

**MINUTES OF THE REGULAR SESSION OF THE GERVAIS CITY COUNCIL
COUNTY OF MARION, STATE OF OREGON
HELD AT GERVAIS CITY HALL WITH ZOOM ALTERNATIVE AT 7:00 PM ON AUGUST 5, 2021**

1. Call to Order

2. Mayor Annie Gilland called the meeting to order at 7:00 pm.

3. Pledge of Allegiance

The Pledge of Allegiance was led by Council President Wagner

4. Roll Call

Mayor Annie Gilland	Present
Councilor Pamela Foreman	Present
Councilor Baltazar Gonzalez	Present
Council President Micky Wagner	Present
Councilor Diana Bartch	Present
Councilor John Harvey	Present

Staff Present: City Manager Susie Marston, City Recorder Denise Dahlberg, and Police Chief Mark Chase

Others Present: None

4. Announcements/Additions

a. Proclamation – Gervais Cougars Spirit Day

Mayor Gilland read some history on the Gervais girls' basketball team. The Mayor also mentioned what a pleasure it was to watch the girls grow up. Gilland acknowledged that the Gervais girls basketball team had an undefeated season and brought home the state championship. She congratulated them and Coach Kyle Buse on their victory.

Mayor Gilland read the City of Gervais Proclamation allowed, proclaiming August 5, 2021 as Gervais Cougars Spirit Day.

5. Public Comment

Sandra Foote Gregory lives at 680 Douglas Ave. Sandra suggested addressing a partnership with the Woodburn Independent. She stated that some of the older generation weren't real good on the computer and would like to know what's going on in the community. She specifically noted missing police reports, and was surprised to not see 'National Night Out' in the Independent. She stated she would have wanted to come to that event.

Council President Wagner reiterated that City Recorder Dahlberg stated the information was sent to the Independent. Wagner stated in previous years there was mention of doing a newsletter.

Mayor Gilland announced that Sandra was her mother and apologized to her mom for not communicating the information to her. Gilland stated that maybe we could look into a Police blotter as well.

Chief Chase informed the council that public information is available to the Independent if they want to get it from the City. They haven't chosen to do that for a number of years. The Police Department is working on a crime blotter and community information to be available.

Council President Wagner stated she was unable to have the Movie in the Park at the National Night Out event due to her new work schedule, inferring she had less time to plan than in previous years. Wagner announced there will be a movie in the park on Friday, Aug 27, 2021. She will post it on the Gervais Facebook page for community input on a family friendly movie.

Teresa Diaz lives at 923 Mahan Loop. Diaz stated she received a ticket for parking a vehicle in her yard. She was advised how to request additional parking. She did what was advised. She received a letter that approved a small portion of her request. She felt that her request wasn't completely understood, so she replied to the letter. She did not receive a second response. Diaz claims that there are multiple houses on the loop that she lives on who have the additional parking and it is not on the side that she was told was okay. She would like the same privileges that those people have. Diaz has been told that it is against City ordinance. She suggested that this ordinance be changed with the increasing population.

Mayor Gilland spoke ex-parte, claiming Diaz contacted her in regards to this matter. Gilland and her husband rode their bikes over to Diaz's house. Diaz took them on a tour of the Loop and the Mayor states she witnessed exactly what Diaz had explained. Mayor Gilland suggested that Diaz come and talk to the council to see if there is something the council could do about the ordinances or to accommodate her. She appreciated Diaz coming forward to try and do things the right way. Mayor Gilland said she would like to look into it further and have council talk about the ordinances.

Councilor Harvey asked Diaz if she received a warning before she received a ticket. Diaz said she had received a warning.

There was discussion amongst the council about parking on Mahan Loop.

Councilor Foreman asked for copies of the ordinances so that the council could make an informed decision.

Chris Bartch lives at 929 Mahan Loop. Bartch thanked the Police Department for their great efforts in engaging the community on National Night Out. Bartch also thanked Chief Joe Budge from the Woodburn Fire District.

