

**June 12, 2019
Regular Session
City of Gaston**

Present: Mayor David **Meeker**, Council President Bill **Martin**, Mario **DePiero**, Sarah **Branch**, Don **Richter**, and Suzy **Carver**. Gaston Residents Brent **Whittaker**, Tony **Hall**, Adam-Ross **Branch**

Absent: None

Staff Present: City Recorder Wenonah **Blanchette**, City Clerk Sharon **Bregante-Candau**, and Washington County Deputy Rob **Richards**

- I. Mayor David **Meeker** called the regular meeting to order at 7:04 PM.
- II. **COUNCIL VACANCY APPOINTMENT:** Mayor **Meeker** appointed Tony **Hall** to the vacant council position calling for a vote with those voting Aye: **Martin**, **Meeker**, and **Richter**. Nay: **Branch**, **DePiero**, and **Carver**. Tie vote: motion failed. At this time Mayor **Meeker** called for the vote to fill the vacancy with Brent **Whittaker** following a vote of Aye: **Carver**, **Branch**, and **DePiero**. Nay: **Martin**, **Meeker**, and **Richter**. Tie vote: motion failed. Mayor **Meeker** called for a vote for the vacant seat with Adam-Ross **Branch** with those voting Aye: **Branch**, **Carver**, and **DePiero**. Nay: **Martin**, **Meeker**, and **Richter**. Tie vote: motion failed. City Recorder **Blanchette** explained to Council the City cannot hold a special election to fill an appointment unless there is less than a majority of Council members serving on Council. Mayor **Meeker** indicated the City Council will try again next month to appoint someone to the position. Councilor **Branch** made a motion to appoint Adam-Ross **Branch** to council position number two. Councilor **Carver** seconded the motion with those voting Aye as: **Carver**, **Branch**, and **DePiero**. Nay: **Martin**, **Meeker**, and **Richter**. Tie vote: motion failed. Recorder **Blanchette** suggested to Mayor **Meeker** to appoint someone from the audience with Mayor **Meeker** stating he would like to appoint Tony **Hall** explaining he has the most experience and has resided in town the longest. Councilor **Carver** said she has a problem appointing someone in his last couple months being Mayor; having employee complaints, stating he only has a few months left with his term that it would be the next Mayor's problem, not his. In her opinion, she does not believe this is an adequate attitude for a member of Council to have. Councilor **Richter** addressed the Mayor saying he has a problem with trying to vote in spouses to be on Council together and if the attorney stated it is not an issue; the City should change its charter to reflect that spouses cannot be on council together. City Recorder **Blanchette** explained the City cannot hold a special election to appoint one member to Council; it must be four or more needing to be appointed to Council initiating a special election. Discussion heard on the matter for holding a special election with drawing a consensus from Council for the Recorder to seek legal advice from the Attorney.
- III. **ROLL CALL:** City Recorder **Blanchette** conducted the roll call for the record with:
Councilor Mario **DePiero**: present
Council President Bill **Martin**: present
Mayor David **Meeker**: present
Councilor Sarah **Branch**: present
Councilor Suzy **Carver**: present
Councilor Don **Richter**: present
- IV. **ADDITIONS OR DELETIONS:** Mayor **Meeker** called for any additions or deletions on the agenda at this time. None heard.
- V. **STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:**
Police: Deputy **Richards** provided his monthly report for May 2019 of statistics and highlights:

60 total incidents, 35 were self-initiated, 25 of which were public demand, and 6 reports taken, 14 traffic stops, and 9 citations. Contract hours: 135 expected and provided is 144 hours for the month. Second page of the report has the campaign for #9PMROUTINE a way to get people in the mindset for "Lock Up, Turn On, Bring In; encouraging people to turn on exterior lights, secure their homes, and making sure valuables are removed from vehicles.

- May 7th there was a DUI on Front Street and Main Street resulting from a traffic stop.
- May 9th, an incident at 104 Mill Street at the apartment building where a 2-year-old child fell from the second story window. Transported by ambulance with non-life-threatening injuries. Amber **Morgan** an administrator on the Gaston Community Page-Oregon is offering free window locks.
- On the 9th at 103 3rd Street arrested a female with an outstanding warrant from a pedestrian stop.
- On May 30th, 2nd and Church (same female as on the 9th) was arrested again for failing to take care of the same issue in which she was arrested from before on the 9th.

