

**December 13, 2017  
Regular Session  
City of Gaston**

**Present:** Mayor Tony **Hall**, David **Meeker**, Bill **Martin**, Rod **Hale**, and Don **Richter**

**Absent:** Jerry **Spaulding**, Chris **Jeffries**

**Staff:** City Recorder Wenonah **Blanchette**, Public Works Director Brent **Whittaker**, City Clerk Sharon **Bregante-Candau**, Washington County Deputy Bobby **Wormington**, City Engineer Erik **Hoovestol**, City Attorney Ruben **Cleaveland**.

**I.** Mayor Tony **Hall** called the regular meeting to order at 7:00 PM.

**II. ROLL CALL:** Recorder **Blanchette** conducted the roll call for the record with:

Councilor Jerry **Spaulding**: excused  
Councilor David **Meeker**: present  
Councilor Bill **Martin**: present  
Mayor Tony **Hall**: present  
Councilor Chris **Jeffries**: absent  
Councilor Rod **Hale**: present  
Councilor Don **Richter**: present

**III. ADDITIONS/CHANGES OR CORRECTIONS:**

Mayor **Hall** added East Main Hydrology Study Contractor Approval under Old Business.

**IV. STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:**

**Police:** Officer **Wormington** reported the November 2017 statistics: 85 total incidents, 19 call ins, 66 self-initiated calls, 25 traffic stops, and 8 citations. Contract hours: 128.5 hours expected, 159 hours supplied.

- On November 2, there was a hit & run crash into a teacher's brand new car at Gaston High School near the football field. While it was unknown who hit the car, it was suspected to be heavy equipment coming in and out all day long. There were no cameras there.
- On November 16, an investigation into a sex abuse allegation of luring minors to another city was referred to an outside agency.
- On November 17, a medical call involving juveniles was referred to Washington County Mental Health.
- On November 20, Washington County Sherriff's Office notified Oregon State Police of a sex offender's failure to register his new address after moving out of Gaston.
- On November 24, a nine-year old student made concerning threats to other kids at school. The gun involved was a Nerf gun; no crimes were involved.
- Ten kids from Gaston schools participated in the Shop with a Cop Program at Fred Meyer's.

**City Clerk:** Clerk **Bregante-Candau** presented her written staff report. Ed **Yates** noted a Welcome to Gaston replacement sign was at Pythian Hall, waiting for the old one to be taken down.

**Public Works:** Public Works Director **Whittaker** presented his staff report. He asked for direction from Council on how to proceed with the Cove Orchard Water Association (COWA) System Consolidation discussed during the work session, adding the next step would be for the City Attorney and City Engineer to work with COWA Board President Bill Stirling to formulate an agreement for Council's review.

**Council** agreed by consensus to proceed with the Cove Orchard project.

Public Works Director **Whittaker** asked how Council would like to proceed on the sidewalk projects discussed during the work session. There were cost estimates for two projects on Park Street and no cost estimate for the 1<sup>st</sup> Street project at this time. The City had \$20,000 for sidewalks in the Street Fund.

**Council** discussed the project to remove the trees on 1<sup>st</sup> Street to address the safety concerns. Public Works Director **Whittaker** said he would get a cost estimate on tree and stump removal as well as research what responsibility the property owners had. He commented it would behoove the City to do the entire block, as opposed to half a block.

Mayor **Hall** recommended taking care of the trees on 1<sup>st</sup> Street to address the safety issue and installing the sidewalk on the north side of Park Street. The City could use the remaining \$8,000 to \$9,000 after the Park Street project to remove some of the worst trees on 1<sup>st</sup> Street.

Councilor **Richter** noted removing the trees and digging out the stumps would leave a big mess. The City needed to complete the entire job to make it look good again. The roots would grow again if the City did not remove the stumps, some of which were 8 feet to 10 feet deep. Public Works Director **Whittaker** concurred. He did not have a good recommendation either way, but suspected the entire 1<sup>st</sup> Street project would exceed \$20,000 and have to be split up over two years. He supported completing the one section of the sidewalk improvement on Park Street. Leaving the stumps in the ground was a catch-22 and the sidewalks would still be a safety hazard.

Mayor **Hall** noted that 1<sup>st</sup> Street had little foot traffic; it was more of a property damage issue. He described the various routes he has seen school kids take at lunchtime on Park Street going back and forth between the school and the market. In terms of safety, and in light of the foot traffic on Park Street, the City should develop at least one section of the sidewalk on Park Street.

