

**July 12, 2017
Regular Session
City of Gaston**

Present: Council President Jerry **Spaulding**, David **Meeker**, Bill **Martin**, Chris **Jeffries**, Rod **Hale**, and Don **Richter**.

Absent: Mayor Tony **Hall** (excused)

Staff: City Recorder Wenonah **Blanchette**, Public Works Director Brent **Whittaker**, City Clerk Sharon **Bregante-Candau**

I. Council President Jerry **Spaulding** called the regular meeting to order at 7:00 PM.

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

Councilor David **Meeker**: present

Councilor Bill **Martin**: present

Mayor Tony **Hall**: absent (excused)

Councilor Chris **Jeffries**: present

Council President Jerry **Spaulding**: present

Councilor Rod **Hale**: present

Councilor Don **Richter**: present

III. ADDITIONS/CHANGES OR CORRECTIONS: None

IV. STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:

Public Works: Public Works Director **Whittaker** added the following information to his written report:

- **Water System:** Public Works Director **Whittaker** reported he has received no response from David **Rohrer** regarding the notice about installing backflow devices on his two properties or the water shut off scheduled for August 1. Mr. **Rohrer** would receive two more notifications before water shut off.
- **CME Booster:** Public Works Director **Whittaker** reported the contractor's subcontractor did not coordinate with PGE, as specified, regarding the installation of the electrical panel for the Country Mobile Estates booster pump; he installed a residential meter on a commercial application.
- **School Storm Drain:** Public Works Director **Whittaker** stated he sent a notification to TS Gray that the City might pursue liquidation damages due to the contractor not completing the school storm drain work on time. The City's inspection of the storm drain work found several items on both the City's and the District's portions not completed by TS Gray according to the specifications.
 - Public Works Director **Whittaker** met with Susie **McKenzie**, School Superintendent, and Tyler **Smith** to review the uncompleted items. Both the City and the District would be requiring TS Gray to fix the items to the specifications. The District would also likely hire Rick **Yoe** to audit the entire project.
 - It would be up to the District to decide who bore the cost of the audit, TS Gray or the District.
- **Nuisance Letters (Ordinance 97):** Councilor **Richter** reported the property at 29875 NW Olson has been cleared of the nuisance.
- **Clean Water Services (CWS) Meeting:** Public Works Director **Whittaker** reported, while there was a good exchange of information regarding a possible proposal for Clean

Water Services to manage the City storm drains, nothing conclusive came out of the meeting. Whether the City decided to go with CWS or not, the City needed to budget for storm drain maintenance and start charging customers for the storm drains as well. The cost for the City to maintain its storm drains was significantly more than having CWS do the maintenance.

Public Works Director **Whittaker** responded to Council questions. The cost per CWS customer would be \$8.50 per customer with a .50 increase per year. The proposed storm drain increase would increase a customer's storm water/sewage bill. CWS would do all the necessary maintenance on the City's entire storm drainage infrastructure, including ditches and once a month street sweeping. CWS would also take over the costs for engineering and design and permit approvals that the Firwood Group currently handled.

The Council agreed by consensus to invite Clean Water Services to make a presentation to the Council at its next meeting.

- **Hydrology Proposals:** Public Works Director **Whittaker** reported two of the three engineering firms contacted submitted proposals. While he could obtain additional proposals, the City needed to be careful to follow the correct procedure for contracting professional services. A public bid might have to be qualification-based, and not price-based, which could substantially increase the dollar amount.

The Council agreed by consensus to table this item to the next Council meeting. Councilor **Richter** concurred he would have to recuse himself, as he occasionally worked for one of the companies.

- **Surplus Equipment:** Public Works Director **Whittaker** explained the Council needed to decommission the police cars before the City could surplus them. He noted the prices he has found ranged from \$1500 to \$1800. Councilor **Martin** reported talking to a Forest Grove mechanic who used to maintain police cars who would decommission the cars for \$500 each, or less if he could keep the roof racks. Public Works Director **Whittaker** commented the roof racks were part of the surplus and might have to be auctioned.

Public Works Director **Whittaker** responded to Council questions. Keeping the cars did not save the City money because the City had to insure the cars. There was a liability issue with the cars not being locked and the red emergency all-call button still active in the cars.

- **Garbage Service:** Public Works Director **Whittaker** asked for approval to request pricing for an on call yard debris service and 20 gallon service. **The Council** agreed by consensus to direct Public Works Director to inquire about pricing for the two services.

Council President **Spaulding** called for a motion to decommission the police cars. Motion by Councilor **Meeker**, seconded by Councilor **Richter**, to decommission the police cars. **The Council** agreed by consensus to direct the Public Works Director to get official price quotes for the available options to decommission the police cars. The motion was rescinded.

Public Works Director **Whittaker** reported the City Attorney reviewed, at the Mayor's request, the intergovernmental agreement in the Council packet regarding the surplus company and found it all in order.

Council President **Spaulding** asked for an update on the water meter system. Public Works Director **Whittaker** explained the staff research into the City Charter found that the City could not do a state revolving loan for an item over \$50,000 or 5% of the City's total budget. Installation quotes for the system were coming in around \$70,000 to

\$75,000, which was not in the Public Works budget. He did not think it was a wise purchase.

