

February 13, 2019

Regular Session

City of Gaston

Present: Mayor Jerry **Spaulding**, Council President David **Meeker**, Mario **DePiero**, Bill **Martin**, Sarah **Branch**, Suzy **Carver**, and Don **Richter**.

Absent: None.

Staff: City Recorder Wenonah **Blanchette**, Public Works Director Brent **Whittaker**, City Clerk Sharon **Bregante-Candau** and Washington County Deputy Rob **Richards**.

- I. Mayor Jerry **Spaulding** called the regular meeting to order at 7:30PM.
- II. **ROLL CALL:** Recorder **Blanchette** conducted the roll call for the record with:
Councilor Mario **DePiero**: present
Councilor David **Meeker**: present
Councilor Bill **Martin**: present
Mayor Jerry **Spaulding**: present
Councilor Sarah **Branch**: present
Councilor Suzy **Carver**: present
Councilor Don **Richter**: present
- III. **ADDITIONS OR DELETIONS:** Mayor **Spaulding** called for any additions or deletions with the Public Works Director announcing a need to review under New Business the RFQ for a new City Engineer, the RFP for a new City Planner, and selecting an interim City Engineer during that time, and termination of the engineering contract with Firwood Design. Mayor **Spaulding** also called to hold executive session ORS 192.660 (2)(b) to consider dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent who does not request an open hearing. This session will occur after the regular meeting.

IV. STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS

Deputy **Richards** provided his January monthly report for Council to review with the following Gaston statistics:

- Total incidents for January are 72, those include public demand calls up by 9, self-initiated activities were up by 6; only one of those gave an increase in reports and three arrests. Still receiving reports for criminal activities that are being reported up to 2 weeks later than when they occurred.
- Traffic stop on Front Street and Main Street, license was suspended at the criminal level, suspect was arrested.
- Verbal domestic on 3rd Street resulting with reports being made, no arrests; called in by a 3rd party.
- January 3rd on 2nd Street, subject dealing with a mental health crisis had both the Washington County Sheriff's office and Washington County Mental Health Crisis Team and was transported to the hospital.
- January 7th, 500 Front Street-Moreno's Tires someone forced entry into the building through a window and stole 4 tires. Approximate value is \$600. No suspect information currently.
- On January 15, 2nd and Main Street did a suspect stop on a known individual with an outstanding felony warrant and was arrested.

- January 20th, another 3-party domestic was reported domestic call; husband and wife arguing. Reports taken, no arrests.
- On January 23, student at home was reported to having a physical altercation with a parent being reported by mandatory reporting and convinced the student to go to school.

Recorders Report: City Recorder **Blanchette** provided her report with the following:

- Ruben **Cleaveland**, the City's attorney will be moving to a new location and operating his legal firm through a different business name.
- Financial Statements provided by the City accountant Mike **Marr** and included in packets. Any questions can be forwarded to him. The report provided is a view of the City's finances half way through the fiscal year which is very inciteful for projecting the remaining fiscal year.
- Correspondence has been provided by the City's auditor's Pauly Rogers and is on the agenda later to approve. Copies of the audit report can be provided if anyone wishes to have one.
- Budget is coming up and looking for interested community members who are wanting to participate as a budget committee member. Budget Committee members serve a 3 year term and due to some committee members now as Council members, we will need to appoint new ones.
- For land use and planning a conditional use permit and floodway permit was submitted by Clean Water Services for replacing a man hole in City limits that was near the river to a new location.
- Training scheduled for the Department of Revenue regarding Local Budgeting and training scheduled for February 26 in Portland for advanced Excel.

City Clerk: Clerk **Bregante-Candau** asked if Council had any questions regarding her staff report:

- Corrections for the 3rd Street Connectivity project, Community Development Block Grant staff are confirming the City can use the waiver of evaluation and an appraisal to decide the fair market value of the road to be purchased on 3rd street but is still waiting back to hear from HUD representatives to getting all the necessary environmental sign-offs.
- The Governors Metro Regional Solutions Team would like to meet with Council to learn what the City's needs and priorities are to assist the Community with potential resources and provide an overview of their program. They are working with the City to try and assess funding for a dedicated main water line to goes to the reservoir. They are also helping seek funding to provide a pathway from the Country Mobile Estates to Cottonwood Street. The only stipulation is they are only able to meet with Council during 9am-5pm schedule. They cannot meet during a Council meeting. Councilor **Meeker** confirmed he could attend. Councilor **Branch** stated it depended on the time of day. Mayor **Spaulding** and Councilor **DePiero** are available Fridays.
- ServLine is an insurance company that provides coverage for water leaks to customers for a small fee and can opt out as well. Public Works Director **Whittaker** went on to explain that the policy is written as such that the City can forgive 50% of the difference from a leak month; so, if someone has an average usage of 5,000 gallons and they have a month where they have a 25,000-gallon water leak, the City will then take that 20,000 gallons and split the difference with them. The City currently has written off \$1,940 dollars' worth leak adjustments. City Resident Dale **Smith** spoke to the Council regarding his experience with Forest Grove converting their meters to electronic meters explaining it took them time to find the leak even with the new electric water meters. Mr. **Smith's** question to the Council is who is going to monitor the leakage? Public Works Director **Whittaker** explained that it will most likely be customer's finding leaks like the current system in place with the leak adjustment forms provided by the City. City Resident Robert **Dooley** asked if the leak adjustment would be from the water meter to the house with the Public Works Director confirming yes, from the water meter to the house. City Clerk **Bregante-Candau** was asked by Council to find out if water customers would be interested in participating in this insurance program.

Public Works: Public Works Director **Whittaker** was asked to provide his report with the following:

- Consumption and Loss, same as last month and was not included in packets.
- Updated contract cancellation for the City's engineer of record; Firwood Design Grip, edited by the City Attorney if the Council still wishes to move forward with obtaining new engineering services for the City.
- RFQ included in packets, which is the advertisement requesting to bid on engineering services for the City of Gaston.
- Three options provided in packets to select a new City Planner. AKS Engineering and Consulting, MIG, and John Morgan was solicited and did not respond to the request for a proposal.
- The Public Works Director wanted to discuss with Council police services options because currently the City pays Washington County for Deputy **Richards** to come to the City for 30 hours per week. Most of the calls that come in are coming in after hours with Washington County coming to all calls from priority 1 to 5. The General Fund continues to pull money out of the Water Fund to pay for these police services and would like the Council to consider asking the Council to consider changing the police contract. Instead of having a dedicated officer maybe the City receives shift officers and the Council could select a certain number of hours on key times. Mayor **Spaulding** indicated these are ideas for Council to consider and not looking for a decision to change police services at this time. Discussion heard on the contract renewal for police services with the upcoming budget. No action taken or needed at this time.

At this time City Clerk **Bregante-Candau** suggested the Council of excusing the High School student as it was near 8PM. Mayor **Spaulding** concurred, and the High School Students left at this time.

- **Brown Park:** Public Works Director Whittaker read aloud an email from Randy **Hoodenpyl** citing that from an email, he called and is unable to attend the meeting tonight writing an email instead addressing the Council in regards to the field use agreement "*City Councilors in regards to Gaston Youth Sports and park use agreement I would like to propose a small group setting to discuss the current proposal that has been put forth to me by Mr. Whittaker. My proposal includes myself and one other representative from the Youth Sports Association and two City Councilors to work on an agreement that works for both parties. By doing this I hoping to come to an agreement before the summer months when baseball and softball season start and allow for the Council not have to discuss this during a meeting. Thus, saving much discussion online for line items in the proposed agreement. Thank you for taking the time to consider my proposal—Randy Hoodenpyl. Gaston Youth Sports President.*" Public Works **Whittaker** reviewed with Council that the City charged Gaston Youth Sports last year a fee of \$7.50 per player but updated the contract raising that amount per player to \$8.50 to cover rising costs. The City has yet to receive payment from last year. There was a handshake agreement for the amount to pay last year and was agreed upon it but after speaking with his Board, came back and stated that they will not pay it; there's no official agreement made. The Gaston School District asked to lower the price on the new contract for use of the ball fields with the Council lowering the price to \$2,100. Farmers Market discussion was heard by Kristin **Sewall**, last year's farmers market consultant proposed changing the event this year with reducing the amount of time in months; June through August and moving it from every Thursday to the 2nd and 4th Thursday of the month, changing the time from 5PM-8PM to 4PM-7PM. This would reduce hours spent by the Farmers Market Consultant thus reducing costs and reduce vendor fees from \$25 to \$20. Councilor **Richter** motioned to move forward with the Farmers Market proposal for 2019 as presented with second heard by Councilor **Martin**. Voting aye: **Meeker, DePiero, Martin, Branch, Carver, and Richter**. Nay: 0. Abstain: **Spaulding**.