Councilor **Martin** asked if the sidewalk would go all the way up or stop in front of the school. Mayor Hall said he and staff had been talking about developing actual projects for Council approval, since the City was putting \$20,000 a year into sidewalks.

Public Works Director **Whittaker** stated Park Street would have to be done in chunks, unless the City obtained a grant. There wasn't enough funding in the current budget to do an entire section. Park Street would be difficult to do in chunks because the road width varied and one side was undeveloped, having no curb and gutter. Each time the City did a sidewalk improvement, there was the potential for a road improvement also. Since Park Street was on a hill, the City would have to look at driveway improvements for every residence. The City currently had a non-ADA compliant sidewalk installed by the homeowners that would have to be removed or fixed.

Councilor **Richter** asked how much it would cost the City to do all of Park Street. City Engineer **Hoovestol** said Park Street across from the school all the way to 3<sup>rd</sup> Street and to Trail Street would be on the order of the 3<sup>rd</sup> Street project. The engineering and construction would cost between \$10,000 to \$20,000.

Mayor **Hall** confirmed the Park Street project would be on the north side of the street. Councilor **Martin** said there was no place to put a sidewalk in by his next-door neighbors. Mayor **Hall** noted the project was not going that far.

Mayor **Hall** noted the information in the Council packet for the two Park Street projects. The estimated cost for the project from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street was \$13,000 and for the project from 3<sup>rd</sup> Street up to the school driveway turn-in was \$11,000. The cost included sidewalks, curbs, and half-street improvements.

Ed **Yates** advocated for changing Park Street to a one-way street going up the hill because all the accidents and traffic congestion in Gaston occurred at the corner of Park Street and Hwy 47. With a two-way street coming down the hill, drivers could not see oncoming traffic on Hwy 47 if the store was open. Mayor **Hall** concurred, noting Council has already taken action with ODOT to put a height limit on the vehicles parking along Hwy 47.

Mr. **Yates** contended that would help, but it would not cure the problem. The issue was the inability to see out of vehicles of any height coming down the hill. A one-way street would help with the sidewalk projects because a one-way street did not need the full width of the street. He recalled bringing the issue up at Council 35 years ago. It was a miracle no one had been killed yet at that intersection near the store. Mayor **Hall** said he would discuss the issue with staff.

Mayor **Hall** reviewed the options before the Council. He recommended doing the project from 2<sup>nd</sup> Street to 3<sup>rd</sup> Street and cutting down as many trees as possible on 1<sup>st</sup> Street. Councilor **Martin** commented the trees on 1<sup>st</sup> Street were the issue rather than the sidewalk on Park Street, adding the trees could snap in icy conditions.

Public Works Director **Whittaker** recommended the 1<sup>st</sup> Street tree removals not only because of the trees, but the significant trip hazards on the sidewalk and the 8-foot mud bog down the road. The project would require a road improvement along with the sidewalk. He acknowledged the pedestrian concerns with the Park Street projects, but noted there already was one full sidewalk on the south side of Park Street.

Mayor **Hall** invited the high school students in attendance to share their thoughts.

**Abby, Emily, and other students** said they usually went to the right, up the north side of the street and walked in the road. Councilor **Richter** noted the students have been using that route for 45 years. Mayor **Hall** commented the one pedestrian hit by a car was one too many as far as he was concerned.

City Engineer **Hoovestol** recommended the two Park Street projects, especially the one between 2<sup>nd</sup> and 3<sup>rd</sup> Streets to funnel kids to the existing crosswalk at the intersection of Park and 3<sup>rd</sup> Streets. From an engineering perspective, the number of crosswalks should be kept at a minimum. The 2<sup>nd</sup> and 3<sup>rd</sup> Streets project was a clean strip with room to do the project. FDG would put in an ADA-quality ramp on each end.

- He agreed with the concerns expressed about 1<sup>st</sup> Street and the liability with the trees and sidewalks; however, there was currently little foot traffic on the sidewalk because it dead-ended in the middle of a yard on a slope. It would take thought and planning to do 1<sup>st</sup> Street right because it had other issues besides the trees. If the City did not have funding to fix 1<sup>st</sup> Street completely, he recommended using the leftover money to remove the trees. Perhaps he could have a project designed and ready to go for 1<sup>st</sup> Street for the next fiscal year.