Councilor Foreman mentioned she had gone on vacation and filled out the Vacation Notification. She felt great leaving knowing the Police Department was keeping an eye on her

home. Foreman encouraged the community to do the same if they leave on vacation. She thanked Gervais Police Department.

6. Consent Calendar:

- a. Approval of the minutes of the July 1, 2021 Regular Session
- b. Approval of bill list for June 25 – July 29, 2021

Councilor Foreman made a motion to approve the August 5, 2021 consent calendar as presented, seconded by Council President Wagner. Motion is unanimously carried and so moved.

7. Presentations
None

8. Public Hearing

- a. Site Development Review, File No. SDR 2021-01, 600 Block of 4th Street (continued)
 - I. Open public hearing and note time for the record
Mayor Gilland opened and noted the time of record as 7:25 PM

City Manager Marston explained this is a public hearing continued from June 3rd, 2021. The applicant has requested an extension. The first continuation was August 5th, 2021. They have asked for an additional extension to continue the public hearing to September 2nd, 2021. Holly Byram explained in her memo the 120-day rule. We did get the 120-day waiver from them. Once that is received the ORS state that the extensions cannot exceed 245 days. This is not a concern at this time.

Mayor Gilland read the suggested motion.

Councilor Bartch made a motion to continue the public hearing for land use file #SDR 2021-01 to the next regularly scheduled City Council meeting of 7:00 pm on Thursday, September 2, 2021 without taking additional staff report, public testimony, or Council discussion during this evening's meeting, seconded by Councilor Wagner. Motion was unanimously carried and so moved.

City Manager Marston reminds the council that since this public hearing has been continued, it is considered open and active. So, discussions outside the public hearing cannot happen.

- II. Close public hearing
The hearing was closed at 7:28 PM

9. Action Items

- a. Authorize Mayor and City Manager to sign audit engagement letter and contract for Grove, Mueller & Swank to conduct the annual financial audit as of June 30, 2021.

Councilor Bartch asked if Grove, Mueller & Swank is who was used in the past for our City audit.

City Manager Marston replied yes and explained that Grove, Mueller & Swank has been the City's Auditor since she has been at Gervais. Marston states that a couple of years ago she submitted an RFP (Request for Proposal) to see if there were other auditors that wanted to consider Gervais. Grove, Mueller & Swank were the only ones who responded. That RFP is only good through this fiscal year. Sometime after this fiscal year she will issue another RFP. Marston informed the council that Grove, Mueller & Swank will be conducting the Audit on August 30th, 2021 and the engagement letter is in the packet. The letter explains their services and fee which, this year is \$14,250.00

Councilor Bartch made a motion to Authorize Mayor and City Manager to sign audit engagement letter and contract for Grove, Mueller & Swank to conduct the annual financial audit as of June 30, 2021, seconded by Councilor Foreman. Motion was unanimously carried and so moved.

10. Old Business - None

11. New Business

City Manager Marston provided the council with information on the American Rescue Plan Funds. Marston informed the council that the League of Oregon cities has a great resource on their website dedicated to American Rescue Funds. There is more than \$680 million that will be awarded to cities in Oregon. Marston states that the distributions for Gervais will \$613,136. Marston will request the funds, and then Gervais will receive the 1st half within 30 days. The second half will come in a year from now. Marston explained to the council that the money can be used 03/2021 – 12/31/2024. Marston gave the council some ideas on what the funds could be used for. Downtown improvements, Sam Brown House-moving, roof, siding, restoration, Wastewater upgrades in accordance with master Plan, and new City website. Marston states that we do need to follow the US Treasury guidance on how to use the funds. She included information on that in the packets.

Mayor Gilland asked the time frame the money could be used. Marston replied March 2021 – December 31, 2024.

Council President Wagner understood that there was 2 years in which the Sam Brown House had to be moved in to town from where it is now. That was just prior to Covid. Marston hadn't heard anything about it and planned on approaching the owner. There was a discussion about what the new City's web hosting would look like.

