

**MINUTES OF THE REGULAR MEETING OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL ON OCTOBER 1, 2015.**

**1. Call to Order**

Mayor Platt called the council meeting to order at 7:15 pm.

**2. Roll Call**

- a. Council Present: Council Members Micky Wagner, Tony Miller, Michael Gregory and John Harvey. Council Members Wes Leiva (absent by excuse) and John Harvey were absent. Mayor Shanti Platt was present.
- b. Staff Present: City Recorder Tim Rhyne, Police Chief Peter Spirup and Public Works Superintendent Pat Claxton. City Manager Susie Marston was absent due to family medical necessity.

**3. Announcements:**

- a. Additions/deletions to the agenda
  - i. Appoint acting council president while Wes Leiva is absent.

**4. 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.**

**5. Consent Calendar:**

- a. Approval of the minutes of the September 3, 2015 Regular Meeting
- b. Approval of the bill list for August 28 – September 24, 2015

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

**6. New Business**

- a. Adopt Resolution 15-006, A Resolution to Define a Policy for Use of City Charge Accounts

In the absence of the city manager, Chief Spirup gave the council an explanation of Resolution 15-006. Chief Spirup has recently talked to Susie Marston about the need for the city to create a credit card account for the city and an accompanying policy for its use. Over the years, the city has not had a corporate credit card, forcing the purchase of certain products onto city staff. This has affected several employees, causing them to use their personal credit card for purchases, later being reimbursed by the city. Mayor Platt mentioned the potential issue with an employee making a purchase for the city and

receiving usage rewards from their credit card provider. A city credit card would relieve that potential ethics breach. Chief Spirup noted that the date on the resolution should be changed to October 1, since it was originally prepared for the September 2015 council meeting. There was a short discussion about credit limits for the city credit card. The council discussed the use of funds for council-related training.

***Councilor Miller made a motion to adopt Resolution 15-006, A Resolution to Define a Policy for Use of City Charge Accounts, seconded by Councilor Wagner. Motion is unanimously carried and so moved.***

- b. Consideration and Adoption of Ordinance 15-001, An Ordinance Adding Chapter 9.20 to Title Nine of the Gervais Municipal Code Prohibiting the Establishment of Marijuana Facilities within the City and Declaring an Emergency

Mayor Platt mentioned that Ordinance 15-001 would need to be read twice by title for it to be effective. Councilor Miller asked why this ordinance was being considered an emergency. Mayor Platt explained that ordinances that are declared an emergency are put into place more quickly. There was a short discussion about the recent legalization of medical marijuana facilities selling recreational marijuana.

***Councilor Wagner made a motion for the Consideration and Adoption of Ordinance 15-001, An Ordinance Adding Chapter 9.20 to Title Nine of the Gervais Municipal Code Prohibiting the Establishment of Marijuana Facilities within the City and Declaring an Emergency, seconded by Councilor Gregory. Ordinance 15-001 was read twice by its title and seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

- c. Surplus Retired Police Department Computer Equipment

***Councilor Wagner made a motion to surplus the retired Police Department computer equipment, seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

## **7. Staff Reports:**

- a. City Manager

Susie Marston was unable to attend the meeting so there is no written report.

- b. Police Department

Chief Spirup and Pat Claxton met with Woodburn Fire Department about certain streets in the city that are subjects of ongoing complaints. The main problem is parking on some of the streets as well associated traffic. Woodburn Fire was involved since these parking situations can cause difficulties for maneuvering emergency equipment through the streets. Chief Spirup and Pat Claxton took measurements in some of the trouble areas and found that space was not adequate to allow parking in those areas. Recommendations will be brought before the council in the future about restricting parking in some areas around the city.