Motion by Councilor **Richter**, seconded by Councilor **Meeker**, to approve a sidewalk on Park Street between 2<sup>nd</sup> and 3<sup>rd</sup> Streets at an estimated cost of \$13,000. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nays: 0.

Mayor **Hall** clarified the City would reserve the remaining \$7,000 for the tree project. Staff would bring cost estimates for the tree project to the next Council meeting

Public Works Director **Whittaker** reviewed the results of the waste management survey regarding yard debris, noting the majority of respondents supported some sort of yard debris pick up. He noted it was up to Council to interpret the findings and pick which option would be best for its constituents.

Councilor **Hale** asked why Council was still pursuing this issue when Council shot it down during the original discussion.

Public Works Director **Whittaker** explained Waste Management did a presentation for Council after citizens had shown some interest in yard debris pickup. Subsequently, Council directed him to send out a survey.

Mayor **Hall** and Councilors **Martin, Richter, Hale** agreed Council should leave it up to the individual homeowner, provided the service did not cost other citizens anything. Public Works Director **Whittaker** noted Option 2 was a \$7.50 per month every other week subscription service provided only to the customers who signed up with a 12-month commitment. Option 3 was an

on-request service every other week with customers paying \$4.50 per requested pick up instead of a monthly charge. He confirmed Options 2 and 3 had no charge to any citizen not wanting to participate in the programs.

**Council** discussed whether to approve Option 2 or Option 3. Councilor **Meeker** asked if the citizen survey already directed Council's path. Public Works Director **Whittaker** pointed out the survey results showed those in favor of yard debris pick up choose Option 1, the \$2.61 all customers option. He acknowledged Councilor **Hale**'s point that the Council's discussion eliminated Option 1, but noted Councilor Meeker had asked if the survey results would dictate Council's decision.

Public Works Director **Whittaker** confirmed Options 2 and 3 were optional and would not affect those who choose not to have the service. Option 3 did not have a 12-month commitment, being an on-call service with \$4.50 per collection.

Ed **Yates** commented it was foolish to pay every month for yard debris pickup when the service would only be used from May through July.

Clerk **Bregante-Candau** asked how fall leaves were handled under this program. Councilor **Richter** responded the on-call program. Public Works Director **Whittaker** observed it would cost a customer four times as much for pick up every other week.

Motion by Councilor **Hale**, seconded by Councilor **Martin**, to leave the garbage program as is, and not select any of the pick-up options. Motion passed. Aye: **Meeker, Martin, and Hale**. Nays: **Hall and Richter**.

Public Works Director **Whittaker** reported Rocky Brown with Washington County told him Washington County had no projects scheduled for East Gaston Road. He understood the Federal Highway Administration (FHWA) said it would give the City funds to put the road back to its prior condition, but not to do the necessary improvements. He had not personally heard the citizens' comments at the last Council meeting, but understood citizens living on that road supported a hydrology study. Staff contacted three firms for a hydrology study. One bowed out; Council was provided with the proposals from Firwood Design Group and AKS. He asked how Council wanted to proceed with the hydrology study.

Mayor **Hall** noted representatives of all five homeowners affected by this issue were present at the last meeting. All indicated support for the hydrology study. Council had already approved the funding and now needed to select the contractor.

City Attorney **Cleaveland** stated Public Works Director Whittaker correctly followed the City's procurement ordinance in obtaining three bids for a project of this scope and receiving only two of three quotes did not invalidate the City's process. Council was free to select the contractor it felt was best qualified to do the job.

Public Works Director **Whittaker** stated the Firwood Design Group proposal was for just under \$26,000 while the AKS proposal was just over \$30,000. Mayor **Hall** noted the City Charter required Council to select the lowest bidder, which was Firwood Design Group.

Motion by Councilor **Hale**, seconded by Councilor **Meeker**, to select Firwood Design Group to do the hydrology study.

Mayor **Hall** asked if Councilor Richter should recuse himself from the vote since he had connections to AKS. Councilor **Richter** clarified he had not worked for AKS for two to three years, and none of his family worked for AKS. City Attorney **Cleaveland** confirmed Councilor Richter could vote.

Motion passed. Aye: **Meeker, Martin, Hall, and Hale**. Nay: **Richter**.

Public Works Director **Whittaker** reported American Leak Detection identified a leak on East Main Street. However, the main going down East Main Street could not be turned off because

the valve was frozen. In addition, one map identified the pipe as PVC and another map identified it as asbestos cement. He would move forward with an excavator to do a core sample, identify what the line composition was, verify the leak, and then determine how to fix the leak if it was there.

