

February 28, 2018

Special Session -Rescheduled from February 20th.

City of Gaston

Present: Mayor Tony **Hall**, Council President Jerry **Spaulding**, David **Meeker**, Jon **Wismer**, Bill **Martin**, Rod **Hale**, and Don **Richter**.

Staff: City Recorder Wenonah **Blanchette** and Public Works Director Brent **Whittaker**.

Absent:

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

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

Council President Jerry **Spaulding**: present

Councilor David **Meeker**: present

Councilor Bill **Martin**-present

Mayor Tony **Hall**: present

Councilor Jon **Wismer**-present

Councilor Don **Richter**: present

Councilor Rod **Hale**: present (*arriving at 7:07PM*)

III. ADDITIONS OR DELETIONS: None.

IV. MULTIPLE NUISANCES COMPLAINTS: Mayor **Hall** provided a brief summary that Council was unable to come to a consensus at the last meeting and decided to hold this special meeting to resolve multiple nuisance's complaints throughout the City. According to the City's ordinances, Council must declare these as nuisances with Mayor **Hall** opening the floor up for further discussion. Councilor **Meeker** asked how many nuisance complaints were there with Public Works Director **Whittaker** replying there are twelve potential violations; some of which have resolved these complaints within that time. Public Works Director explained to Council the process of abatement according to Ordinance No. 2017-001, and Ordinance Defining Nuisances; Declaring Nuisances; Proscribing Abatement Procedures; Repealing Ordinance No. 97 and Declaring an Emergency for which these properties have in correcting said violations. Councilor **Richter** questioned the City may not have legal rights to require property owners clean up their properties or how to cite these properties as having such violations. Public Work Director **Whittaker** reviewed with Council ordinance violations at 109 2nd Street: several vehicles, lots of debris, trash, trailers, and several unlicensed vehicles (which per ordinance is defined as being unlicensed or inoperable.) Councilor **Wismer** asked if Council wanted to declare these properties in violation of the nuisance ordinance individually or in one motion. Mayor **Hall** recommended Council declare a "blanket clause" but would consider discussing the wording in the ordinance itself if any Council member had issues with it. Councilor **Wismer** stated he "is tired of people that visit Gaston saying it is a dump and this is one thing that would help rectify some of that. If you have a problem with a car that is on your property pull it on your yard and build a fence or screen around it. A matter of pride as opposed to a matter of laziness. Of course, some people don't have the resources, they find what they can to get to work and it just stays there and gets forgotten. I am all for throwing it out there and we either enforce it or we don't." Councilor **Richter** concurred with his statement.

At this time Councilor **Hale** arrived at the meeting at 7:07PM.

Mayor **Hall** informed Councilor **Hale** of discussions heard regarding the nuisance ordinance and whether the City should enforce the ordinance as written for the twelve properties that have been submitted to Council for action. Councilor **Wisner** asked "why hasn't it been enforced and why do we have to turn around and have a special meeting to enforce it?" The Public Works Director clarified the City has been going through all their ordinances and if missing, finding them and becoming familiar with them. The previous nuisance ordinance was missing a page from the original copy and wasn't located until recently. More recent however, Council adopted a new nuisance ordinance and stressed to Council the need to follow through with City rules and regulations. All properties range from large infractions to minor ones and need further action from Council to notify the property owners to abate the nuisance. A blanket statement to everyone would resolve the issues. Councilor **Martin** asked if this nuisance ordinance is exclusive for vehicles with Public Works Director **Whittaker** replying the complaints currently being discussed are about vehicles but are not entirely about vehicles. **Whittaker** also explained most of the people he spoke with do not have a problem and are aware of the problem identified as an ordinance violation. Councilor **Wisner** moved to enforce the ordinance, declaring the properties outlined as a nuisance and direct the Public Works Director to initiate the abatement process with a second heard by Councilor **Spaulding**. Voting Aye: **Spaulding, Meeker, Hall, Wisner, and Richter**. Nay: **Martin and Hale**. Motion passed.