Deputy **Richards** explained he assisted investigations with Salem Police, Marion County Sherriff's and State Police in the recent double homicide that took place outside a property near Gaston. Working on locating and arresting one of the remaining home burglary suspects that occurred throughout town. Councilor **Carver** noted on the Gaston Facebook page that someone wanted to take their kid swimming at the river near the local bridge and it appears that someone is living under there. Deputy **Richards** discussed there have been many complaints of homeless people and camps in that area but, as of yesterday there is nobody staying down there and should be no trash in the area.

City Clerk: City Clerk **Bregante-Candau** provided her report with the following:

(verbatim at this time)

*City Clerk **Bregante-Candau:** Once again I'm filing a complaint to the lack of professionalism from Councilor **Bill Martin.** (handing Mayor **Meeker** a written complaint)*

*Mayor **Meeker:** Thank you.*

*City Clerk **Bregante-Candau:** I do hope that Council takes this very very seriously. In my attempts to retain a DRC for the City, I've been told "I will not touch the City with at 12-foot pole." That is the impression we are giving. Everyone around us with the comments made in the news, with everything that's going on with our City Council meetings were the way people are behaving at City Hall and outside of City Hall. I want to remind everybody that we represent the City, the City is liable for our actions and the things that we say.*

*Councilor **Martin:** Well you know—*

*City Clerk **Bregante-Candau:** Uhm this is my report, I'm not to be interrupted.*

*Mayor **Meeker:** Don't interrupt, don't interrupt please.*

- Small Cities Allotment Grant: City Clerk **Bregante-Candau** passed around copies of the City's Allotment Grant requesting advice from the Council on a selection to apply for this year for street improvements.
- Safe Routes to School: A schedule is included for Safe Routes to School-Cottonwood Street Project that being the project the City is working on for this year. The City engineers are working on locates and surveying Cottonwood Street. Attached is the schedule which requires quarterly reports to be submitted to ODOT.
- 3rd Street Connectivity Improvement Project: The City is still waiting to hear back from CDBG on the Waiver of Evaluations. The stormwater report is being submitted to NOAA (National Oceanic Atmospheric Administration) for review and approval as a requirement for the project. The City will need to authorize an amendment to the original contract prepared by the engineer and will be presented to Council for approval.
- Oregon Park and Recreation Grant: This is for the Local Government Grant Program and will be making a presentation on June 19th in Salem. This is to put a sidewalk on E. Main Street and pathways through Brown Park to the dirt and gravel area at 104 Onion Lane.
- Safe Routes to School Project Identification Program: Submitted a grant application on May 31st in hopes the City can receive engineer plans and design providing a walking path from Country Mobile Estates to Cottonwood Street.

- E. Main Street: City Clerk **Bregante-Candau** is trying to work out plans repairing E. Main Street with FHWA emergency monies awarded to the City. The City's Engineer Jason **Wuertz** will be working with ODOT trying to get the project moving. A reimbursement request was sent in to recoup monies that was spent for repairing E. Main Street back in 2016 and 2017.
- State Preparedness and Incident Response Group Grant: The City was awarded this grant and is receiving a portable power generator. The generator is set up to provide power to both pump stations during power outages. It will require \$8,697 to wire the pump at the Mill Street location but can be used immediately at the Costelloe Drive pump station.
- Governors Metro Regional Solutions Team: Met with the Governors Metro Regional Solutions Team on June 6th and discussed projects Gaston is undertaking. They can help assist the City with establishing contacts and helping project run smoothly by establishing better communication with State, County and Federal entities.
- Welcome to Gaston Sign: The manufacturing class at the high school is working on the sign and should be installed soon. Mr. **Simms** indicated that the sign should be complete by this month or early next month. R&B Tree Services pruned the area for free as a donation to the project and also stated if there are issues with visibility of the sign, to contact him and he will fix it again for free.
- Municipal Court and the City website is good.

Mayor **Meeker** reported that he fixed the mower and is operating fine, mowing the softball field and little league field. The next task is to get the irrigation for the field working to prepare the field for the car show in August. Mayor **Meeker** called for any Council or Committee reports with none being heard.