V. **CITIZEN COMMUNICATION:** Mayor **Spaulding** called for citizen communication at this time. Councilor **Branch** discussed with the Council costs for use of the ball fields and revenue brought in from the associations. Further discussion heard on organizing a committee to have Mayor **Spaulding**, Councilor **Meeker**, and possibly Councilor **DePiero** to meet with Gaston Youth Sports and the Gaston School on February 22nd at 11AM to resolve payment and cost issues. City Clerk **Bregante-Candau** stated that there was a meeting with Gaston Fire Chief **Kinkade** and School Superintendent Susy **McKenzie** at 10AM on the 22nd as well.

VI. **CONSENT AGENDA:** Mayor **Spaulding** called for motion to approve the consent agenda with Councilor **Richter** motioning to approve the consent agenda for the payables for February 2019 following second heard by Councilor **DePiero**. Aye votes heard from **Meeker, DePiero, Martin, Branch, Carver,** and **Richter**. Nay:0. Abstain: **Spaulding**. Motion carried. Councilor **Branch** had several questions including the Towhee property, Genuine Technology Group, postage machine, deposit refund for water accounts, DRC coverage-Richard **Howard**, Pace Payments, and wanted to see the employee paychecks.

VII. **NEW BUSINESS:**

- **Gaston Heights Phase 2 Preliminary Subdivision Plan Extension:** Councilor **Branch** asked what would happen if the City tabled or denied the request to extend the subdivision following a question from Councilor **Richter** for putting the tall-skinny in town with Tim **McDonald** citing that it would occur at the next phase (phase 3) of the development. Motion to approve Gaston Heights extension was made by Councilor **Richter** with a second heard by Councilor **Martin**. Vote: Aye: **Meeker, Martin, Carver,** and **Richter**. Motion Nay: **DePiero**. Abstain: **Branch** and **Spaulding**. Motion carried.

- **VanKoten & Cleaveland Legal Services:** Councilor **Richter** motioned to stay with our current attorney. Second heard by Councilor **Carver**. Motion carried. Aye: **Meeker, DePiero, Martin, Carver,** and **Richter**. Nay: 0. Abstain: **Spaulding** and **Branch**

- **Council Training:** Recorder **Blanchette** presented to Council the need to participate in training for newly elected officials as stated in the Council Procedures. Recorder **Blanchette** asked for direction for what training Council wish to participate in; either training online, training on-site, or training at City Hall. Council came to a consensus that the training will need to take place during the evening, possibly at the same time as the budget committee meetings and to emphasis on ethics and new council material.

- **Appointment of Budget Officer:** Councilor **DePiero** appointed Wenonah **Blanchette** as the budget officer for the 2019-2020 budget year with Councilor **Richter**. Motion carried with aye votes heard from: **Meeker, DePiero, Martin, Branch, Carver,** and **Richter**. Nay: 0. Abstain: **Spaulding**.

- **Appointment of Budget Committee Members:** Discussion was heard regarding appointment of budget committee members with Councilor **Branch** requesting to have correspondence included in water bills soliciting for budget committee members instead of appointing seven community members and requesting they participate.

- **Adopt Budget Calendar:** Motion made by Councilor **Branch** and seconded by Councilor **DePiero** to approve the budget calendar. Motion passed. Aye: **Meeker, DePiero, Martin, Branch, Carver,** and **Richter**. Nay: 0. Abstain: **Spaulding**.

- **2017-2018 Audit Report Approval:** Councilor **Carver** had questions regarding the Management Letter and the Communication to the Governing Body, specifically the significant deficiencies with Recorder **Blanchette** explaining there are significant deficiencies with having only one employee create vendors, write/sign checks, with the recommendation of segregating these duties among two people. Also listed as a significant deficiency is 4 of the 6 reconciliations tested had no evidence of review with the practice now showing evidence of review and approval being initialed and dated within the month of the statement. Councilor **Carver** discussed the