- An upcoming project would be to repair the valves at Hwy 47 and East Main. Unfortunately, East Main was set up without any isolation valves on the entire main pipe. Another later project would be new valves.
- It was not likely the City could do all these tasks at the same time due to budgetary constraints.

Public Works Director **Whittaker** noted the photos of trees in the complaint about 104 2<sup>nd</sup> Street. The trees were approximately 7 feet high and had some deadwood ready to fall. They were buckling the sidewalk and the street. While the situation was not a violation of the nuisance ordinance, he believed the potential hazard from the damage to the street and curb was sufficient to ask for Council direction on how to proceed, such as communicating with the property owner about abating the damage to the road. He addressed Councilors' questions as follows:

- There was probably 1.5-inch of uplift and probably a .75 inch gap at the worst spots. There were eight to ten separate areas of significant compromise.
- There was no sidewalk at that location, although there was City right-of-way. There was also a rhododendron growing out into the street.
- According to the City ordinance, the property owner was responsible for the vegetation from "the edge of the pavement over," which was from the edge of the pavement on the City's side of the curb and including the curb and anything on the property owner's side.
- The existence of the right-of-way did not dictate the City was responsible for the vegetation.
- Staff would not recommend widening the street, as it was a cul-de-sac.

City Attorney **Cleaveland** explained the City could use a dedicated right-of-way for roadway purposes. But until it was used for roadway purposes, it remained the responsibility of the property owner out to the street. If the City were to vacate a street right-of-way, then the property owner would receive the property out to the middle of the street. The City was responsible for only how much of the right-of-way was used for City purposes. The remainder was the responsibility of the adjacent property owner.

Councilor **Hale** noted the requirement in new housing developments for the homeowner to put the sidewalks in. He asked, since this property was grandfathered in, whether the property owner would still be responsible to maintain a sidewalk and parking strip if the City put in those improvements. City Attorney **Cleaveland** said typically, City ordinances said it was the property owners' responsibility to make sure the sidewalk was kept up, kept free of debris, and not covered in ice, etc. Public Works Director **Whittaker** confirmed the Gaston ordinance had the same requirements.

Mayor **Hall** said he wanted information on these types of projects and enforcement issues brought to Council. To his knowledge, the City had not enforced people cutting down trees impacting streets, such as on 1<sup>st</sup> Street. The 1<sup>st</sup> Street tree removals could cost upwards of \$10,000. In taking enforcement measures, Council needed to take into consideration this huge burden on the property owner. Council needed to find a way to handle the issue now, and in the future. He was concerned about the City suddenly starting enforcement of tree removals, as it would be a problem for the 20 to 30 property owners affected.

Councilor **Hale** suggested starting by talking with the homeowners to find out what they were willing to do and informing them it was their responsibility. The City could not be over-expectant and demanding, placing a big burden on the property owners. The City should discuss the situation with the property owners and develop options for both the City and the property owners.

City Attorney **Cleaveland** advised Council to take this one step at a time and make sure a tree removal was a nuisance or public safety issue before talking to the homeowner.

Public Works Director **Whittaker** noted nothing in the City ordinance specifically made this an enforcement issue. While there was damage to the road and curb, and a potential hazard from the trees themselves, it was not an enforcement issue. He asked for Council's direction based on an adjacent homeowner's complaint about the trees that were technically on the neighbor's property. He noted he was coming to Council first for direction on the complaint.

Councilor **Martin** suggested Public Works Director **Whittaker** talk to the homeowner about trimming the trees back out of the way. Mayor **Hall** believed the City had a road safety ordinance about keeping trees trimmed and cut back out of the way. Public Works Director **Whittaker** said the City had an ordinance for pedestrian walks, roads, and adjacent tree heights but the City did not have an ordinance for the total height of trees or taking dead stuff out of trees located on private property.

- He clarified the tree was far enough back on the property so that it was not growing over to the neighbor's yard or overhanging the City's right-of-way. It was a tall tree growing straight up.

**Council** agreed by consensus that Public Works Director **Whittaker** should talk with the homeowner and follow the City's usual procedures in dealing with a complaint.

