

**MINUTES OF THE SPECIAL SESSION OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL AT 7:00 PM ON JANUARY 16, 2020**

**1. Call to Order**

The meeting was called to order at 7:00 PM.

**2. Pledge of Allegiance**

The pledge of allegiance was recited.

**3. Roll Call**

Mayor Shanti Platt	Present
Councilor Micky Wagner	Absent, excused
Councilor Baltazar Gonzalez	Absent, excused
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 Mark Chase, Public Works Superintendent John Robinson. Please see sign-in sheet for others who were present.

**4. Announcements/Appointments**

a. Additions/deletions to the agenda

- 1) 2020 COG Annual Meeting and Awards – Registration Due February 7, 2020

The council briefly discussed the date the dinner would be held.

**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.

None noted.

**6. Consent Calendar**

- a. Approval of the minutes of the December 5, 2019 Regular Session
- b. Approval of bill list for November 26 – December 23, 2019

*Requested Action: Motion to approve the January 16, 2020 consent calendar as presented.*

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

## **7. Presentations**

- a. Presentation of Audit Report for Fiscal Year 2018-19, Ended June 30, 2019 – Tom Glogau, Grove Mueller & Swank

Tom Glogau presented the findings of the financial audit for fiscal year ended June 30, 2019. There was a brief discussion about the benchmark for repayment of debt service loans and other specific audit items. Please see the audit report and compliance letter for detailed information from the audit.

## **8. Public Hearing**

- a. Public Hearing for VAC 2019-01, Located at Block 55 of the Gervais Plat, bound by 5th and 6th Streets, Alder and Birch Avenues
  - 1) Open public hearing and note time for the record
    - Mayor Platt opened the public hearing at 7:12 PM and read opening statements as required by law. City Planner Holly Byram also read additional opening statements and outlined requirements of the public hearing. Mayor Platt asked if there were any objections to the public hearing. None noted.
  - 2) Declaration of ex parte contact or conflict of interest
    - None noted.
  - 3) Staff Report
    - Holly Byram presented the findings of her staff report and spoke briefly about the criteria for approval of the alley vacation. State law requires that the applicant secure approval signatures of 100 percent of the land owners touching the alley being vacated. This was completed. In addition 67 percent of property owners within the affected area of the alley vacation. This was also completed. The applicant is asking for the entire alleyway rather than splitting it down the middle as is the usual. There was general discussion about vacating alleyways. Please see the written staff report for more information.
  - 4) Proponents presentation
    - None noted.
  - 5) Opponents presentation
    - None noted.
  - 6) Proponents rebuttal
    - None noted.
  - 7) Staff summary
    - None noted.
  - 8) Close public hearing
    - The hearing was closed at 7:31 PM.
  - 9) Council discussion
    - There was no council discussion.

10) Council motion, second and vote

- ***Councilor Leiva made a motion to approve vacation of a 20-foot wide alley right-of-way located within block 55 of the Gervais town plat, directing staff to prepare an enacting ordinance for city Council consideration and requiring applicant to provide legal description and exhibit map for the ordinance. Seconded by Councilor Gregory. Council vote:***

- a. ***Councilor Harvey – Yes***
- b. ***Councilor Leiva – Yes***
- c. ***Councilor Gregory – Yes***

## 9. Action Items

- a. Approval of Audit Report for Fiscal Year 2018-19, Ended June 30, 2019

***Councilor Gregory made a motion to accept the presentation of the audit report for fiscal year 2018-19, ended June 30, 2019. Seconded by Councilor Leiva. Motion is unanimously carried and so moved. 33:09***

- b. Approve Resolution 20-001, Adopting the 2019-20 Supplemental Budget to make Appropriations for the Water Fund

Susie explained that the old water meters that were recently replaced were sold for scrap and the additional revenue requires a supplemental budget.

***Councilor Leiva made a motion to adopt Resolution 20-001, adopting the 2019-20 Supplemental Budget to make Appropriations for the Water Fund. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

- c. Recommendation to OLCC on Liquor License Application for Gervais Food Market

Susie stated that the Gervais Food Market has been sold to new owners and consequently needs to re-apply for an OLCC liquor license, per state law. The background investigation came back clean and it is recommended that the council approve this application.