Recorders Report: Recorder **Blanchette** reported her report with the following:

- Forfeiture Funds: Recorder **Blanchette** reported the source of the City's forfeiture monies could be from 1993 but is unable to confirm that at this time. Audit reports were checked but cannot confirm the 1993 date. The City Attorney is continuing his research with trying to use these funds.
- Financials: The City's budget for 2019-2020 will have less than expected carry-over amounts in the General Fund and Water Fund. This will require a supplemental budget after June 30th.
- Gaston Rural Fire District: The Fire Department is trying to obtain an elevation certificate for their seismic grant. This has been forwarded to the City Planner for more research.
- Insurance Renewals: Insurance renewals are complete with new stipulations required by City County Insurance Company due to the ongoing personnel issues at City Hall changing the liability deductible to \$10,000 per occurrence for liability coverage, designate a Council member as Staff Supervisor, designate one staff member as the designated person to contact CIS for staff/employment related issues, create a complaint procedures and require staff and Council to participate in a facilitation training scheduled for Friday June 28th.
- Habitat for Humanity will be holding a home preservation project called a "Brush of Kindness" that will occur in Gaston on July 27th. This event will provide those with low-moderate income assistance with yardwork and painting to address issues to make homes safer, more secure, and enable homeowners to remain in their homes longer. Volunteers are needed and if anyone is interested to contact City Hall for more information.
- Training: A free training is being offered by SkillPath due to the cancellation of the excel training in February later rescheduling it to April. The training selected is "The Indispensable Assistant Seminar" occurring on August 26th. Training is also scheduled in September to attend the Oregon Association of Municipal Records annual conference in September
- Telephone Franchise Agreement: The City is correcting the issue with its franchise agreement held with Frontier Communications due to the agreement expiring several years ago. This is due to restructuring and staff changes at Frontier. This agreement was originally made with The Telephone Company of the Northwest in 1993. Also, as a reminder the City agreed to terminate the franchise agreement with Waste Management in 2017 that requires a five-year cancellation clause to enter into a franchise agreement with a different waste collection company.

VI. CITIZEN COMMUNICATIONS:

Mayor **Meeker** called for Citizen Communication with Brent **Whittaker** explaining back in 2016, the City set up a Facebook page for the City of Gaston through his personal user account and is asking the Council to have IT get in contact with him to separate the two and transfer ownership of the Facebook page to the City.

VII. PRESENTATIONS: Mayor **Meeker** called for presentations from the audience or Council. None heard.

VIII. CONSENT AGENDA

Mayor **Meeker** called for a motion to approve the consent agenda with for the bills payable for June as \$41,669.96 with February 13th Public Hearing minutes and Regular Session minutes April 10, 2019 Regular Session minutes. Motion made by Councilor **Richter** and seconded by Councilor **DePiero** approving the consent agenda. Motion carried. Aye votes heard from: **DePiero, Martin, Meeker, Branch, Carver, and Richter**. Nay: 0.

IX. NEW BUSINESS:

- **Resolution 19-004 A Resolution Declaring the City's Election to Receive State Funds**
- **Resolution 19-005 A Resolution Imposing and Categorizing Taxes,**
- **Resolution 19-006 A Resolution Adopting the Budget and Making Appropriations:** Mayor **Meeker** announced the Council if they wish, may adopt these Resolution in one motion with Mayor **Meeker** calling for a motion to approve. Councilor **DePiero** motioned to approve Resolution 19-004, 19-005, and 19-006 with second heard from Councilor **Richter**. Motion carried with aye votes heard by: **DePiero, Martin, Meeker, Branch, Carver, and Richter**. Nay: None.

X. OLD BUSINESS:

- **Job Description Update:** City Recorder **Blanchette** explained to Council the City is working with CIS on updating the City's handbook and will be assisting the City with updating job descriptions and SOP's. Recorder **Blanchette** will provide Council with printed copies of the draft-updated copy of the handbook.

Councilor **Branch** asked Mayor **Meeker** to read aloud the letter of interest statements submitted by the three interested individuals wishing to serve on City Council. (*verbatim at this time*)

Councilor Branch: Mr. Mayor, would it be okay if I just read the letter of interest statements so that it's on record because they're quite different? For the Council position?

Mayor Meeker: I think we can all read the paperwork, but if you want. Sure.

