

**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL ON JANUARY 5, 2017**

**1. Swearing in of Incoming Council Members**

City Recorder Tim Rhyne administered the oath of office to Shanti Platt, Baltazar Gonzalez and Michael Gregory.

**2. Call to Order**

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

**3. Roll Call**

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

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

Others Present: Tom Glogau (BEH), Jim Jacks (MWVCOG), Paul Iverson (Woodburn Fire)

**4. Nomination of Council President**

- a. Councilor Gonzalez nominated Councilor Gregory for Council President. Councilor Harvey seconded the nomination.

**5. Announcements:**

- a. Additions/deletions to the agenda
  - i. Item (8f) is deleted and postponed until the March 2017 council meeting.

**6. 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.**

**7. Consent Calendar:**

- a. Approval of the minutes of the December 1, 2016 Regular Session
- b. Approval of the minutes of the December 6, 2016 Special Meeting
- c. Approval of the minutes of the December 6, 2016 Work Session
- d. Approval of bill list for November 23 – December 29, 2016

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

**8. New Business**

- a. Presentation of June 30, 2016 Financial Statements by Tom Glogau; Grove, Mueller and Swank

- i. Tom Glogau presented the findings of the financial audit for fiscal year ended June 30, 2016.

***Councilor Gregory made a motion to accept the presentation of the June 30, 2016 financial statements by Tom Glogau, seconded by Councilor Harvey. Motion is unanimously carried and so moved.***

- b. Public Hearing for Legislative Amendment to the Gervais Development Code to Allow Medical and Recreational Marijuana Uses

- i. Open public hearing and note time for the record: 7:29pm
  - ii. Declaration of ex parte contact or conflict of interest: None.
  - iii. Staff Report
    - 1. Jim Jacks presented his report to the council regarding updates to the Gervais Development Code.
  - iv. Proponents presentation: None.
  - v. Opponents presentation: None.
  - vi. Proponents rebuttal: None.
  - vii. Staff summary
    - 1. With minor revisions, Jim Jacks recommended that the council approve the amendments to the Gervais Development Code as presented.
  - viii. Close public hearing: 7:50pm
  - ix. Council discussion

1. The council discussed the different aspects of the marijuana regulations
- x. Council motion, second and vote

***Councilor Gregory made a motion to pass a motion for the first reading of the attached ordinance by title only with the changes as stated allowing the medical and recreational marijuana uses making housekeeping changes in the City of Gervais Development Code, seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.***

- c. Adopt Ordinance 17-001, An Ordinance Amending the Gervais Development Code to Adopt Medical and Recreational Marijuana Regulations; to Adopt Housekeeping Amendments; and to Repeal Ordinance 15-001

***Councilor Gregory made a motion to adopt Ordinance 17-001, an Ordinance Amending the Gervais Development Code to Adopt Medical and Recreational Marijuana Regulations; to Adopt Housekeeping Amendments; and to Repeal Ordinance 15-001, seconded by Councilor Harvey. Motion is unanimously carried and so moved.***

- d. Adopt Resolution 17-001, A Resolution to Add Section 3.10, Whistleblower Procedures, to the City Of Gervais Personnel Rules, Policies and Procedures

Susie Marston stated that recent changes in State law require that local municipalities have personnel policies in place that protect employees from retaliation resulting from authorities being notified about potentially illegal activities within the city.

***Councilor Gregory made a motion to adopt Resolution 17-001, a Resolution to add Section 3.10, Whistleblower Procedures, to the City of Gervais Personnel Rules, Policies and Procedures, seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.***

- e. Adopt Resolution 17-002, A Resolution Authorizing the City Manager or Designee to Apply for a Loan from the Oregon Infrastructure Finance Authority's Safe Drinking Water Revolving Loan Fund and to Sign All Necessary Documents in Accordance With The Application

Susie Marston explained that this resolution is needed for the city to go through the formal application process for loan of this type. There was a short discussion about the scope of work and pricing for the water tank project.

***Councilor Gregory made a motion to adopt Resolution 17-002, a Resolution authorizing the City Manager or Designee to apply for a loan from the Oregon Infrastructure Finance Authority's Safe Drinking Water Revolving Loan Fund and to sign all necessary documents in accordance with the application, seconded by Councilor Harvey. Motion is unanimously carried and so moved.***

~~f. Discussion on fireworks, backyard burning and mandatory utilities~~

## **9. Staff Reports:**

### **a. City Manager**

Susie Marston stated that the first court session is being held on December 7, 2016 with the new Judge, Lori Coukoulis. Carla and Susie have met with Marion County Dog Control to discuss the possibility of offering dog licensing at City Hall. There was a short discussion about dog licensing at City Hall.

Susie reminded of event dates coming up including Public Official training in Gervais on January 18<sup>th</sup> at 6:30pm. The deadline for registering is January 11<sup>th</sup>. The goal-setting session is being held on January 23<sup>rd</sup> at 6:30pm. The annual COG Awards Dinner is on January 25<sup>th</sup> at 6:00pm at the Chemeketa Community College, registration is due January 13<sup>th</sup>. The City of Donald is hosting an Oregon Government Ethics training at the Donald fire hall on February 1<sup>st</sup> at 6:30pm.

### **b. Police Department**

Chief Spirup gave details about the progress being made with the revocable permit process. The 2010 Dodge Charger has been in the shop for repairs for much of the past couple of months. The department is working with Willamette University to get an intern to come in and help with updating the city ordinance code. There was a short discussion about the status of the 2010 Dodge Charger patrol car.

### **c. Public Works**

Pat Claxton updated the council on a water line project that the School District is working on. Gelco Construction has begun their work over at the old water tank. There was a short discussion about the water line project with the School District.

## **10. Business from the Mayor or Council**

### **a. Council**

There was no business from the council.

### **b. Mayor**

The mayor and Fire Chief Iverson talked to the council about the recent food drive. The drive was extremely successful bringing in more food from Gervais than ever before.

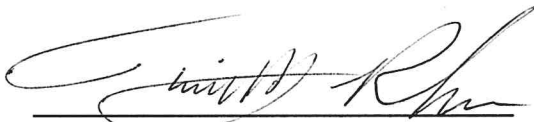
The mayor also updated the council on the results of the recent holiday activities such as the goody bags, Santa, etc. Mayor Platt stated that her schedule will be different in the coming months in response to medical leave. Mayor Platt thanked Susie Marston and Tim Rhyne for their work with the annual audit.

#### 11. Adjourn

- a. The meeting was adjourned at 8:25 pm.

**I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON JANUARY 5, 2017 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:

  
Tim Rhyne, City Recorder

  
Shanti Platt, City Mayor