Public Works Director **Whittaker** read aloud a complaint submitted by property owner at 404 1st Street.

"I'm new to Gaston, I purchased my home on first(street), but I'm beginning to have buyer's remorse because of the issues that surround my property. I've learned that the City has ordinances so I'm reaching out to the City to see if in fact anything can be done about what drives down the quality of live that I moved to Gaston for and the value of each home on this street. Not to mention some of these similar concerns are happening on other streets in the neighborhood. The first issue concerns the property at 403 1st Street. This home has as many as five cars parked out in front every evening. I've been told that the owner fixes up and sells cars and often shows them our front. In addition, I believe that they have two licensed drives unless the teenager is of driving age. Also, they have a recreation trailer parked a platform on the side of their house. The second issue is the south of this property on the same side of the street which is technically a vacant lot. There are two abandoned trailers that are parked next to the fence and have been there since I moved in two months ago. In addition, there is a commercial vehicle belonging to a concrete company that sometimes pulls its own trailer that parks above the vacant lot. The driver of this truck live behind me at 404 1st street in a duplex and just last night parked directly out in front of my home which I'd like to be able to keep open for guests of mine or my own personal use. The last issue for me that I'd like to bring up concerns the number of cars that park in the duplex above my home. I am constantly having the same concerns about the parking that they have been doing in front of my home. It's a nuisance. From my short time here on this block, it seems that just about everybody including the occupants at 403 1st park in front of their own homes and respect everybody's space in front of everybody on this block. In addition, the duplex looks

like a homeless camp with the amount of junk that is left out on the upper deck. Another thing that drives prices down for homeowners who actually have a financial stake in their property. I am hoping that the City shares my concern about having pride in their schools and neighborhood. Thanks."

Public Works Director **Whittaker** went on to explain the lot does in fact have two trailers and are off the right-of-way and within the fence line. This is not in violation of the ordinance. Regarding the 405 1st Street "homeless camp" reference; he cited there was no trash and the area is not in violation of City ordinance. Regarding the parking issue; the individual who drives the concrete truck was provided a copy of the parking ordinance. There are no restrictions in the City for parking in front of someone else's home. Mayor **Hall** called for further action from Council or comments from the audience. Phil **Barnhart**, property owner at 404 1st Street was present to discuss his complaint. He explained that he doesn't want to be perceived as the new guy in town trying to change everything and continued to explain that parking is difficult around the neighborhood. Looking up and down the street, people park out in front of their home and asked Council if commercial vehicles belong in residential neighborhoods. Further discussion heard with commercial vehicles thought to belong on the highway and not in neighborhoods with most homeowner's associations specifically addressing parking issues and the areas, but this residential area does not have one. The two trailers cited in the complaint, possibly abandoned; had the owner, Robert **Dooley** present, to discuss parking issues had on 1st Street and his trailers. **Dooley** explained the individual driving the concrete vehicle moves every day and tries to respect everyone within this parking situation. **Dooley** explained he has permission from the property owner of the vacant lot for the parking of his trailers and are not abandoned. Mayor **Hall** explained within the new development CC&R and HOA's will be required but are not in this section of town. Mayor **Hall** explained it's difficult to define what is a commercial vehicle and not; especially if someone owns a business and does not violate the ordinance. A violation of the parking ordinance is when a vehicle has been parked in the right-of-way over a 72-hour timeframe and has not moved. Further discussion was heard of what other cities do, clarification of commercial vehicles, limits on number of vehicles individuals may have and the selling of multiple cars on personal property without a permit. Mayor **Hall** asked the Council their position on the number of vehicles that individuals may have and if there has been an ordinance adopted in the past. Mayor **Hall** indicated the City will need further research on the City's ordinances regarding the limit of vehicles that any one person or property may have at one time.