Public Works Director **Whittaker** reported he has been in contact with the homeowner who made the complaint about 303 Church Street, regarding the trees growing onto his garage and the bushes along the property line smelling like 'liquid garbage.' He had informed the homeowner that the City's ordinance permitted him to trim anything growing over his property line and suggested the homeowner communicate with his neighbor about the bushes, although the City did have an odor nuisance ordinance if needed. He smelled nothing on the two occasions he was there. He recommended the property owner continue to monitor the situation, while brought the matter to Council so it was on record. No action was needed at this time.

Public Works Director **Whittaker** reported two families were selected for the GIFT Water Assistance Program.

Public Works Director **Whittaker** stated he had obtained a bid to repair the roof leaks that came through following the repair of a significant hole in the roof. He had the same contractor put a temporary patch on the leaks for \$400 and submit a bid for a warranted repair to recoat the entire flat section of the roof and to repair the drain that sat 1.5 inches above the roof and caused a pond on the roof. The bid was for \$2,875.

Motion by Councilor **Meeker**, seconded by Councilor **Richter**, to approve the \$2,875 for the roof repair. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nays: 0.

Public Works Director **Whittaker** requested approval of the last phase of the City Hall electrical/lighting upgrade, which involved the south truck bay. 5 Star Electric submitted a bid for \$2,050 with an incentive from the Oregon Energy Trust payable back to the City for \$1,025. The project was to remove and recycle six, existing 8-foot T-12s and to provide and install six, 8-foot LEDs, and included permit costs.

Mayor **Hall** added this project was originally on the building maintenance improvements approved by Council in sections. This phase would finish out those improvements. Public Works Director **Whittaker** confirmed there was enough left in the Building Maintenance budget to cover the work.

Motion by Councilor **Richter**, seconded by Councilor **Meeker**, to approve the \$2,050 to upgrade the rest of the lights, the last phase. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nays: 0.

**City Recorder:** Recorder **Blanchette** added the following to her written staff report: Staff received the City's draft copy of the audit report and made the necessary corrections before forwarding it to Washington County for signature. Once the City received its 2016/2017 audit back, the City would only be six months behind on its audits, but filing for a loan required being current.

**Council** agreed by consensus to schedule the City County Insurance Services training for Council and staff interaction on Wednesday, January 24, at 6 p.m. Mayor **Hall** explained the training set the guidelines for the dos and don'ts of Council and staff interaction.

Recorder **Blanchette** presented a proposal for a new copying machine/printer. Advantages included faster output time, significantly cheaper copies, more memory, and envelopes printed from the standard paper tray instead of from the bypass tray. Although the monthly lease payment of \$447.92 was higher than the current lease payment, the City would still save \$20 a month overall with the new machine. Public Works Director **Whittaker** added staff wasted a lot of time waiting for the printer. Clerk **Bregante-Candau** noted she had to reboot her computer every time she cleared up an error on the current copier. Recorder **Blanchette** said the new machine should resolve the issues, although she did not know about a guarantee.

Motion by Councilor **Martin**, seconded by Councilor **Richter**, to approve the new copier. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nay: 0.

Recorder **Blanchette** presented a proposal for a new utility billing software. Advantages included that it was internet-based, more customer friendly, and had significantly cheaper support than the current outdated Springbrook software, as well as an electronic bill option. Although the City would purchase bill cards through the software company, the cost was still two times cheaper than what the City currently paid for new bills. As a result of the webinar she attended, the City would receive a free box of billing cards and a 15% discount if the City signed up by the end of the month. She answered Councilor questions as follows:

- There was a one-time \$845 cost and a \$635 annual fee for support and new bills versus the \$6,000 a year cost for Springbrook support and new bills. Springbrook's software was for large cities, while the new software catered to smaller entities and utility companies. Training was provided, as well as a 90-day money back guarantee if the City did not like the software. If she could respond affirmatively by Friday, the company representative said he could have the system up and running with staff trained by the end of the day on Monday.
- No equipment was involved, as it was all software and internet-based. Each staff member could have the program on his/her computer with individual sign-ins.
- Staff would obtain more information on whether the program was compatible with the City's internet security program.

Motion by Councilor **Hale**, seconded by Councilor **Richter**, to approve the new software billing package for \$1,490. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nays: 0.

Recorder **Blanchette** reported she was also working on the City security system, as there were issues with fire sensors going off.

