

**February 10, 2016**  
**Regular Session**  
**City of Gaston**

**Council:** Mayor Tony **Hall**, Council President Richard **Sager**, Randy **Hoodenpyl**, Chris **Jeffries**, David **Meeker**, and Don **Richter**. Washington County Deputy Bobby **Wormington**, City Recorder Wenonah **Blanchette**, Public Works Director Rich **Williams**, City Attorney Ruben **Cleaveland**, and others present are represented on the sign-up sheet. (attached)  
Absent: Jerry **Spaulding**.

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

**II. ROLL CALL:** Recorder **Blanchette** conducted the roll call for the record with:  
Councilor Jerry **Spaulding**-absent (*called and notified staff of his absence from the meeting*),  
Councilor David **Meeker**-present,  
Councilor Richard **Sager**-present,  
Mayor Tony **Hall**-present  
Councilor Chris **Jeffries**-present  
Councilor Randy **Hoodenpyl**, and  
Councilor Don **Richter**.

**III. PUBLIC COMMENT:**

Mayor Hall called for any public comment from the Council and audience. None heard

**IV. COUNCIL REPORTS:** Mayor **Hall** called for Council reports with Councilor **Sager** reporting that due to the tank overflowing he spoke with Public Works Director Rich **Williams** and has come up with a solution. It will consist of drawing a one line, installing a mechanical pull switch up on top of the tank, reduce the pipe to ten inches and put a motor operated valve having a transmitter with a new system so it will shut the pump off when the valve draws close so it's not caving. In addition, install a battery backup so if power is lost it will automatically drive the valve shut. There will be a momentary switch where someone will have to reset the system to open it up again.

Councilor **Hoodenpyl** reported as the parks and recreation committee liaison, he is waiting for letters of interest to bring to the Council for review. To serve on this parks and recreation committee it is not mandatory to reside in city limits, interested persons can be from the surrounding community and/or persons with special interests can participate.

**V. STAFF REPORTS:**

**Police:** Deputy **Wormington** reported for the month of January there was 79 total incidents, 17 public demand, 62 self-initiated, zero arrests, 26 traffic stops and 10 citations. On the 18<sup>th</sup> there was a theft/robbery, an unknown male was siphoning gas from a victim across from the high school in which the victim came out and confronted the suspect with the suspect hitting him with a hose. The suspect fled on foot to a vehicle to flee the scene not before threatening the use of a firearm after the suspect chased him with the hose. The victim was unable to give a good description of the suspect. On the 19<sup>th</sup> property was found at coffee shop, if someone knows of missing tools, please contact **Wormington**. On the 29<sup>th</sup>, approximately 4-5 empty pallets were

reported stolen from behind the Gaston Market. This next month, **Wormington** is working on additional activities with the Gaston School with trying to recruit students for the county's search and rescue program which he is a member of. Expected contracted hours is 132.85 with 31 days in January. Hours worked are 137 and off hours were not accounted for. Gaston Feed owner Dave **Rohrer** reported he had missing pallets also. Deputy **Wormington** introduced Lieutenant Shook who is overlooking all his administrative work. Councilor **Sager** discussed with Council his security camera concept to placing wireless cameras at the ballpark and on each street-leaving town with the City's drug forfeiture money that has approximately \$9,000. These will be motion-activated cameras, taking a five-second picture of license plates of cars. As reported incidents occur, the Sherriff office can request a certain timeframe and have evidence towards thefts or crimes committed during the night. Discussion heard from the audience. No action taken.

**Office:** Recorder **Blanchette** reported City County Insurance Services, Gaston's insurance agent from Waltz, Sheridan & Crawford, and the recorder attended the Best Practice Survey held at City Hall, which is done each year to review liabilities and human resource to minimize claims. Ways in which to lower premiums include Council to attend webinar trainings from CIS. Project presentations were on January 20th for the Community Development Block Grant application in which Erik **Hoovestol** provided Gaston's 3<sup>rd</sup> Street project. Statement of Economic Interest Forms will be required to submit online this year. Recorder **Blanchette** requested to have filled out and returned fraud surveys requested from the city's audit company with **Blanchette** also reporting staff is nearly complete with information needed from the audit company to complete the 2013 and 2014 audit. Tim **McDonald** submitted plans for 428 Hedin Terrace. 205 2<sup>nd</sup> Street submitted plans for their foundation work. Councilor **Sager** inquired about the roof needing repairs due to reported water found in the children's area in the library with Recorder **Blanchette** discovering this is not a roof issue but rather a sidewall issue.

**Water:** Public Works Director Rich **Williams** reported for the month of December, water usage was 3,405,644 gallons, with 13% loss. Telemetry went down on December 10<sup>th</sup> low alarm was activated and the water tank overflowed for approximately 14 hours. Water loss was approximately 850,000 gallons. **Bids** for telemetry was included with his report. 410 Costelloe Drive had their water meter installed. Complaints was made regarding roosters 104 2<sup>nd</sup> Street. Best Electrical, Portland Engineering, and Frost Engineering provided their proposals for telemetry.