V. WAGE SCALE: Mayor **Hall** announced to Council the need to address the current wage scale starting with the history of establishing said wages from the wage scale committee. Mayor **Hall** went on to explain when the City went to hire a new public works director the City had a difficult time finding qualified applicants because wages were too low. To begin establishing wages for City Hall, Mayor **Hall** contacted several similar-like Cities; slightly larger and smaller sized and compared information. This information was then presented to the wage committee for review and recommended approval. Once reviewed, the wage committee established average salaries based off the information provided; upon the advice of the accountant agreed to increase wages gradually over the course of several years to have staff near expected wages for their positions. The wage committee determined what the average salary would be and put together a chart which was submitted to Council for review and concluded the city couldn't increase these

amounts all at once and stretched them over a course of six years. In February wages were raised and became effective March 1st. At the last regular meeting, Council had a big discussion about what was adopted or the process of implementing these higher wages. Mayor **Hall** stated the Council did vote on this and also reviewed and approved minutes of these actions taken place with no objections to its process outlined and approved in the minutes. The City did their due diligence in the process of increases toward each of the staff's wages and the minutes reflect those changes. The problem comes about when the Council decided to give the Public Works Director a raise at the end of his 6-month probationary period outside of the wage scale. His wages began at \$22 dollars an hour and will increase a dollar each year per the wage scale. Without an amendment to the wage scale now, the Public Works Director will "lose" one dollar when initiating raises in March. Councilor **Spaulding** reminded Council the reason the Public Works Director was given a \$2 increase was in fact, due to the major improvements seen within the first 6-months of his employment. Mayor **Hall** called for a motion to amend the wage scale to reflect a dollar increase across the board for the public works director with Councilor **Spaulding** motioning to amend the wage scale from 2017 through 2022 and seconded by Councilor **Meeker**. Voting Aye: **Spaulding, Meeker, and Hall**. Nay: **Martin, Hale, Wismer, and Richter**. Motion failed.

Mayor **Hall** asked Council if they would continue working for a company that gave reduction in wages because the public works director will take a reduction in pay if the Council does not choose to make the changes necessary to correct this oversight. Mayor **Hall** wanted the Council to be aware that he will lose a dollar in wages and it took the City months to fill the position of a public works director and may not have a public works director tomorrow; if the Council was okay and aware of the situation no action is needed. Councilor **Spaulding** stated the City is moving forward and looking toward the future of Gaston; if the City loses Brent, the city will be in a lot of trouble. Councilor **Hale** stated the motion was voted on and finished, continuing that he does not agree with giving staff a raise per dollar each year. Not consecutively; year after year. He does not agree with it being a series of six years. He believes the City should give staff a raise of a dollar this year but not each year for the next six. There isn't the tax base to continue with these increases. Mayor **Hall** stated the City is saving approximately \$15,000 each year by decommissioning radios that should have been decommissioned fifteen years ago. This money that was being wasted on radios will be used towards those wages. Councilor **Hale** made a motion to implement the one dollar raise that we agreed upon last year for these employees, this year which sets them at the rate we agreed to pay them. Councilor **Wismer** stated the Council cannot amend the all the staff's raises; but only amend the Public Works Director. Councilor **Hale** amended his motion to the pay scale regarding Brent **Whittaker's** pay regarding the dollar he's losing by giving him the dollar raise this year. Councilor **Wismer** inquired that it would make him \$25 this year. Public Works Director clarified for the Council after the wage committee met and approved the wage scale later came and asked the Council to be put on salary during his six-month review. Compensation for salary was proposed at a higher rate with the reason being to work the hours needed and not expend additional costs with overtime. At that time, based on the work provided, Councilor **Spaulding** initiated he receive a \$2-dollar hour raise and discussions were had on changing the wage scale. He did not take the position for the wages but because it was close to home and his kids go to school here and a job he feels he's doing well and making a difference. Improvements have been made regarding past dues for the water department. Amounts uncollected were around \$24,000 in which we now have \$200;