Public Works Director **Whittaker** proposed purchasing the water meters outright, making his seasonal part-time employee, a permanent part-time employee, and using that employee to install 15 to 20 meters per week. The City would still pay for the big purchase of the programming, equipment, etc., through the state revolving fund. Using his part-time employee would be significantly less expensive than hiring a contractor to do the installation.

Public Works Director **Whittaker** responded to Council questions. After a site tour showing the system's disrepair, the water meter company representative doubled the initial \$35,000 estimate for installation. Public Works Director **Whittaker** agreed they should consider using the City's DRC, Richard **Howard**, as part of the project. He stated he was the City's Water Master. He reported monthly to the City's Designated Responsible Charge (DRC) whose inspections have found everything top notch.

Council President **Spaulding** directed Public Works Director **Whittaker** to prepare a proposal for the next Council meeting. He expressed his hope of getting the water meters in, cutting the City's water loss, and then looking into why the City's water cost was so high and what the City could do to get it in line.

Public Works Director **Whittaker** formally introduced his seasonal part-time employee, Zack **Sanford**.

City Clerk: Clerk **Bregante-Candau** added the following information to her written report:

- Clerk Bregante-Candau noted the water loan process would probably be a long process.
- Eleven new business license applications have come through since the written report.

Public Works Director **Whittaker** indicated to Councilor **Martin** that staff compiled a full list of all City street signs needing replacement. Replacing stop signs was staff's first priority.

Clerk **Bregante-Candau** noted the Mayor suggested a six foot vehicle height limit. Councilor **Martin** held that was too low. Councilor **Jeffries** pointed out the limit would only be within a certain number of feet of the intersection.

City Recorder: Recorder **Blanchette** added the following information to her written report:

- Recorder **Blanchette** observed the City possibly had a complete set of ordinances and resolutions now. The next step was working with American Legal Publishing to codify and publish them.

Recorder **Blanchette** explained to Councilor **Martin** they were changing payroll companies for better service at the same price, and changing IT companies for something more customer-friendly and responsive. Public Works Director **Whittaker** noted Richard **Howard** at Yamhill recommended the IT company used by Yamhill, which was also less expensive than Gaston's current provider.

Councilor **Jeffries** reported a complaint on Park Street about tall grass and blackberry bushes growing over a fence. The complainants said the City told them it could not do anything about it. Public Works Director **Whittaker** said there were two locations on Park receiving complaints. He explained the complaint procedure to the citizens, which would bring the matter before the City Council. He noted, per the City ordinances, the nature of the nuisance and its location dictated whether the City had jurisdiction. The City had no jurisdiction over yard-to-yard encroachments, which were a civil issue, but the City did have some jurisdiction over front yard encroachments, such as right-of-way or line-of-sight issues.

V. CITIZEN COMMUNICATION:

- **104 2nd Street**

Public Works Director **Whittaker** reported Walt and Ann **Kennedy** submitted a complaint regarding 104 2nd Street. Walt **Kennedy** stated the cars on the property were very bad. The junk was strewn throughout the property, on the front porch, and down along the building, as well as falling against his fence. Council President **Spaulding** said the City would look into whether the City could do anything or whether Mr. **Kennedy** would have to take the matter to court.

Councilor **Meeker** pointed out the possible fire hazard if flammable material was present. Public Works Director **Whittaker** noted the City could talk to the property owner about the issues of accumulation of debris, rubbish, manure, and other refuse, including discarded materials. The City could legally abate the junk nuisance after notification, but trees or shrubs growing over a fence were a civil issue the City could do nothing about.

Motion by Councilor **Jeffries**, seconded by Councilor **Richter**, to direct Public Works Director **Whittaker** to send a letter of complaint to the property owner of 104 2nd Street in regard to garbage and brush encroaching on the neighbor's fence, declaring it a nuisance. Motion carried unanimously. Ayes: **Spaulding, Meeker, Jeffries, Richter, Hale, and Martin**. Nays: 0

- **Height Restriction for Parking along Highway 47**

Jeanette **Noble**, Screamin' Chicken Diner, concurred that a six-foot height restriction on southbound Hwy 47 was too low; it would negatively impact both local and drive-through traffic, as a farming community, like Gaston, had a lot of local vehicles over six feet high. Since limiting a height restriction to just at the intersection would simply push the vehicles further up the street or into her parking lot, perhaps the Council should consider a blanket ruling all the way along southbound Hwy 47 down to the city center to restrict the height to no more than 14 feet.

Council President **Spaulding** concurred with Ms. **Noble**, emphasizing his concern for the safety of the kids in the school bus he drove because he could not see to turn at that intersection with semis parked there. He suggested the trucks park on the other side of the road, which would not have the same impact. Councilor **Jeffries** pointed out the fire trucks coming from the fire station would not be able to see to pull out and turn left on Hwy 47 if semis were parked in front of the coffee place.