## V. CITIZEN COMMUNICATION:

### • Knights of Pythias Donation Request

Ed **Yates**, Knights of Pythias, noted Gaston had no way to get community information out to its residents, other than by posting notices around town. There were no reliable newspapers or radio stations. The Gaston Lodge 104 of the Knights of Pythias proposed purchasing an electronic sign for the front of the Knights of Pythias' building next to the store to advertise upcoming events at the schools, fire department, City, and in the community. The sign would cost between \$15,000

to \$23,000. The Knights have just begun their fundraising efforts for this community project and would appreciate any financial help the City could offer. While the Knights have raised a substantial amount of money through the Knights of Pythias organization, they were not even half way to their goal. He had already obtained a sign permit request from the City. He answered Councilor questions as follows:

- The LED reader sign was 2.2 feet wide by 6 feet, 2 inches long and double sided. It would be visible from both directions on Hwy 47. Three lines were best for readability, but it could accommodate four lines. The sign fell within the State Highway Department sign regulations. It would have an additional 14 to 16 inch header identifying the Knights of Pythias, Gaston Lodge 104.
- The sign would be located on the front of the Knights of Pythias building between two second floor windows facing east.
- The Knights would make the sign available to different community organizations but they would be selective about what could be posted. While the City, churches, schools, and businesses could advertise legitimate community events.

City Attorney **Cleaveland** acknowledged the Knights of Pythias were a civic organization working for the community good, but he wanted to make sure the City was not allocating public funds to a private purpose, as the Knights were a club. Mayor **Hall** agreed the first step was to determine whether the Knights qualified for the City's Community Support Fund.

Mayor **Hall** noted the City's Community Service Fund was very low right now, but the next fiscal year began on July 1. Mr. **Yates** said the Knights intended to put the sign up as soon as they raised the money. If the City committed to providing some amount of funding in the next fiscal year, the Knights would use their emergency funds to cover the City's contribution with the understanding that the funds coming in after July 1 would go back into the Knights' emergency fund.

Mayor **Hall** recalled the City's financial participation in other volunteer efforts, such as the baseball dugouts rehabilitation. The Knights had also been part of that effort.

Don **Allen**, Knights of Pythias, said the Knights were not in a hurry. The Knights wanted to make this a community project with community support and already had funding commitments from churches and other groups in town. This was to be a community program and not necessarily controlled by the Knights but with input from the City and the community on the use of the sign.

Mayor **Hall** said the City would contact the Knights once the City Attorney reviewed the request.

**VI. PRESENTATIONS:** There were none.

**VII. CONSENT AGENDA:**

- Bills Payable – December 2017
- Financial Statements – December 2017
- October 11, 2017 Regular Session Meeting Minutes
- November 8, 2017 Regular Session Meeting Minutes

Recorder **Blanchette** noted, while the \$40,000 for the school was in Bills Payable, the City would not pay the bill at this moment. Mayor **Hall** clarified he instructed staff not to pay the bill until all the construction was done. The company had yet to finish the hard surface pavement over the telephone pole holes. He informed the school administrator that the City would pay the bill upon completion of the project.



Motion by Councilor **Hall**, seconded by Councilor **Richter**, to do approve the Consent Agenda with the December bills of \$43,886.07, which did not include the \$40,000 for the school. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nay: 0.

## VIII. NEW BUSINESS:

- **Recommendation for Part-time Employee**

Public Works Director **Whittaker** reported his applicant found other employment and withdrew his application. Since August, the City has had five applications, three interviews, one selection, and one withdrawal.

Councilor **Hale** asked what progress staff had made on researching the age limit and liability issues. Mayor **Hall** said he checked with City County Insurance Services (CIS). In some instances, the City could hire someone under 18 years old, but they were limited on the equipment they could run. City Attorney **Cleaveland** concurred, noting the current restrictions on under 18 year-old employees running any kind of equipment.

Public Works Director **Whittaker** said this part-time person would be primarily responsible for park work, meter replacement, and other maintenance work throughout the city. He confirmed he could not use an under 18 year old to do most of the work needing to be done because it involved equipment. An under 18 year old could stuff envelopes and do billing.

City Attorney **Cleaveland** confirmed a high school student over the age of 18 did not fall under the same rules. Councilor **Hale** invited the students attending the meeting to advertise the position to their over 18 year old friends at school. Clerk **Bregante-Candau** added she would check with the high school guidance counselor.

- **Resignation to Council Seat No. 6**

Motion by **Bill Martin**, seconded by **Rod Hale**, to accept Councilor Chris **Jeffries**' resignation. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nay: 0.