Mayor **Hall** announced the Gaston Rural Fire District has provided a donation of a defibrillator for City Hall.

## **NEW BUSINESS:**

**VI. Ordinance No. 2016-01 An Ordinance of the City of Gaston Declaring a Ban on Medical Processing Sites Medical Marijuana Dispensaries, Recreational Marijuana Producers, Recreational Marijuana Processors, Recreational Marijuana Wholesalers, and/or Recreational Marijuana Retailers; Referring Ordinance; and Declaring an Emergency:** Mayor Hall introduced City Attorney Ruben Cleaveland to discuss the ordinance and answer questions regarding clarification of the proposed marijuana business going in at 102 Onion Lane. According to the League of Oregon Cities marijuana businesses can be banned retroactively, however Attorney **Cleaveland** strongly emphasized his recommendation the City not enforce this clause as it could lead to costly litigation. Mayor **Hall** called for a motion to

adopt Ordinance No. 2016-01 with Councilor **Jeffries** motioning to “approve Ordinance No. 2016-01,” with second made by Councilor **Hoodenpyl**. Discussion heard on having a marijuana business so close to the school, playground and community store. Those voting Aye: **Jeffries, Hoodenpyl, Meeker, and Richter**. Nay: **Sager**.

Community Member Dave **Rohrer** asked Council what adopting this means for the proposed marijuana business at 102 Onion Lane. City Attorney **Cleaveland** responded with the City has begun the prohibition of marijuana subject to a referral of the voters. The City is not addressing the issue with banning any marijuana businesses at this time. Discussion heard on the negative impact marijuana has towards young individuals and the current position the proposed marijuana business has of being grandfathered in by this ban. The League of Oregon Cities has expressed their position that bans on marijuana after a business is established can be retroactive. Also discussed is the term “emergency” defined in the ordinance.

**VII. Appointment of PAB member, Primary and Alternate:** Mayor **Hall** called for any interest to serve as the primary or alternate for the Policy Advisory Board for Community Development Block Grant program. Mayor **Hall** has elected to step down due to personal issues and Councilor **Sager** stated he is unable to attend as the alternate because he works out of town. Mayor **Hall** appointed Councilor **Spaulding** to the position with a motion made by Councilor **Sager** to “appoint Jerry **Spaulding** as the primary and alternate at this time to the PAB.” Councilor **Jeffries** seconded the motion. Motion carried. Aye: 5, Nay: 0.

**VIII. City Attorney Services, 90 Day Review:** Mayor **Hall** turned the meeting over to City Attorney Ruben **Cleaveland** who explained the signing of 90-day contract was had in November with no additional interest for attorney services heard. Discussion had on travel time, expenses, and the ability to communicate via skype or phone conference to avoid travel costs or travel inconveniences. Mayor **Hall** called for a motion to approve **Sosnkowski & Cleaveland LLC** for attorney services with Councilor **Jeffries** motioning to “retain **Sosnkowski & Cleaveland** for attorney services and extend their contract for one year.” Second heard from Councilor **Richter**. Motion passed. Voting Aye: **Jeffries, Hoodenpyl, Meeker, Richter, and Sager**. Nay: 0. A mutual consensus by the Council to have the contact review done each year in May.

**IX. 46250 SW South Road Annexation:** Mayor **Hall** turned the meeting over to the property owner at 46250 SW South Road who explained the property is in the urban growth boundary and wants to annex this property to within the City limits. Mayor **Hall** informed Velda **Richter** that she come to City Hall at regular office hours and obtain a land use permit and contact information to the City Planner. The property is 12.10 acres.

#### **OLD BUSINESS:**

**X. Screamin’ Chicken Update:** No representatives from the Screamin Chicken were present to discuss the status of their Temporary Use Permit. Recorder **Blanchette** informed Council a letter was sent requesting attendance. Council directed Staff to send another letter asking for their attendance at the next meeting.

**XI. MINUTES:** Councilor **Sager** asked Recorder **Blanchette** why the minutes were not finished. Recorder **Blanchette** responded with the priority of ongoing office work does not

allow adequate time to write minutes and have ready by the next meeting. There are overdue issues that have priority at this time; **Blanchette** tries to have minutes done for each meeting; however, other items have precedent. Motion to “approve the minutes for November 11, 2015,” was made by Councilor **Sager** and seconded by Councilor **Meeker**. Motion passed with aye votes heard from **Jeffries, Hoodenpyl, Meeker, Richter, and Sager**. Nay: 0.

**XII. ACCOUNTS PAYABLE:** Mayor **Hall** called for a motion to accept the accounts payable. Councilor **Hoodenpyl** motioned to accept the accounts payable with second heard by Councilor **Jeffries**. Motion carried with aye votes heard from: **Jeffries, Hoodenpyl, Meeker, Richter, and Sager**. Nay:0.

**I. ADJOURNMENT:** Mayor **Hall** asked for any further business, none heard. Meeting adjourned at 8:38PM.

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Mayor Tony Hall

Attest:

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City Recorder Wenonah Blanchette