

**MINUTES OF THE WORK SESSION OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL AT 6:30 PM ON OCTOBER 21, 2021**

1. Call to Order

Council President Wagner called the meeting to order at 6:30 pm.

2. Pledge of Allegiance

Council President Wagner asked Councilor Gonzalez to lead in the Pledge of Allegiance.

3. Roll Call

Mayor Annie Gilland	Excused
Councilor Pam Foreman	Present
Councilor Baltazar Gonzalez	Present
Council President Micky Wagner	Present (via Zoom)
Councilor Diana Bartch	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Denise Dahlberg, Police Chief Mark Chase, Superintendent John Robinson

4. Announcements/Additions

a. Additions/deletions to the agenda

Council President asked if she could talk about a sponsorship

5. New Business

1. Christmas Tree Lighting

Councilor Foreman reported that Mayor Gilland was interested in collecting the coats for the warm coat drive at the lighting and wanted to dispense them before Christmas. She stated if there was enough time, they could continue the discussion at the November council meeting

City Manager Marston stated Mayor Gilland had been in touch with Sacred Heart about putting a box at Dollar General for a toy drive and the coat drive. Marston suggested continuing this discussion to the November 4th meeting.

Council President Wagner mentioned the tree lighting typically fell on the 1st or 2nd Friday in December. Wagner suggested Foreman provide the Mayor with dates of December 3rd or December 10th for the tree lighting, because the 3rd weekend in December was when Sacred Heart distributed the food boxes and has the toy drive giveaway, and then the following week would be Christmas.

There was discussion about locating the box that was used to collect coats and socks in the previous years. Marston stated that City Hall could provide the space for the collection of coats.

2. Ordinance Review

a. GDC 10.08 Parking

Marston stated that the packet contained the parking ordinance in its entirety. She explained the focus had been more on yard parking and in the interest of time, suggested moving forward to the next line item:

b. GDC 17.80.030 No Parking in Yard Areas.

Marston reported that Chief Chase and herself reviewed the code and prepared some suggestions based on what they had heard from the council. Marston displayed a visual Word document and suggested adding some language to the ordinance that allows designated parking areas if approved by the city.

Councilor Foreman asked about yard parking and why vehicles couldn't be parked behind a gate.

Chief Chase referred to Ordinance 8.04.140 and read the current definition. He explained that the council approved this ordinance in 2011 allowing people to park their vehicles behind a sight restricted, six foot- tall fenced in area or in a building. Chief Chase stated that code 17.80.030 and code 8.04.140 conflict with each other, and he wanted to bring this discussion to the council's attention.

Council President Wagner explained some problems occurring in the city from allowing parking behind gates in the backyard. She stated backyards are becoming parking lots and fluids from vehicles are seeping into the ground creating an environmental issue and a visual nuisance.

Chief Chase explained that the yard parking is a safety issue and gave the council some things to consider. He gave the example of a house fire and the danger of multiple cars parked around the yard and the difficulty of running a hose to the house, and slowing down the life safety rescue efforts for emergency vehicles. Chase informed the council of other safety issues such as vision clearance and lighting. Chief Chase reported that CPTED (Crime Prevention through Environmental Design) research shows that a clean and orderly city reduces criminal behavior.

Chase explained that the conflicting ordinance puts the police department in a tough situation. He recommended the possible suggestions from staff adding language to ordinance 17.80.030 allowing parking in designated areas approved by the city, adding "designated parking areas" to the list of definitions and changing the language in ordinance 8.04.140 eliminating the six-foot tall fenced in area and adding verbiage that meets development standards for accessory structures (Chapter 17.84).

There was a council discussion about the parking issues, people living in RV's and ordinance enforcement.

Chase explained that the Gervais Police Department enforces ordinances on a regular basis and it is a constant thing they deal with. But if there is a crime in the school or sex abuse involving a small child, the time is focused on investigating those issues as well. He explained the process when the parking ordinance is violated and what is involved in bringing residents into compliance. Chase explained the time involved when ordinances are violated.

Councilor Bartch asked about the current guidelines on parking and the process of approval by the city.

Councilor Foreman suggested a “yard sign” option for a visual process of approval being issued to residents who follow the process legally to signify who went through the process and met criteria and who did not. She suggested charging a fee for the sign to compensate for the purchase of it.