possibility of having Sharon be this second person to review with Mayor **Spaulding** discussing with the Council if the City of Yamhill wanted to use her for grant writing and put on full time with the City of Gaston. The City of Yamhill could reimburse the City for 10 hours they had her contracted for, but she would be paid by the City at full time. This is only a discussion proposal at this time but would like to have her on full time with maintaining her actual hours worked for the City remain at 30 hours and her working with the City of Yamhill for 10 hours. This would also require the City of Yamhill to approve this proposal. Further discussion heard on staff with access to accounts payable and accounts receivable. Recorder **Blanchette** has been the primary overseer of the finances since 2012 with Councilor **Carver** requesting to have the Recorder draft a policy for what processes are in place with how the City is handling its cash. The Recorder explained the City does have a process reporting monthly reports to the accountant for his review; sending the QuickBooks monthly general ledger, monthly payroll records and bank statements. From these reports each month he provides his report to the auditors and Council. Councilor **Carver** and Councilor **Branch** requested to have job descriptions sent to all the City Councilors for review to see what duties each employee has. Also discussed is the employees wage declaration and employment status forms that outlines each employees' wages, benefits and employment status that is signed and approved by each staff member and supervisor each year being filed in employee files. Mayor **Spaulding** called for a vote to approve the audit report for 2017-2018 was made by Councilor **DePiero** following second heard by Councilor **Richter**. Voting Aye: **Meeker, DePiero, Martin, Branch, Carver, and Richter**. Nay: 0. Abstain: **Spaulding**. Councilor **Branch** wanted to know when items are noted from the audit findings and recommendations, if there is documentation that confirms staff is correcting or addressing such matters with the Recorder confirming that documentation could be created to provide for Council confirming staff is developing processes for addressing those findings or recommendations made by the audit company. Recorder **Blanchette** requested Council attend the next field work scheduled in May and October to review and discuss with the auditors any questions or concerns they may have with the finances but explained many of these items outlined in the recommendations and findings occur each year due to the City's size and practicality towards remedying some findings.

- **Termination of Firwood Design Group-Engineering Services:** Councilor **DePiero** called for a motion to send a termination letter to Firwood Design Group to terminate their services for the City seconded by Councilor **Carver**. Motion carried with Aye votes from: **Meeker, DePiero, Branch, and Carver**. Nay: **Martin and Richter**. Abstain: **Spaulding**. Councilor **DePiero** motioned for Brent **Whittaker** to put out an RFQ for a new engineer seconded by Councilor **Carver**. Motion passed. Aye votes: **Meeker, DePiero, Branch, Carver, and Richter**. Nay: **Martin**. Abstain: **Spaulding**. Public Works Director **Whittaker** recommended the City maintain services for AKS Engineering in the interim until the City selects a new engineer. City Resident Dale **Smith** stated the City should discuss changing engineers with Tim **McDonald**, the City's developer on Gaston Heights before switching engineers because he is litigious and wins so it would benefit the City to checking into any changes. Mayor **Spaulding** called for a motion to rescind the termination letter and was voted on with aye votes heard from **Meeker, DePiero, Martin, and Richter**. Nay: **Carver**. Public Works Director **Whittaker** explained the scope of work is not changing from the original conditions of approval with Councilor **Branch** questioning she does not know enough to vote on a decision. Discussion heard on having AKS Engineering as the interim City engineers with motion made by Councilor **Branch** to review phase 2 of the conditions of approval for Gaston Heights with second heard by Councilor **DePiero**. Voting aye: **Meeker, DePiero, Martin, Branch, Carver, and Richter**. Nay: 0. Abstain: **Spaulding**. Recorder **Blanchette** asked for clarification on next month's meeting with rescinding the resignation letter for Firwood Design Group and having a special meeting to review the conditions of approval by AKS Engineering, no further action taken.

- **Selection of City Planner:** Discussion heard on hiring a new planner with Councilor **Branch** motioning to approve hiring AKS for planning services. Motion seconded by Councilor **Richer** motion carried with aye votes heard from: **Meeker, DePiero, Martin, Branch, Carver, and Richter**. Nay: 0. Abstain: **Spaulding**.

X. **OLD BUSINESS:** City Clerk **Bregante-Candau** explained to Council the City is considering the City motto for the city with “small town big heart” having 50 votes, “gateway to wine country” had 34 votes, a “small town with a big heart” got 23 votes and in conjunction with Western Iron Works, the City will have something in March to move forward with adopting for their “Welcome to Gaston,” sign.

XI. **COMPLAINTS:** None heard.

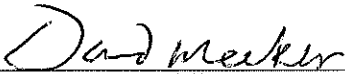
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XII. **EXECUTIVE SESSION:**

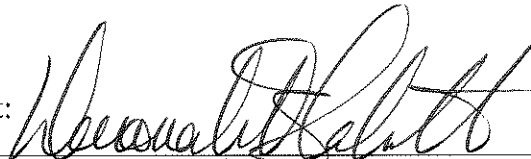
Pursuant to **ORS 192.660 (2)(b)** Mayor **Meeker** opened this executive session at 9:27 to consider dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member, or individual agent who does not request an open hearing. Executive session adjourned at 9:39PM.

XIII. **ADJOURNMENT:** Mayor **Spaulding** called for a motion to close the regular meeting. Meeting adjourned at 9:39PM with motion heard by Councilor **Richter** and second from Councilor **Meeker**. Aye: 6, Nay: 0. Motion carried.



Mayor Jerry Spaulding
Council President David Meeker

Attest:



City Recorder Wenonah Blanchette