Antonia, 220 Fir, Asked how long does the process take if they approved it. Byram responded that it could be a couple of months.
 - VI. Staff Summary – Holly Byram, Associate Planner, Mid-Willamette Valley COG
There was nothing further from Holly.
 - VII. Close Public Hearing – Mayor Gilland closed the public hearing at 7:55 pm
 - VIII. Council Discussion - None
 - IX. Council Motion, second and vote

Councilor Bartch moved to approve the 20-foot wide by 200-foot long public alley located within block 25 of the Gervais Town Plat, adopt the findings and recommended conditions of approval presented in the staff report, and direct staff to an enacting ordinance. Seconded by Councilor Wagner. Harvey – Aye, Wagner – Aye, Bartch – Aye, Foreman – Aye. Motion is carried and so moved.

10. Old Business

a. See activity tracker

Mayor Gilland asked for the activity tracker to be cleaned up and an update on the grant writer. Mayor Gilland asked for progress report on the basketball hoop and Robinson responded that the short court hoop could be ordered and installed after some demo work.

According to Mayor Gilland, she has contact with Tom at the Sam Brown House and he has only spoken with Joe and City Manager. Councilor Wagner has record of conversations with Tom and she stated he was excited about the work of the Community Progress Team.

Councilor Bartch asked about the status on new website. Marston will bring recommendation subsequent to two more scheduled demos.

Councilor Wagner pointed out September 1st CERT classes were completed and the next class will be in February. For more CERT information there are brochures in the lobby of City Hall.

Wagner asked Chief Joe Budge, Woodburn Fire District for an update on the new fire station. Budge explained the property had been purchased on Jensen/ Butteville Rd., it's being surveyed and the building process will begin soon.

b. Schedule worksession for discussing on ordinance revisions for yard parking, GMC Chapter 17.80.030.

Worksession was scheduled for December 15th at 6:30 pm. To prepare for worksession, Marston asked if the council wanted her to bring the current ordinance. Gilland emphasized the need to help that whole area. Bartch asked what needed to be changed and what would restrict the changes. Marston explained that yard parking is addressed in the development code, which requires a separate legislative process to change (public notice, public hearing, etc.). Parking in general can just be changed by adopting a new ordinance. Marston noted she would bring, both yard parking and general parking ordinances. Bartch suggested looking at what other cities are doing for yard parking situations.

Harvey clarified the 72 hour street parking rule with Chief Chase. Chase reminded the council the no parking signs were originally put on that street because of emergency service vehicles and garbage trucks restricted access. Chase suggested the council discuss "no parking" issue in work session.

11. Action Item

a. Consideration to approve agreement with Love Inc for utility billing assistance.

Marston noted discussion with Rosetta and changes to the contract. Bartch clarified that Love Inc pays the bill and staff has access to Google sheet to keep track.

Councilor Bartch made a motion to approve agreement with Love Inc for utility billing assistance. Seconded by Councilor Foreman. Motion carried and so moved.

b. Marion County Ballot Box Intergovernmental Agreement

Councilor Harvey clarified with City Manager Marston that the City did not own the box. He asked why the city needed an intergovernmental agreement with them. Marston explained that the city didn't own the box but did own the property. Harvey was not in favor of the IGA, read some cons and stated he felt it was giving up local control. Marston read the purpose of the IGA and affirmed there was no risk to the city. Bartch explained that intergovernmental agreements for different purposes. Wagner shared her perspective of the city not having control of the election box.

Councilor Bartch made a motion to approve the Intergovernmental Agreement with Marion County for ballot box. Seconded by Councilor Foreman. From the audience (Kathy Harvey) expressed her frustration with the ballot box outside. Gilland read an article about voters not having access to ballot box. Bartch clarified that part of the IGA with Marion County is them taking care of the box. Foreman noted the ballot box being locked and secured. Marston directed questions about the design of box to Marion County.

***Foreman – Aye, Wagner – Aye, Bartch – Aye, Harvey – Ney
Motion carried and so moved.***

12. New Business

a. Consideration to support partnership to solve statewide homelessness emergency

Councilor Wagner made a motion to accept partnership needed to solve statewide homelessness emergency with the Oregon Mayors Association. Seconded by Councilor Bartch. Motion carried and so moved.

13. Staff Reports

a. City Manager – Susie Marston

Marston provided written report. Dandy Stevens contacted Marston to let her know that GSD had no money to support winterfest this year but she can donate space and custodians. Wagner spoke to Maricruz and she said there were too many things going with short notice and suggested to do spring festival instead. Wagner said that Councilor Gonzalez suggested tree lighting and ornaments. Gilland suggested tree lighting with her Christmas drive-thru on December 14th. Mayor asked Chief for a lead car. Chief's concern was using city resources for drive thru and liability concerns. Marston will let Dandy know there will be no winterfest this year.

After speaking with Rosetta about Suicide Prevention Training, Marston checked with council to see what dates and location would work for them. Chief Chase mentioned Oregon Impact

having similar training and he would work with Susie on that and suggested looking at dates during the work session.

Marston is promoting Kyle to Superintendent on Monday, the 28th. Marston advertised for the Public Works utility worker position and his hopeful to have someone hired by beginning of December.

b. Police Department – Chief Mark Chase

Chief Chase congratulated John Robinson on his retirement and thanked him for his hard work. DARE lessons with Lt. West have started at the grade school. Two classes have been combined into one. Chase acknowledged the kids being very interactive and appreciated teacher Terry Broadhurst and Lt. West for the efforts. Chase was honored to participate in DARE’s strategic planning process known as SWOT Analysis.

The generator is expected to be delivered March 2023.

c. Public Works – Superintendent John Robinson

Superintendent Robinson provided his written report. They received check valve in water plant and it failed. A new one has been ordered and should be here in two weeks. Motor is ordered and will be arriving in 10 weeks. He was happy to report it is back in operation. Robinson noted he enjoyed working for the City of Gervais and wished everyone the best of luck.

13. Business from the Mayor or Council

None

14. Adjourn

Mayor Gilland adjourned meeting at 8:47 pm.

I, DENISE DAHLBERG, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON NOVEMBER 3, 2022 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Denise Dahlberg, City Recorder

Annie Gilland, Mayor