

**MINUTES OF THE REGULAR MEETING OF THE GERVAIS CITY COUNCIL  
COUNTY OF MARION, STATE OF OREGON  
HELD AT GERVAIS CITY HALL ON JUNE 2<sup>nd</sup>, 2016**

**1. Call to Order**

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

**2. Roll Call**

Mayor Shanti Platt	Present
Councilor Micky Wagner	Present
Council President Wes Leiva	Absent, Excused
Councilor Michael Gregory	Present
Councilor John Harvey	Absent, Excused
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: Jim Jacks, Scott Franklin, Theodora Schrier, Martin Guerrero

**3. Announcements:**

- a. Additions/deletions to the agenda
  - i. Renew Land Use Planning Services with Mid-Willamette COG and authorize Mayor to sign same (New Business, item "G")

**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.**
  - i. Danielle Howitt of 147 E Fir Drive, Gervais, addressed the council about her concerns about the odor coming from Fiber Fab. Danielle is concerned that the fumes are a health hazard to the people living in Gervais. There was a brief discussion among the council about the fumes coming from Fiber Fab.
  - ii. Martin Guerrero addressed the council about an ordinance notice that he had received about his property at 720 Cedar Avenue, Gervais. Mayor Platt and Chief Spirup both made comments on the situation. Chief Spirup asked that Mr. Guerrero come to the Police Department to discuss the situation.

## 5. Consent Calendar:

- a. Approval of the minutes of the May 5, 2016 Regular Meeting
- b. Approval of the minutes of the May 12, 2016 Budget Committee Meeting
- c. Approval of bill list for April 26 – May 26, 2016

***Councilor Wagner made a motion to accept the Consent Calendar as presented, seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

## 6. New Business

- a. Public Hearing for Site Development Review/Variance 2016-01
  - i. Open public hearing and note time for the record
    1. Opened at 7:20pm
  - ii. Declaration of ex parte contact or conflict of interest
    1. Mayor Platt declared ex parte contact
  - iii. Staff Report
    1. Jim Jacks reviewed the staff report that was distributed to the Council Members and Mayor. Jim touched on highlights in the report and discussed details of the proposed building plans.
    2. The council briefly talked about how the Dollar General would connect to the city water system. There was also discussion about the potential required retention pond and whether or not Dollar General could tap into the City's existing retention pond. Lastly, the council talked about the use of the remaining land.
  - iv. Proponents presentation
    1. Scott Franklin of PacLand Consulting, on behalf of Embree Group and Dollar General, gave a presentation of the plans for the construction of the Dollar General store in Gervais. Scott answered questions from the council and discussed the water connection for the proposed property.
  - v. Opponents presentation
    1. None noted
  - vi. Proponents rebuttal
    1. None noted
  - vii. Staff summary
    1. Jim Jacks stated that it is recommended that the council approve the Site Development Review/Variance 2016-01.
  - viii. Close public hearing
    1. Closed at 7:58pm
  - ix. Council discussion
    1. There was brief general discussion about the corner property on 99E and Douglas Avenue.
  - x. Council motion, second and vote
    1. Councilor Wagner made a motion to approve the Site Development Review/Major Variance 2016-01, seconded by Councilor Gregory.

Motion is unanimously carried and so moved. All councilors gave approval by stating, "aye".

b. Budget Hearing for Fiscal Year 2016-17

- i. Open the Hearing
  - 1. Opened at 8:03pm
- ii. Hear Public Testimony
  - 1. None noted
- iii. Take Additional Questions or Comments
  - 1. None noted
- iv. Close Public Hearing
  - 1. Closed at 8:04pm

c. Adopt Resolution No. 16-005, Adopting the 2016-17 Budget, Making Appropriations and Imposing the tax, and authorize Mayor and City Recorder to sign same

***Councilor Wagner made a motion to adopt Resolution No. 16-005, Adopting the 2016-17 Budget, Making Appropriations and Imposing the tax, and authorize Mayor and City Recorder to sign same. Seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

d. Adopt Resolution No. 16-006, Requesting State Revenue Sharing Funds

***Councilor Wagner made a motion to adopt Resolution No. 16-006, Requesting State Revenue Sharing Funds, seconded by Councilor Gregory. Motion is unanimously carried and so moved.***

e. Adopt Resolution No. 16-007, Budget Transfers for Fiscal Year 2015-16

***Councilor Gregory made a motion to adopt Resolution No. 16-007, Budget Transfers for Fiscal Year 2015-16, seconded by Councilor Gonzalez. Motion is unanimously carried and so moved.***

f. Discussion on sale of old City Hall and other City properties

- i. City Manager Susie Marston stated that this was put onto the agenda at the request of the council at the May 2016 council meeting. The Mayor and Council discussed the idea of selling city-owned properties in Gervais. It was commented that once property is sold you can't really get it back. The council discussed the property next to Public Works and the old city hall. After discussion, it was decided to look into the process of selling the old city hall and possible condemning the old bakery building on the corner of the block. It was decided to maintain ownership of the lot next to the Public Works for time being.

- g. Renew Land Use Planning Services with Mid-Willamette COG and authorize Mayor to sign same
  - i. Mayor Platt declared a conflict of bias since she sits on the board of the Mid-Willamette COG. There was a short discussion about how often the city uses the services provided by the COG.

***Councilor Gregory made a motion to Renew Land Use Planning Services with Mid-Willamette COG and authorize the Mayor to sign same, seconded by Councilor Wagner. Motion is unanimously carried and so moved.***

## **7. Staff Reports:**

### a. City Manager

Susie made comments about the Dollar General plan. Susie also stated that the rates with the city attorney's office that will be increasing by \$25/hour effective July 1, 2016. There are three council positions that will be open for election this November. Those three positions are for Councilors Gonzalez, Gregory and Wagner. The position of Mayor is also open for election. The filing deadline to run for one of those positions is August 23<sup>rd</sup>. Susie talked about the process and rules for filing for one of the open positions. Susie made a quick note about the upcoming Gervais Design Charrette in July.

### b. Police Department

Chief Spirup updated the council on the progress for hiring a replacement police officer. There was a discussion among the council about problems in town involving ordinance violations and how enforcement is carried out. Councilor Gregory asked about the new law regarding motorcyclists and traffic signals.

### c. Public Works

Pat Claxton talked to the council about the water filter project that was recently completed. The lower distribution assemblies were in good condition so replacement was not necessary. The top structures of the tanks were in poor condition and were replaced at the time of the project. The turbo on the generator on 4<sup>th</sup> Street recently failed and the replacement has been ordered. The splash pad has stopped working again and Pat will be in contact with the manufacturer to see about replacement parts. The council talked about the past issues with the splash pad.

## **8. Business from Mayor/Council**

### a. Mayor

- i. Mayor Platt mentioned that John Hoffmann is looking for volunteers to help with the star-painting for the parade route. There was a short discussion about the event. Mayor Platt reminded the council about the upcoming benefit breakfast being held by Boys & Girls Club of Woodburn. It was also mentioned

that there will be a 4<sup>th</sup> of July Committee meeting on the 6<sup>th</sup> of June. There was a short discussion among the council about the upcoming Police fund raiser. There will be a formal letter regarding the most recent City Manager review that Mayor Platt will complete and sign. The smells coming from FiberFab were briefly discussed by the council. There was a discussion about the tax rate in Gervais compared to other similar cities.

b. Council

- i. No business from the council.

**9. Adjourn**

- a. Council was adjourned at 9:10 pm.

**I, TIM RHYNE, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON JUNE 2, 2016 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.**

ATTESTED:



Tim Rhyne, City Recorder



Shanti Platt, City Mayor