***Councilor Leiva made a motion to recommend that Gervais Food Market liquor license be granted by OLCC. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

- d. Recommendation to OLCC on Liquor License Renewals in Gervais

A list of license renewals from OLCC is sent to the city each year for approval or background checks (as necessary). Renewals are typically reviewed by the Police Department prior to being approved. New applications are required to be brought before the council in order to be approved. Susie discussed the current process for new and renewal applications and how they are approved. There was discussion among the council about the procedures for new and renewal liquor license applications.

***Councilor Leiva made a motion to approve OLCC liquor license's due to expire March 31, 2020. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

e. Consider Donation to LOC Foundation

The council has donated funds to the LOC Foundation in the past. Their suggested donation to the Foundation is \$.05 per capita which comes to approximately \$129 for Gervais. Last year the donation was \$128. Councilor Harvey suggested a donation of \$100. Susie Marston and Mayor Platt spoke about the different scholarship, training and services that the LOC offers to cities such as Gervais.

***Councilor Gregory made a motion to donate \$100 to the LOC Foundation, seconded by Councilor Harvey. Motion is unanimously carried and so moved.***

f. Discussion on 2020 Goal-Setting Process

Mayor Platt talked to the council about the goal-setting process and asked if a refresh session would be sufficient rather than a full goal-setting session. There was council discussion about the goal-setting sessions. In response to a question from Councilor Gregory about whether the council can perform its own goal-setting refresh meeting, Susie stated that the COG still provides goal-setting services but for a fee. However, the COG will come out to the city to discuss the goal-setting process at no charge. The council discussed the process and when it would be prudent to pay for the goal-setting session. The council decided to hold a refresh meeting without aid from the COG and set a date at a future meeting.

g. Discussion for Authorizing a Temporary/Relief Position in the Police Department

Chief Chase gave an overview of temporary, or relief, police officer positions and mentioned that several surrounding agencies take advantage of this type of position. He spoke with the council about the need for a temporary/relief police officer position. This new position would be created to assist the department in keeping a high level of service to the community as staffing needs arise. Chief Chase voiced his appreciation of the council's support in retaining Officer Marshall. This temporary position would be paid, with no benefits. Mayor Platt asked about the benefit waiting period if a relief officer were to become a full-time regular employee. Chief Chase responded that he would look into the rules for the benefit waiting period. Susie and Chief Chase will review the budget every 90 days to ensure that funds are available to pay for the relief position.

***Councilor Leiva made a motion to authorize the creation of a temporary relief position within the Police Department to stay within budget parameters. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

**10. Staff Reports:**

a. City Manager

Susie updated the council on the 4<sup>th</sup> Street project and stated that there is a pre-construction meeting being held on January 28<sup>th</sup>. The contracts are signed and the contractor wants to start

the project in February.

The community development department at Marion County will be giving \$15,000 to each city within the county. The \$15,000 will be given each year for three years. The requirements to be met are very simple but the money must be spent on economic development and can be spent on multiple projects. The first \$15,000 will be given during this fiscal year. The money does not have to be spent but can be saved if the council so decides. There will be an IGA ready to review and sign at the February council meeting.

Susie and Kay have recently met with the bank to gather facts to potentially offer credit card payment services. The city would be charged per transaction and the customer can be charged a fee to cover the costs. Susie and the council briefly discussed the costs to have the credit card system and how to pass on the cost. Mayor Platt asked about the water rights certificates for the city wells. John Robinson spoke about water rights and permit concerns.

b. Police Department

Chief Chase told the council that the D.A.R.E. program had its first graduation and graduated seventy-five Gervais 5<sup>th</sup> Grade students and approximately twenty students from Sacred Heart School. The event was very positive and special thanks go to Officer Craig Seibel for all his work.

The Chief recently attended a community leader lunch forum which involved discussion of funding for the school resource officer position. He also spoke about a recent major police event that involved the SWAT team and a mandatory arrest. The property owner where the event happened had his fence damaged and Chief Chase asked for input from the council regarding reimbursing the homeowner. There was discussion about the incident.

c. Public Works

John Robinson stated that he is currently getting a bid together for adding a generator at City Hall. Cummins will be giving the bid. The water meters have been scrapped.

**11. Business from the Mayor or Council**

- a. The Mayor updated the council on her personal schedule. She also talked briefly about creating a parks & recreation committee. The council discussed the property that is open along the railroad right-of-way. The council gave consensus to the Mayor to start work creating a parks & recreation committee.

**12. Adjourn**

- a. The meeting was adjourned at 8:38 PM.

**I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON JANUARY 16, 2020 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:

\_\_\_\_\_  
Timothy Rhyne, City Recorder

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Shanti M. Platt, Mayor

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