Councilor Branch: So that it's out there.

Mayor Meeker: If you want sure, we'll make room for that.

Councilor Branch: Letter of interest by Tony Hall, "I'm interested in filling position number two with a term that ends 12/31/2020. I accept Mayor Meeker's appointment to Council. I look forward to the Council's confirmation of the position." Adam-Ross Branch submitted for Council position number two he states, "I have extensive experience working with businesses in risk-mitigation on such topics as general liability, cyber liability, employment practices, liability, fiduciary liability, crime and pollution. I also serve on several boards ranging from well run operations to those who are building after significant operational disruptions. Currently my roles allow me to serve a wider community, but I would love the opportunity to make a difference in the community in which I live." And Brent Whittaker submitted for Council position number two "The purpose of this letter is to express my interest in the vacant city council seat with the cumulative experience of my previous employment with the City of Gaston as well as years of management and board experience. I would ask that the Council carefully consider my eligibility for the position. My intent is to help lead the city to a more efficient and professional government organization as well as represent the citizens of our community as the City grows. I believe that it is important for an elected or appointed official to

work diligently to seek solutions that are best for the community as a whole and not allow one's self to be marred down by personal or special interests. I look forward to any questions you may have." Thank you.

- X. COMPLAINTS:** Mayor **Meeker** called for any complaints from Council or the audience at this time. Gaston resident Rick **Lorenz** at 106 2nd Street addressed the Council with a written complaint submitting it to the Council regarding 16 chickens and one duck allegedly at the location that is producing an odor, encourages rats and mice infestation to the surrounding properties and is requesting the Council to act against it since it is in violation of City ordinance. Brent **Whittaker**, Gaston resident confirmed the issue with the odor and explained this issue is ongoing and needs to be remedied. Deputy **Richards** recommends the Council declare it a violation and if nothing is done within 10 days, he will start issuing citations. Mayor **Meeker** called for a motion to declare 104 2nd Street it in violation of Ordinance No. 2012-01. Councilor **Martin** motioned to declare 104 2nd Street in violation of the ordinance. Motion seconded by Councilor **DePiero**. Motion carried with aye votes from: **DePiero, Martin, Meeker, Branch, Carver, and Richter**. Nay: 0. Rick **Lorenz** also inquired about a complaint regarding dead poplar trees with his neighbor noticing some trees were cut down but not all of them. Brent **Whittaker** replied that in dealing with the complaint previously, it was discussed to address the dead ones, not all the trees. Brent **Whittaker** also recommended the Council note the property owner was supposed to cut the roots behind the curb and do the repairs to the streets where it has buckled up stating he had several conversations on it regarding this issue.

New—

Old—

Councilor **Branch** informed audience members that after the executive session, they are welcome to return to the meeting.

- XI. EXECUTIVE SESSION: ORS 192.660(2)(a)** to Consider the Employment of a Public Officer, Employee, Staff Member or Individual Agent. Mayor **Meeker** closed the regular meeting at 7:44PM reading the executive session disclosure statement. Mayor **Meeker** reconvened the regular meeting at 8:01PM after closing the Executive Session.

Discussion heard of the Facilitations Training scheduled for Friday June 28th from 8AM to 5PM and what this training will address. Also discussed is Councilor **Martin's** concern with the complaints lodged against him and Mayor **Meeker** with a consensus heard by Council there will be a resolution to complaints filed and a process in how these complaints are being investigated at the upcoming Training as well as encourage those wanting to serve on City Council attend the training. Recorder **Blanchette** asked Council what foods during the training do they want with the Council with a consensus having the Gaston Market provide sandwiches for lunch, muffins, fruits, and coffee from Scoggins Creek Coffee. The Recorder will follow up with final food selections through email.

Discussion of the employee applicants for the Public Works Director lead by Councilor **Branch** resulting in a mutual consensus made by Council having the Mayor call all applicants and conduct phone interviews; requiring the eligible candidate to relocate within 20 miles of Gaston and the agreed upon wages from the posted recruitment flyers.

- XII. ADJOURNMENT:** Councilor **Richter** motioned to close the meeting at 8:20PM, second heard by Councilor **DePiero**. Aye: 6, Nay: 0. Meeting adjourned.



Mayor David Meeker

Attest:



City Recorder Wenonah Blanchette