Chief Spirup also talked about an email that he received about road authorities. It appears that the city of Gervais is the road authority for all the roads within the incorporated city limits of Gervais, including county roads. Marion County is still responsible for maintaining county roads, but the city has the legal authority to make changes such as parking zones, cross walks, signage, etc. Legal advice will be sought regarding this news about Gervais being the road authority, and some road/sign changes will no doubt be brought before the council in the future. Being the road authority, the council could either make individual decisions or delegate certain decisions to public works. There was a short discussion about how this change could affect the road decisions made by the city. Chief Spirup suggested holding a work session to discuss the changes in road authority as well as some new ordinances that Chief Spirup is drafting. Chief Spirup gave an example of an ordinance issue and discussed the work involved with drafting new ordinances. The council scheduled a work session for January 21<sup>st</sup> at 7:00pm to discuss city ordinances. There was a short discussion about the marijuana ordinance (15-001).

c. Public Works

Pat reported that the storm drain project on 5<sup>th</sup> Street is mostly complete. Two drains in front of the church rectory will have catch basins installed to alleviate flooding in that area. This should finish the project. All the drains from 7<sup>th</sup> Street to 5<sup>th</sup> Street on Douglas Avenue are being cleaned out, from Elm all the way to 5<sup>th</sup> Street, and finally from 5<sup>th</sup> Street all the way until it goes under the train tracks. Some blockage was found on Elm Avenue where a telephone line was run through the drain. An anchor for a telephone pole goes through in another spot. Other than those problems, the drains should be flowing well. There was a drainage problem on 4<sup>th</sup> Street this past year so a catch basin was installed. When inspected, a root ball about 15 feet long was found in there that was causing major drainage problems. With that removed, that area should drain just fine.

A wheel-chair ramp is being installed at the corner of Elm Avenue and 7<sup>th</sup> Street.

Pat commented that some of the plants and trees that were planted at the community park have failed. Pat commented that the company who completed the park may have used sub-par plants and trees when completing their work, causing the failure. Most of the new trees and plants have been removed and replaced with grass. There was a short discussion about maintenance of the drainage ditch in the Black Walnut community park.

John Robinson is doing some finishing touches on the welcome sign coverings. The major water and wastewater testing is complete for the year and the results were all very good. There was a short discussion about backflow devices at the schools. Pat mentioned that the mower attachment recently received from City of Woodburn has been very useful to Gervais.

Mayor Platt asked if she could use one of the tree boxes from public works to start trees. The council agreed that it would be fine.

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

a. Mayor

Mayor Platt called for a moment of silence to remember Jaylen Miller, Jim Lind and Mason Peterson who had recently passed away. Jaylen Miller and Jim Lind were each

heavily involved in the Gervais community for many years. Mason Peterson is Councilor Wagner's nephew. Mayor Platt reminded the council to also remember those who were murdered in the attack at Umpqua Community College in Roseburg, Oregon. The U.S. flag was lowered in Gervais in memorial of the tragedy.

Mayor Platt talked about the recent meetings about the walking path between Gervais and Woodburn along the train tracks. While early meetings indicated the cost would be prohibitive, Mayor connected with a person at the LOC conference who is the head of the risk management of the railroad. That person, who also happens to be the Mayor of Pendleton, gave their business card to Mayor Platt for the railroad. This individual also said that the walking path doesn't necessarily need to be a dead topic. Mayor Platt wanted the council to know that she would be doing some additional research on the walking path to see if it's still a possibility. Councilors Wagner and Gregory agreed that it was fine for the Mayor to pursue more information about the walking path.

Mayor Platt reminded the council to continue thinking about Susie Marston during the upcoming months.

Mayor mentioned that since Gervais is a part of the HEAL program that there are some grants available. Her idea was to coordinate a walk-a-thon with Woodburn or Mt. Angel and then have a picnic in April at the community park. A possibility would be to get t-shirts donated that show different miles walked such as 5, 10 and 15 mile, etc. The whole idea of the event would be to get kids active and involved.

b. Council

The council talked about the parking situation in Gervais, specifically affecting maneuverability of emergency vehicles such and police and fire vehicles.

**9. Adjourn**

a. Council was adjourned at 8:02pm.

**I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON OCTOBER 1, 2015 ARE CORRECT AS RECORDED.**

ATTESTED:

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Tim Rhyne, City Recorder

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Shanti Platt, City Mayor