Ms. **Noble** commented whatever ruling the Council made would impact the businesses in the downtown commercial area. Clerk **Bregante-Candau** stated the State height truck limit was 14 feet. She noted, the Gaston Market owner, in his letter, mentioned that the Mayor suggested to impose the limit only 40 feet back from the corner of Park Street and not on the entire street. Another business owner asked if the restriction would affect the whole lane or just a portion, while the One Horse Tavern owner supported the vehicle height restriction.

Councilor **Martin** suggested installing signs in a specified area prohibiting anything over 14 feet. Councilor **Meeker** pointed out that would not alleviate the semi-tractor problem. He suggested an eight foot limit, which would separate the passenger vehicles from the commercial vehicles. Councilor **Richter** pointed out passenger RVs were higher than eight feet. Councilor **Jeffries** argued passenger RVs should be treated the same as semi-tractors because they had the height.

Council President **Spaulding** agreed six feet was too low but seven to eight feet might work. He suggested hashing out the height limit during an executive session. Councilor **Richter** pointed out the drivers of small passenger cars could not see over even a six foot vehicle.

Councilor **Meeker** concurred and observed the Council was targeting the commercial trucks.

99% of passenger RVs, even jacked up, would be under eight feet, while 99% of semi-tractors would be over eight feet, which made eight feet a good delineation point. Councilor **Martin** noted that half the trucks stopping in Gaston were logging trucks passing through and stopping for about 15 minutes.

Clerk **Bregante-Candau** reported the business owners also brought up a traffic light at the intersection. Earlier, the ODOT inspector had told her a traffic light out here would cost \$500,000 to \$1 million. Jeff **Rasmussen**, owner of the Gaston Market, opposed any height restriction beyond the 40 foot area because then the semis would just keep going and the local businesses would lose business. The Scoggins Creek Coffee owner suggested a parking time limit of 15 minutes for the large vehicles. Council President **Spaulding** spoke of possibly prohibiting parking during the school bus arrival and departure times. He suggested having a community meeting at which the interested parties as a group could devise a viable solution. Clerk **Bregante-Candau** noted ODOT would do the work on the State highway but channel all complaints to the City.

Councilor **Jeffries** recalled the study the City had done about installing a stop light at the intersection. The study found there was insufficient traffic to warrant a traffic light and suggested waiting until the housing project went in, which might generate sufficient traffic to warrant the stop light. She suggested discussing the matter in an executive session.

Motion by Councilor **Jeffries**, seconded by Councilor **Richter**, to table the height restrictions on Front Street item until the next Council meeting. Motion carried unanimously. Ayes: **Spaulding, Meeker, Jeffries, Richter, Hale, and Martin**. Nays: 0

VI. PRESENTATIONS: None

VII. CONSENT AGENDA:

Bills Payable for July 2017
ABC Transcription Proposal
Federal Surplus Renewal – Every 3 Years
LGIP-Business System Renewal-Authorized Personnel

Motion by Councilor **Jeffries**, seconded by Councilor **Richter** to approve the Consent Agenda as presented with the total for the Bills Payable for July 2017 as \$37, 455.07. Motion approved unanimously. Ayes: **Spaulding, Richter, Meeker, Jeffries, Hale, and Martin**. Nays: 0.

VIII. NEW BUSINESS:

- **2014-2015 Financial Audit**
Recorder **Blanchette** noted the audit for 2014/2015 was in the Council packet. The City had only the audits for 2015/2016 and 2016/2017 left to finish.
- **Resolution 17-001: Nuisance Ordinance Draft-First Reading**
Recorder **Blanchette** reported the City Attorney has reviewed and modified the draft nuisance ordinance. Councilor **Martin** referenced Section 5, Fences, which prohibited barbed wire fencing along a sidewalk. There was still one section of barbed wire fencing at the Wapato Valley Church that should be removed.

Council President **Spaulding** said the Council would table this ordinance to the next meeting.

- **Clean Water Services- Storm water Proposal Discussion: The Council** discussed this item under Staff Reports: Public Works: Clean Water Services Meeting.
- **Special Cities Allotment Grant Application – Street Designation**

Recorder **Blanchette** said the City has applied to this ODOT program to re-do 3rd Street in the past. The program annually appropriated \$50,000 per project for small cities under 2,000 population to re-do a street. The Council needed to designate a street for the application. Recorder **Blanchette** explained to Councilor **Martin** the City could not provide a list of possible streets but had to apply specifically for one street. It was likely the City could only apply once per year.

The Council agreed by consensus to table this item to the next meeting.

- **Decommissioning of Police Cars:** **The Council** discussed this item under Staff Reports: Public Works: Surplus Equipment.

IX. OLD BUSINESS:

Garbage Franchise – ongoing, no additional updates

X. COMPLAINTS:

29875 NW Olson Road—Violation of Ord. No. 97 Nuisances: Growth Grass, Shrubbery, Weeds, and Noxious

The Council addressed this matter under Staff Reports: Public Works: Nuisance Letters.

XI. EXECUTIVE SESSION

- XII. ADJOURNMENT:** Council President **Spaulding** asked for any further business, none heard. Meeting adjourned at 8:05 PM.

Council President Jerry Spaulding

Attest:

City Recorder Wenonah Blanchette