Harvey suggested looking at the planning for future housing developments in advance to help with parking issues. He agreed with Foreman that the sign was a good idea but did not agree with charging for it.

Marston explained the process of how the city approves parking. The resident draws a diagram of what they want done. The Chief of Police, Superintendent of Public Works, and the City Manager of Gervais meet and discuss whether or not they can approve the request contingent on each department’s precept.

Teresa Diaz, 923 Mahan Lp., asked if the development codes could be changed because she felt she had room to create a parking spot.

City Manager Marston explained that was part of what the council would be considering tonight.

There was a discussion about the definition of discarded vehicles and including language about specifying collector vehicles.

Marston provided the council with a suggestion for the definition of the “designated parking areas” that read, “A designated parking area is a parking area approved by the city upon application of the property owner”.

Council President Wagner asked for a consensus to approve recommendations provided by the staff and all councilors voted in favor.

c. GDC 8.04.110 Unnecessary Noise

City Manager Marston explained that staff had no suggestions for the council on this ordinance based on their previous discussion.

There was a discussion amongst the council about decibel levels of noise, what was too loud and what specific language could be used in the ordinance to address it.

Marston suggested language addressing 60 decibel levels.

There was more council discussion about the sensitivity of decibel levels.

Chief suggested doing more research, looking at what other cities are doing for decibel levels and bringing those suggestions back to the council.

Bartch suggested providing a simple one page directive with noise application explaining what the applicant needs to do.

Councilor Gonzalez suggested adding language of forfeiting the permission for future events if the decibel level was violated.

Council President Wagner asked for a consensus to allow staff to take the necessary steps to do the research and bring back to council for consideration, all councilors voted in favor.

d. GDC Title 6 – Animals

Chief Chase stated the code currently had a definition of livestock and proposed adding it to the chapter on animals.

Bartch asked for the livestock definition to be more detailed and not so vague.

Chase recommended adding language to the 'Inconvenience' definition in Ordinance 6.04.010. Chase asked for the council to consider adding a new Ordinance 6.04.015 – No owner of fowl, livestock, cats or dogs shall allow such animals to create an inconvenience as defined in 6.04.010 within the corporate city limits.

Chief Chase proposed adding "livestock" to the language of Ordinance 6.04.025 and 6.04.030. Based on the previous council discussion Chase proposed adding cats to language of Ordinance 6.04.090.

Councilor Foreman communicated a concern in regards to the fowl ordinance as it was a viable food source for people in the community.

Bartch expressed her desire to own chickens when she moved to Gervais and after reviewing ordinances in other cities, she understood and gave examples of why Gervais did not allow it.

There was a council discussion about what it would look like to allow chickens in the City of Gervais.

Chief Chase reported that when they don't get complaints and people take care of their chickens the police don't need to worry about it. Chase explained when the neighbors don't take care of the chickens and they smell and attract rats and mice, the Gervais PD has addressed it.

Bartch asked for the definition of livestock list for clarity.

Council President Wagner asked for a consensus to accept staff recommended changes to GDC Title 6 - Animals, all councilors voted in favor.

Harvey addressed the 6.04.050 – Abatement of nuisance. Harvey proposed removing the language 'advertising the animal for sale to the highest bidder.'

There was a discussion about what the Police Department would do upon seizing of the nuisance animal.

Chief Chase suggested City Manager Marston and himself review the ordinance further and come back with suggestions.

There was a discussion of consensus, but no formal consensus was made.

Council President Wagner asked about a sponsorship for a Sophia Ferriera's son Angelo for Junior Prep who would be representing Gervais. Wagner asked for this to be put on the Agenda or next month.

City Manager Marston stated she would like for him to submit a request or even a letter to the council with his request.

Wagner stated that the Cole Pepper Meriwether Circus had been in contact with her asking if they could come back to Gervais in May of 2022. She asked if this was something the city wanted to do.

The council asked to discuss it more at a later time.

6. The meeting was adjourned at 8:34 PM.

I, DENISE DAHLBERG, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON OCTOBER 21, 2021 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Denise Dahlberg, City Recorder

Annie Gilland, Mayor