

**June 14, 2017
Regular Session
City of Gaston**

Present: Mayor Tony **Hall**, Jerry **Spaulding**, David **Meeker**, Chris **Jeffries**, Don **Richter**, and Bill **Martin**

Absent: Rod **Hale**

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

Others in attendance are recorded on the sign up sheet. (attached)

I. Mayor Tony **Hall** called the regular meeting to order at 7:09 PM.

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

Councilor Jerry **Spaulding**: present

Councilor David **Meeker**: present

Mayor Tony **Hall**: present

Councilor Chris **Jeffries**: present

Councilor Rod **Hale**: absent (excused)

Councilor Don **Richter**: present

Councilor Bill **Martin**: present

III. ADDITIONS/CHANGES OR CORRECTIONS:

Mayor **Hall** noted the addition of Screaming Chicken request under Citizen Communication and Protection One proposal under Old Business. The Council would hold an Executive Session on real estate acquisition.

IV. STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:

• **Staff Reports**

Police: Deputy **Wormington** reported the May 2017 statistics: 8 total incidents, 20 call in or public demand, 16 self-initiated calls, 1 arrest, 20 stops, and 7 citations. Contract hours: 132.85 hours expected, 175.5 hours supplied. On May 4, a hit and run crash occurred on Front Street and East Main. Male driver fled northbound on foot where he was later located and arrested; he had a suspended driver's license and no insurance. On May 18, a juvenile threw a large stick across a roadway, hitting a neighboring vehicle by the school. The juvenile and car owner reached a civil compromise. On May 19, a domestic argument, called in as physical but actually verbal, occurred near Mill Street and Front Street involving a reportedly missing and endangered female out of Portland and the male who reported her. The parties were on drugs and separated with no crimes identified at the time.

Deputy **Wormington** referenced the memo attached to Public Works Director **Whittaker's** letter. He would start doing a regular summary of what was going on in the neighborhoods to give the local residents an idea of what the police were doing. With the Council's permission, he would work with City staff to update the City's Facebook page and website. **The Council** agreed by consensus that Deputy **Wormington** could do so.

Deputy **Wormington** responded to Council questions. He has put in a request for the radar trailer, now that school was out. He would report on the stolen car incident next month, but the police did have good evidence currently being processed.

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

- **Lighting Upgrade:** Public Works Director **Whittaker** presented a bid from Five-Star Electric to do a lighting upgrade this month in the offices and break room for \$2,995. He reported an almost \$100 reduction in the City's electric bill since installing prior lighting upgrades. The proposed lighting upgrade would see the most immediate result in the City's electric bill, as this area had the most light fixtures. Five-Star Electric has not provided a bid yet for the South Shop, but he would install a safety light in there at a minimum.

Councilor **Meeker** asked that emergency exit lighting for the signs over the doors be added to the Five-Star bid for the South Shop.

Public Works Director **Whittaker** responded to Council questions. He confirmed the December quote from Five-Star was still good, although the incentives might have changed. If the incentives were still there, he would proceed, and if not, then he would return to Council. Recorder **Blanchette** concurred funds were available for the project in the next fiscal year budget. Public Works Director **Whittaker** stated the break room was used every day. With the lighting fixtures in the break room going out, the City could continue either to repair and replace the fluorescent lights or change to LED lighting, which would last for 10 to 20 years.

Mayor **Hall** noted the Council already agreed in previous meetings to replace all the lighting in the building. Staff has been doing so over time instead of all at once.

Motion by David **Meeker**, seconded by Jerry **Spaulding**, to "approve the Five-Star Electric emergency lights, office vector lighting, and break room lighting contract." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

- **Water Loss:** Public Works Director **Whittaker** explained the reduction in water loss this month was due to a repair done on Trail Street at Park Street. Mayor **Hall** noted the City has seen roughly a 35% to 36% reduction in water loss since Mr. **Whittaker** has been here. He asked what was **Whittaker's** projection for water loss reduction over the next six months to a year. Public Works Director **Whittaker** said if he could reduce water loss by 200,000 gallons a month, he could reach his goal of less than 10% water loss by the end of this calendar year.
- **Dugouts:** Public Works Director **Whittaker** reported receiving word today the City's plans for the dugouts were out of review and into permitting. The City's insurance company approved the increased project cost to just over \$49,000 with the addition of the engineering Washington County required on the dugouts.
- **Fire hydrants:** Public Works Director **Whittaker** reported Deputy Wormington found Gaston Ordinance 125 which regarding construction and development that allowed usage of the fire hydrants for construction if the hydrant was metered and back flowed. Ordinance 125 along with Ordinance 106 meant P&C Contractors were clear to go. He has given the company the green light. He would approve the installation of the water meter and backflow device the company was currently procuring. Therefore, the Council could strike the suggested motion on page 10.

Public Works Director **Whittaker** responded to Council questions. He has tested the fire hydrant and found it in good working order with no leakage, but could also seal it. He would monitor the fire hydrant daily and put a zip tie seal on the meter to give the City the ability to lock it.

