

**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 FEBRUARY 7, 2019**

1. Call to Order

Mayor Shanti Platt called the meeting to order at 7:38 pm. The meeting started later due to the preceding work session.

2. Roll Call

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

Staff Present: City Manager Susie Marston, City Recorder Tim Rhyne, Police Chief Peter Spirup, Police Lieutenant Mark Chase, Public Works Superintendent Pat Claxton, Utility Worker John Robinson

Others Present: David Doughman – Beery, Elsner & Hammond; Chris & Diana Bartch, Ted Woodruff, Holly Byram, Jeremiah Platt, Chase McCarthy, John Quinn, Laurie Ladd, Franzen, Benjamin Gonzalez

3. Pledge of Allegiance

4. Announcements/Appointments

- a. Additions/deletions to the agenda
 - 1) Item 9(f) – Surplus Flygt Pumps
- b. Swearing in of Officer Kristen Quinn
 - 1) Mayor Platt administered the swearing in of Police Officer Kristen Quinn

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.

6. Consent Calendar:

- a. Approval of the minutes of the January 3, 2019 Regular Session
- b. Approval of bill list for December 27, 2018 – January 29, 2019

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

7. Public Hearing

- a. Public Hearing for street vacation (VAC 2018-01) to vacate the southerly 10-foot wide remainder of the historic Juniper Avenue public right-of-way between 8th Street and Ivy Avenue, as well as the intersecting 20-foot wide public alley bound by Juniper Avenue and Ivy Avenue, north of 8th Street

- 1) Open public hearing and note time for the record
 - Opened at 7:45 pm
- 2) Declaration of ex parte contact or conflict of interest
 - None noted
- 3) Staff Report
 - Holly Byram presented information about the proposed street vacation. She noted that this vacation is being done as a “cleanup action” to finish an incompleated street vacation from 2014. The original street and alley vacation was never approved by ordinance so this action will remedy that problem. The Marion County Assessor’s office brought this to the attention of the City. This proposal would be to vacate a 10-foot wide remainder of the Juniper Avenue right of way, and a 20-foot section of alleyway within block 77 of the original Gervais town plat. Holly gave information regarding the process and requirements for the vacation proposal. Please see the written staff report for further details.
- 4) Proponents presentation
 - None noted
- 5) Opponents presentation
 - None noted
- 6) Proponents rebuttal
 - None noted
- 7) Staff summary
 - None noted
- 8) Close public hearing
 - Closed at 8:01 pm
- 9) Council discussion
 - None noted
- 10) Council motion, second and vote
 - ***Councilor Wagner made a motion to approve the vacation of the remaining 10-foot-wide portion of right-of-way between 8th Street and Ivy Avenue, as well as the intersecting 20-foot-wide alley right-of-way located within block 77 of the Gervais Town Plat, and direct staff to prepare an enacting ordinance for City Council consideration. Seconded by Councilor Gregory. Vote:***
 - a. ***Wagner – Yes***
 - b. ***Gonzalez – Yes***
 - c. ***Gregory – Yes***
 - d. ***Leiva – Yes***
 - e. ***Harvey – Yes***

Motion is unanimously carried and so moved.

8. Presentations

a. Chase McCarthy – HRA/VEBA

In response to a request from the council to Susie, Chase McCarthy brought information to the council relating to the new proposed HRA/VEBA program for city staff. Chase outlined the program and answered questions from the council. The HRA program is employer funded and there are no fees to have this program in effect. The dollar amount of the contributions is variable by employer, but all the employees must receive an equal amount. The City will be contributing \$5,000 per year to be split among 12 FTE. There was brief discussion about the rate of return on the different investment funds. Councilor Harvey stated that he supports the idea of the HRA/VEBA but suggested that the council put a cap on the yearly amount to be contributed to the plan. After some additional discussion the council agreed to keep the amount set to \$5,000 per year at this time.

9. Action Items

a. Resolution 19-001 – Establish HRA/VEBA

Councilor Wagner made a motion to adopt Resolution 19-001 – Establish HRA/VEBA, seconded by Councilor Leiva. All councilors voted “yes”. Motion is unanimously carried and so moved.

b. Resolution 19-002 – Establish capital reserve fund

Susie explained that this resolution is to create the capital reserve fund as mentioned at last month’s meeting. The funding source will be the monthly payments from the sale of the old City Hall building.

Councilor Gregory made a motion to adopt Resolution 19-002 – Establishing Capital Reserve Fund, seconded by Councilor Wagner. All councilors voted “yes”. Motion is unanimously carried and so moved.

c. Resolution 19-003 – Adopting the 2018-19 Supplemental Budget to Make Appropriations for the General Fund Police Department

Susie stated that this resolution is stemming from the incident when Chief Spirup was involved in a car accident. Workers Compensation law allowed the City to be reimbursed 66.6% of Chief Spirup’s wages from CIS while he was on time loss. Since there is need for additional police radars and software equipment, this supplemental budget will allocate that money so the Police Department will be able to afford the needed equipment. The amount received from CIS was \$10,580.

Councilor Wagner made a motion to adopt Resolution 19-003 – Adopting the 2018-19 Supplemental Budget to Make Appropriations for the General Fund Police Department. Seconded by Councilor Gregory. All councilors voted “yes”. Motion is unanimously carried and so moved.