water loss was around 2.4 million and is now around 800,000 gallons per month. That is around a \$4,000 a month savings. He was told by the Council that he would get a dollar an hour raise and is how he makes his living; further explaining how it is a “demotivator” for not being considered for only a dollar more per hour. He further proposed to take the money allocated for the part time public works position and allocate those funds to be used for a \$5 raise for the clerk who has brought in nearly \$700,000 worth of grant monies for the City. If any of the Council has questions regarding work being done, he’d be glad to bring them along and show the work ethic and improved public works of the City and not to let a dollar stand in the way of demotivating him or anyone else working for the City. Mayor **Hall** agreed with the Public Works Director and explained the City has great staff and the Clerk has brought in hundreds of thousands of dollars in grant monies just this year for the City. Mayor **Hall** informed the Council with the City is faced with the fact both the Public Works Director and the City Clerk has had other offers of employment for higher wages and bigger cities. He then asked each of the Council member who would come down and volunteer doing the Clerk’s or Public Works Director’s job because the City wasn’t willing to pay one more dollar in wages. Mayor **Hall** declared he would not be volunteering 40-50 hours a week doing the Public Works Director’s job as he did for six months before hiring **Whittaker**.

Calling point of order, Mayor **Hall** referred to the motion on the floor made by Councilor **Hale** to amend the pay scale regarding Brent **Whittaker’s** pay in reference to the dollar he’s losing, giving him, a dollar raise. Motion seconded by Councilor **Richter**. Mayor **Hall** clarified the City will initiate raises in March of each year. Motion carried by **Spaulding, Martin, Hale, Hall, Richter, and Hale**. Nay: **Meeker**.

VI. 104 Onion Lane: Public Works Director **Whittaker** explained with the City in possession of 104 Onion Lane the building has been made secure and the outbuilding has been knocked over. Next step is to receive a building inspection and have the property surveyed as a requirement for a rehab grant the City is looking to apply for. This is in addition to the monies being sought after for the Yamhalas Trail. Public Works Director has solicited for three bids to cleaning up the property before it can be occupied. Mayor **Hall** stated the City has paid \$7,000 to probate, \$130 and \$51 for transferring and any other attorney fees associated with the transferring of the title. Further discussion had on the rehabilitation to the property and the building inspection to make the building safe. Mayor **Hall** stated the Council will be discussing the Yamhalas Trail in executive session at the next meeting currently negotiating with the Railroad property. No action taken.

VII. Engineering: Mayor **Hall** turned the meeting over to Public Works Director **Whittaker** to discuss with Council the need to acquire/solicit for a new City engineer. Our Current engineering contract allows for the City to use other engineering services as the contract with Firwood Design Group is on an on-call basis and thus allows them to finish the jobs currently at hand and move forward with using new engineers for new projects. Failing to be prepared and poor representation are some of the reasons why the City should move forward with a new engineer. Mayor **Hall** stated the City will be using AKS Engineering for the Onion Lane property now and would consider having AKS Engineering as the city’s engineer but will maintain Firwood Design for the projects currently underway. Mayor **Hall** asked Council if

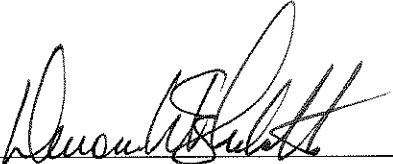
they wanted to inspect and review the Onion Lane property but will need to provide their own personal protective gear and will require the use of it as it is a safety concern at this moment.

Consideration was made at discussing wages for the Clerk's position with a general consensus to discuss wages during the employee review process at the next regularly scheduled meeting. Public Works Director stated the wages allocated for the public works part time help be used toward increasing her wages.

VIII. ADJOURNMENT: Mayor **Hall** called to adjourn the meeting at 8:31PM. Meeting adjourned with motion made by Councilor **Hale**, following second by Councilor **Wisner**.



Mayor Tony Hall

Attest: 

City Recorder Wenonah Blanchette