- **Elected Official Questionnaire:** Public Works Director **Whittaker** explained, while filling out the questionnaire was completely optional, he would like to include information on where Councilors stood on issues on the City's website, Facebook page,

and newsletter. His intent was to help people become more acquainted with what the City did and why it did it.

- **Tractor:** Public Works Director **Whittaker** noted Councilor **Richter**'s suggestion the City purchase a bigger tractor than he requested. He preferred the L2501 HST from Kaboda for \$26,491 at 0% interest for 60 months. He did not see any reason to stretch the payments out to 72 or 84 months with 10% or 20% down.
- **Community Engagement Coordinator:** Public Works Director **Whittaker** encouraged the Council to look into the feasibility of hiring a community engagement coordinator next year. The position was an outreach to businesses, community development, and economic development. He would be willing to sacrifice some of his approved Public Works part-time hours to hire someone to work on organizing City events aimed at growth, beautification, and community enrichment. Mayor **Hall** suggested looking at that position after the audits were done in August.
- **Motions:** Public Works Director **Whittaker** presented a series of motions for Council vote.

Motion by Chris **Jeffries**, seconded by David **Meeker**, to "direct Brent **Whittaker** to notify the water customers listed on Exhibit 1A, The Backflow Installation, by certified letter, requiring installation of a backflow preventer in compliance with the State cross-connection requirements for public water systems." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

Motion by Chris **Jeffries**, seconded by Jerry **Spaulding**, to "direct Brent **Whittaker** to notify the water customers listed on Exhibit 1B, Auxiliary Water Source, by certified letter, requiring installation of a backflow preventer in compliance with the State cross-connection requirements for public water systems." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

Public Works Director **Whittaker** reported he spoke with the property owner on Olson Road, who assured him she would take care of the problem. He recommended still sending the letter to put the directive in place. If the problem was not addressed, he would hire it done and bill the property owner.

Motion by Chris **Jeffries**, seconded by David **Meeker**, to "direct Brent **Whittaker** to notify the owner of the real property at 29875 NW Olson Road, Gaston, OR, by certified letter, of a violation of Ordinance 97, Section 18, concerning grass/shrubbery, weeds, and noxious growth." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

Motion by Chris **Jeffries**, seconded by Don **Richter**, to "direct Brent **Whittaker** to contract the tree and shrub removal from the intersection of Trail and Church and charge the cost of abatement and administrative overhead charge to the owner of 200 Trail Street." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

Public Works Director **Whittaker** suggested purchasing the Kaboda at \$26,000. He needed a backhoe and a front loader because he had to hire a contractor at \$1,000 to \$2,000 per job when he needed either one.

Public Works Director **Whittaker** responded to Council questions as follows:

- It cost \$500 to \$700 to rent tractors or excavators. He would have to show certification to rent heavy equipment the size he needed, which he did not have.
 - Councilor **Richter** knew of a place to rent a tractor with an attachment for half that cost, and the company provided a trailer to transport the tractor.
- The monthly payment for the Kaboda tractor over 60 months at 0% interest with no down payment was \$433.32, per Mario DePiero's calculations.

- The monthly payment fit within his budget, as it would be paid out over five to seven years.
- The uses for the tractor included excavating, spreading woodchips and dirt, maintaining City storm drains and ditches, transporting gravel during the winter, and functioning as a snowplow and street sweeper with the attachments.

Councilor **Richter** believed the Kaboda was a four-wheel drive unit. Given the reasons **Whittaker** mentioned, he believed the City should invest in a bigger tractor with a bigger bucket and backhoe that would lift 800 to 1,000 pounds. Mayor **Hall** noted Councilor Richter was a big equipment owner and has been in the business for many years. Councilor **Spaulding** commented he found it ridiculous not to have a loader and a backhoe in a city. Mayor **Hall** pointed out the backhoe would enable staff to load the City's heavy equipment attachments on a trailer or truck for maintenance.

Councilor **Richter** said the City needed to determine what the capacity of a tractor was with respect to front-end load weight and lifting height and to the backhoe. Councilor **Spaulding** suggested forming a committee with Councilor **Richter** as chair to research tractors and decide what was appropriate.

Mayor **Hall** suggested purchasing a mower attachment as a backup for the park mower when it needed repairs. Councilor **Richter** commented the City could pick up attachments later as staff needed them. He observed the big mower attachment was not as precise as the little mower but it would do the job in keeping the grass down.

The Council agreed by consensus to form a Tractor Committee. Councilors **Spaulding, Meeker, and Richter** volunteered to serve on it. Mayor **Hall** appointed Councilor **Richter** as chair.

Public Works Director **Whittaker** said the City was responsible for decommissioning the police cars before getting rid of them. He noted the Council has already moved to surplus them. He had decommissioning quotes from Bob **Jolly** for \$1,000 to \$1,500 and from Washington County for \$1,800 to \$1,900. The City would not get that dollar value out of the cars. He clarified decommissioning meant removing all the police equipment to prepare them for auction.