12. Staff Reports:

- a. City Manager – Susie Marston

City Manager Marston informed the council that Amazon got their permits to do ground work. They anticipate the public hearing site development review will be in September. She reports

the building will be amazing as it is the 3rd largest Amazon building nationwide with the largest Robotic system in Oregon. It is estimated to bring upwards of 1800 jobs to the area. They are hoping to open the facility in mid-2023.

Councilor Foreman asked if they spoke about the traffic it would cause and how it would affect Gervais as a City.

Marston reported there wasn't a lot of discussion about that. They did however discuss the improvements they would be making at the corner 219 and Butteville. Marston indicated that it didn't sound like the access would be right off of Butteville. They would be realigning Butteville to 219 by cutting through some of Amazon's property and making a roundabout at the stop by the dealership. She explained that Amazon talked about most of the traffic coming in off of I-5. She had not heard a whole lot of discussion about the traffic coming through Gervais. Marston explained that there would be an opportunity for the council to ask the question at the land use hearing.

Mayor Gilland stated she would like to have all of the council go. More minds, more questions.

Marston referenced her attached memo about the PGE rate increase.

She reminded the council that they set a Work Session date of August 19th at 6:30 PM to review the PSU Compensation Study. Eileen White from PSU would be at that meeting to answer questions of the council. Marston announced that the LOC Conference is taking place in Bend this year. Registration is open and the dates are Oct 21st – 23rd, Thursday through Saturday. There is money budgeted for at least three councilors to attend.

Council President Wagner said to count her in.

City Manager Marston reported that she continued to work through FEMA's process of getting reimbursed for the expenses on the Tree Farm. Marston reports that the City was approved for interim funding through Business Oregon. It's a low interest loan that the City will pay back once the City receives the FEMA funds. Marston states that there are a lot of moving parts, but by the time this is all said and done, the City should not have any debt on this.

Councilor Bartch thanked City Manager for her work.

b. Police Department – Chief Mark Chase

Chief Chase thanked Michael Gregory and his crew for the awesome firework display this year for 4th of July.

Chase pointed out the success of Gervais's National Night Out and thanked the Mayor for coming.

Chief provided the council with an update on the bus mall. He mentioned working with the school district to test run a new system, where all the handicap parking will be moved to the front of the school and make a no parking area on the east side of the school. From Douglas Street to the ball field the buses will line up bumper to bumper and create a line. The test run

will begin when school starts in September. If it doesn't work they will go back to the way it was. Chief asked if the council had any questions or concerns.

Council President Wagner asked about the bus mall.

Councilor Bartch replied that it is where the buses park when they are dropping off and picking up the kids. Bartch stated she was a bus driver for the school district and spoke about more about how and where the buses park. She explained that the bus mall will be allowing the traffic to go through and the buses will be creating a wall.

Chief stated the Police Department is authorized six full time positions for 21/22. They currently have five full time sworn police positions. There is one vacancy. Applications are still open and we are in the process of selecting a candidate.

Chase stated there is a DARE donation on August 29th at 1:00 PM

Mayor Gilland asked the Chief to keep her informed of the DARE Graduation Ceremony because she would like to attend.

Chase reported they sent two Police Officers to attend REID interview training school this month.

Chief Chase addressed Councilor Foreman's question from July's council meeting in regards to the photo radar. He found under ORS 810.438 only certain cities are authorized to operate photo radar. Gervais is not one of those cities. They are working with the League of Oregon Cities to become an authorized city. The answer is we cannot have photo radar at this time.

Chief Chase communicated that the Police Department is always eager to work with the council and stated that he will bring ordinances regarding yard parking for the council to review next month.

Mayor Gilland suggested the council look at revising or changing an ordinance in regards to the parking to help some folks out. She stated that it doesn't look bad; the people who have done it.