- d. Consensus to reduce speed on a portion of Alder Avenue and 1st Street as recommended by staff

After input from residents on Alder Avenue about speeding vehicles on that road, City staff reviewed the situation and concluded that it would be appropriate to reduce the speed limit on Alder Avenue to 25-MPH. Chief Spirup commented that there have been complaints about speeding vehicles on Alder Avenue and Checkerboard Road. These concerns of speeding vehicles are also being looked into because of the nearby school. There was brief discussion about speeding enforcement on Alder Avenue. The council gave consensus to lower the speed limit on Alder Avenue from 25-MPH to 20-MPH.

- e. Surplus 2004 Chevrolet Silverado Truck

Susie stated that the City recently purchased a new Ford F-250 pickup truck to replace the aging Chevy Silverado utility truck. The council needs to declare the old truck as surplus. She asked the council if they would like to sell the truck or raffle it. There was a discussion among the council about whether to raffle or sell the truck and to which fund the proceeds should be deposited once the vehicle is raffled. Susie stated that the funds can go back to the General Fund but needed direction from the council.

NOTE: Councilor Wagner requested to be excused from the rest of the meeting due to her personal schedule.

Mayor Platt reviewed that the general consensus is that the vehicle be raffled during the 4th of July and that the funds go back into the General Fund. The council agreed.

Councilor Gregory made a motion to surplus the 2004 Chevrolet Silverado pickup with proceeds of the sale going into the 4th of July Fund. Seconded by Councilor Leiva. Motion is unanimously carried and so moved.

- f. Surplus Flygt Pumps

The two pumps from the wet well on 4th Street were replaced and the old pumps need to be surplused so they can be sold. Pat explained why the pumps were replaced and mentioned that the old pumps were approximately 19 years old.

Councilor Harvey made a motion to surplus the Flygt pumps, seconded by Councilor Gregory. Motion is unanimously carried and so moved.

10. Staff Reports:

- a. City Manager

Susie informed the council on the status of the master plan updates. A draft master plan has been received for the wastewater facilities and is being reviewed by City staff. It has also been sent to DEQ and it will take approximately 30-60 days to be reviewed by their agency. The new master plan updates are effective to the year 2042 and are based on a population of nearly 3500 residents. The higher population creates the need for wastewater system improvements so the wastewater SDC rates will increase by about \$350 for every new construction house. The other

part that will increase is the monthly sewer rate. The current rate has been \$37 per month since 2001 and the new master plan recommends a new rate of \$46 per month beginning July 2019.

Susie mentioned that the City auditors have been with us for about 10 years, but she is recommending that a RFP be issued to get bids for new auditors. The council gave Susie consensus to go out for bid for new auditors.

Susie reminded the council about upcoming dates:

- 1) Annual COG Dinner & Awards Ceremony – February 20th, 2019
 - Registration is required by February 8th. Spouse cost is \$35. The dinner will be held at the Keizer Civic Center.
- 2) Ethics Commission Training – March 5th, 2019
 - Training will be co-hosted with the City of Donald and will be held at the Donald Fire Hall at 6:30 PM.
- 3) Goal-Setting Session – February 28th, 2019
 - This was originally scheduled for Tuesday February 12th. This needs to be changed since Sean O'Day will not be available on that date. The new available dates are February 28th or March 14th. The council decided to hold the Goal-Setting Session on February 28th at 6:30 PM.
- 4) Budget Committee Meeting – May 16th, 2019
 - The meeting will be held at 7:00 PM.

b. Police Department

Chief Spirup noted that the council has now met Officer Quinn and stated that she will be doing training at the Police Department until she leaves for the academy on March 18th. Public Works has finished installing the remaining radar signs, one of which is being repaired due to a software problem.

The Chief noted that he and Susie have been working on some ordinances to bring to the Council at the April 2019 council meeting. One of the ordinances has to do with updating the ordinance lien process. The other ordinance is an update relating to the current dangerous/dilapidating building ordinance.

It was stated that Officer Palmer is still recovering from his auto accident and is currently working on ordinance enforcement in Gervais.

c. Public Works

Pat Claxton stated that he didn't have much to report beyond his written report. Councilor Harvey asked about surveying that is being done in town. Pat replied that it is related to a new a new proposed sub-division in town.

11. Business from the Mayor or Council

Mayor Platt reminded the council to fill out their SEC filing online. She also encouraged the council members to attend the Ethics Commission training and talked briefly about the recent Government 101/Land Use training that she attended.

Regarding the Budget Committee, Mayor Platt mentioned that she received a letter from Committee Member Regina Lovely stating that she won't be able to be part of the Budget Committee because of personal reasons. Mayor Platt extended an invitation to Chris and Diana Bartch to apply for the vacant positions on the Budget Committee.

Mayor Platt asked to schedule a work session with the council to discuss creating a salary schedule for the City Manager. After brief discussion it was decided to hold that work session sometime after July 4th. Susie will bring possible dates to the March council meeting. The Mayor brought up the idea of having a dedicated time each month for a work session. This idea wouldn't make work sessions required each month, but it would set aside the date for a work session when needed. The council gave consensus to reserve a work session date for the 3rd Thursday of each month.

Councilor Harvey made statements in support of his desire for transparency as a council. He stated that he believes that the public should have all the information available that is allowed legally. He also mentioned that the council rules regarding non-agenda items should be followed as much as possible.

Councilor Gregory asked about the schedule for Budget Committee meetings and a brief discussion followed. Councilor Harvey asked about the retention schedule for meeting minutes to which Susie replied that meeting minutes are a permanent record.

12. Adjourn

The meeting was adjourned at 9:14 pm.

I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON FEBRUARY 7TH, 2019 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Timothy Rhyne, City Recorder

Shanti M. Platt, Mayor