Motion by **Rod Hale**, seconded by **Bill Martin**, to declare City Council Seat No. 6 vacant and open. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nay: 0.

**Council** directed the City Recorder to follow the City's usual procedure in posting the vacancy. Recorder **Blanchette** confirmed she would post only the vacancy and no information about Councilor Jeffries.

- **Lease Copy Machine** – This item was addressed under the City Recorder's Report.

- **Volunteer Approval Access Files**

Danielle **Garza** stated she met with Mayor **Hall** a month ago to discuss her desire to volunteer her professional experience in human resources. She reviewed her educational background and her history in working for non-profits and governments. She wanted to volunteer in an advisory capacity on developing human resource management processes and practices at the City, but not policies, and helping staff implement those changes. She could help with employment recruitment and selection, as well as tracking employee information, such as what to put in employee files and what to keep separate.

Councilor **Meeker** asked about confidentiality. Ms. **Garza** stated she preferred not to see any personnel information in her advisory capacity as a volunteer. City Attorney **Cleaveland** concurred Ms. Garza should not deal with any personnel matters, as those should remain within the purview of the City's Head of Personnel, who was the Mayor. He supported having a volunteer advising on administrative/office and basic human resources practices.

Ms. **Garza** clarified she did not mean going into personnel records but rather developing checklists, procedures, and practices for staff to follow in dealing with personnel matters. She referenced her letter describing what she could offer the City.

Mayor **Hall** commented he could use advice on developing a good employee evaluation form. City Attorney **Cleaveland** said that was a perfect example of what Ms. **Garza** could help with. He observed it would be a great asset to have someone who had time to think through personnel processes and procedures. Mayor **Hall** confirmed the City personnel files were kept in one location and locked up and that Ms. **Garza** would have no access to them.

Public Works Director **Whittaker**, noted as the other supervisor at the City that Ms. **Garza** would help formulate blank documents, such as disciplinary forms. He asked if Ms. **Garza** would help with training, such as the continuing education units (CEU) he was required to earn. Ms. **Garza** replied no, because CEUs for an individual employee involved personnel information, but she could provide direction and connect staff to resources. City Attorney **Cleaveland** noted Ms. **Garza** could conduct workshops for all staff, as opposed to individual trainings.

Mayor **Hall** said staff would develop a job description for Council review. City Attorney **Cleaveland** said he would check with CIS to make sure the City's insurance covered everything done. Mayor **Hall** observed the City has never had a volunteer in the office with potential access to personnel files. It was premature to approve this volunteer position until the City had everything in order. **Council** agreed.

- **Job Descriptions Update**

Mayor **Hall** explained he asked all employees to update their job descriptions to what they actually did in order to reflect the changes in job duties and assignments since the original job descriptions were written.

Recorder **Blanchette** clarified she included specific tasks within the broad categories, such as reporting to ADP as a task under Payroll. She removed irrelevant items and tasks taken over by the City Clerk.

Motion by Councilor **Martin**, seconded by Councilor **Meeker**, to approve the City Recorder's job description to include changes to her duties. Motion passed unanimously. Aye: **Meeker, Martin, Hall, Hale, and Richter**. Nay: 0.

## IX. OLD BUSINESS:

The following items were addressed under the Public Works Director's staff report.

- **Waste Management/Yard Debris**
- **East Main Hydrology Study**

## X. COMPLAINTS

The following items were addressed under the Public Works Director's staff report.

- **303 Church Street**
- **Poplar Trees on 3rd Street**

Mayor **Hall** recessed the regular meeting at 8:50 PM to convene the Executive Session.


## XI. EXECUTIVE SESSION

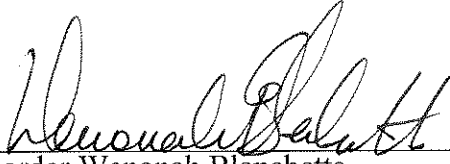
**Pursuant to ORS.660 (2)(e)** To conduct deliberations with the persons designated by the governing body to negotiate real estate transactions & to hear complaints.

**XII. RETURN TO REGULAR SESSION**

Mayor **Hall** reconvened the regular session at 9:24 PM.

**XIII. ADJOURNMENT:** Mayor **Hall** asked for any further business, none heard. Meeting adjourned at 9:24 PM.

  
\_\_\_\_\_  
Mayor Tony Hall

Attest:   
\_\_\_\_\_  
City Recorder Wenonah Blanchette