Chase reminds the council that currently yard parking is not permitted. He stated Diaz did a good job of following the process and doing the map up. Chase explained that the drawing is reviewed by City Manager Marston, Superintendent Robinson and himself for any issues with Public Works, City, and the Police Department and they sign off on it as a group. The way the ordinance reads right now is, the area she wanted to park directly in front of her house is considered front yard. The City has allowed her to use the area next to the carport between the edge of the driveway for her to park. Chase explains the other issue is that people rent rooms out of their home where it becomes not just a family unit and this creates more vehicles.

Council President Wagner states there are a lot of people that put in gravel or concrete. She applauded Diaz for going through the correct process; verses some people who just do it, thinking no one will make them change it.

c. Public Works – Superintendent John Robinson

City Manager Marston briefed the council on Superintendent Robinson's written staff report because he was away on vacation. Marston reported that the splash pad was back to normal. The supply of chlorine is back to normal and the shortage did not affect the city's operations. Marston reported that Robinson had arranged to get the speed radar signs serviced. Several of the light bulbs are burnt out so he will be sending in two at a time. Marston closed with pointing out what a great job Public Works (Kyle and Joe) are doing around town, as well as rehabilitating the tree farm.

12. Business from the Mayor or Council

Mayor Gilland began stating the National Night Out was very nice and that everyone worked really hard. She stated she showed up but did not participate as she was at a Mayor's conference. She was grateful she could make it. Gilland thanked Mr. Bartch, Mr. Wagner, Councilor Bartch, Council President Wagner and Chief Chase for doing such a wonderful job. She stated it was nice to see everyone have a good time.

Gilland informed the council that the Mayors conference was very helpful for her because she is a new mayor. She stated she met a mentor or two. She met other Mayors, OC staff, took some classes and found out that she isn't doing too bad. She took a class on social media and learned some do's and don'ts. Mayor Gilland pointed out one of the don'ts was to not share with other peoples' pages, you can comment but keep Mayoral comments to your page. A 'do' was to engage with the people and tell them they are doing a good job. Mayor said she is trying to do that. Gilland stated she found all the different personalities interesting, welcomed the differences and stated that they are supposed to be able to work through those differences. She found out as Mayor she has some responsibility to be engaged in the agenda and if the council is not going to be present at a meeting to call the Mayor or the City Manager. She learned about legal and illegal meetings and what the definition of a serial meeting was and how she understood it. She suggested that she and the council need to watch what they are doing. Gilland stated that the meetings that were okay and the best were the ones that were brought to the council chambers. That is where they hear it first, talk about it first and where it is decided. She explained that staff is to give the council recommendations, but it doesn't mean the council will always take it because the council is the oversight for them. Gilland stated she learned protocols and it was valuable for her. She stated she was appreciative and grateful she could attend.

Councilor Gonzalez announced to the council that he was invited to the Mt Angel 4th of July parade. When they found out that he was a Councilman in Gervais, they went above and beyond to welcome and accommodate him. They asked him to ride in one of their Army trucks through their 4th of July parade. Gonzalez stated that the Mayor and council members shook his hand and it was really nice. He said it was a lot of fun.

Council President Wagner informed the council that Rob Mill and Wagner are CERT trainers. Wagner stated that the Mayor requested an Emergency Preparedness Presentation. Wagner explained that she was working with them and looking to do a Power Point Presentation at next month's council meeting. Wagner stated there would be multiple chapters online, quiz at the end and then hands on, fire extinguishers, tourniquets, lifting survivors, stop the bleed, CPR and AED trainings and the final search and rescue training.

13. Adjourn

Mayor Gilland adjourned the meeting at 8:08 PM.

I, DENISE DAHLBERG, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID MEETING OF THE GERVAIS CITY COUNCIL HELD ON AUGUST 5, 2021 ARE, TO THE BEST OF MY ABILITY, CORRECT AS RECORDED.

ATTESTED:

Denise Dahlberg, City Recorder

Annie Gilland, Mayor

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