The Council discussed decommissioning the police cars. Councilor **Jeffries** indicated to Councilor **Richter** the City had to decommission the cars even if the City donated the cars to charity. Councilor **Meeker** asked how soon the City needed to get rid of the cars. Public Works Director **Whittaker** said the only cost of ownership right now was storage space and insurance. He noted they could use the white one as an occasional decoy.

Mayor **Hall** reminded the Council his study on the cost of potentially hiring its own police officers was still in progress. The City of Carlton could provide figures on hiring. A Yamhill City Council member told the Mayor a small city in Yamhill County has also approached the Yamhill County Sheriff's Department for the same kinds of services at a cost considerably less than Gaston was paying now. He noted the lights and other equipment on the cars, except the radios, were obsolete.

Public Works Director **Whittaker** said he could hook up all the Ford tractor implements to the Kaboda he wanted to keep.

Motion by David **Meeker**, seconded by Don **Richter**, "to surplus the Ford tractor and prepare it for auction." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

Councilor **Meeker** asked what the timeline was to accomplish this task. Public Works Director **Whittaker** said he would contact the State surplus to auction all the surplus equipment, as the State got a better turnout than Gaston would, even at the car show. He reported a contractor

doing some work for the City offered \$5,000 for this unique tractor, but the City had to put it through the auction process.

- **Reservoir:** Public Works Director **Whittaker** reported staff found out today someone had jumped the fence at the reservoir, tore the lock off the ladder, ascended the tower, and accessed the top. There was no evidence the perpetrators got into the water or put anything into the water. From the footprints found, he suspected juveniles. He turned over the evidence and names to Deputy **Wormington**, who collected more evidence on site.

Public Works Director **Whittaker** said he replaced the lightweight metal lock with heavy-duty padlocks. Mayor **Hall** asked what the threat assessment was. Officer **Wormington** said there was no evidence of contamination, only trespassing. Public Works Director **Whittaker** suggested setting up surveillance at the reservoir with a couple of well-placed motion-activated trail cameras. He confirmed he put in a substantial 3/8 inch steel padlock.

City Clerk Report: City Clerk **Bregante-Candau** addressed additional items to her written report. She reported an ODOT investigator came out regarding the parking height limits on Hwy 47. He said it was a perceived safety issue rather than an actual safety issue, but he would approve it and the City could pursue it, if desired. The ODOT investigator suggested the City inform all the business owners. She spoke with the Mayor yesterday and sent out letters stating what the City would like to do and invited input.

Mayor **Hall** mentioned speaking with one of the property owners of the market who indicated he was not interested in the issue. Recorder **Blanchette** reported Jeff **Rasmussen** discussed the issue with her and would respond regarding the letter. Mayor **Hall** commented it was important to listen to the business people on what they wanted because of the parking shortage in that area. City Clerk **Bregante-Candau** noted the ODOT investigator said if the City proceeded without getting feedback from the business owners, any and all complaints would be directed towards the City, and the City should address any feedback before proceeding.

City Clerk **Bregante-Candau** said the ODOT investigator stated the area could have a two-hour parking permit. Councilor **Richter** did not think anyone parked down there for more than two hours. Mayor **Hall** recalled from his past conversations with the Gaston Market property owners, their complaints about the parking and people going to the establishment next door. He believed a two-hour parking permit was appropriate.

City Clerk **Bregante-Candau** stated the ODOT investigator said the City should update the yellow on the curbs to make sure people were not parking too close to the curb. Updating the curbs in combination with Deputy **Wormington** enforcing not parking in the yellow areas would also help significantly.

City Recorder: Recorder **Blanchette** discussed the additional item to her written report. She received approval for the electronic ACH payments. Installation of the system template and training should be completed by the end of the month. She has been reviewing the ordinances and resolutions with the intent of compiling them to create a fully codified version. Some items adopted by resolution should probably have been adopted by ordinance and might require consolidation. Her review of the 1975 to 2000 minutes found 35 missing ordinances, most of which were probably repealed, removed, and thrown away but she was looking for them. She reported putting all the resolutions from 1975 forward into one binder for reference purposes. She confirmed, once codified, the ordinances and resolutions would be in a searchable electronic format and on the website.

Supervisor Report: Mayor **Hall** reported on the meeting he and Councilor **Spaulding** attended with Congresswoman **Bonamici** last week. She was most interested in the development

of the game refuge and the Yamhill trail system. Representatives from Clean Water Services and the game refuge also attended. He spoke with a representative from an organization about grant funding for development for which the City might be eligible.

Councilor **Spaulding** recalled talking about building a bridge that would provide access from Gaston to the game reserve instead of where it was originally intended to be built. Mayor **Hall** said they talked about funding the bridge through a grant process of \$3.5 million for development of the game refuge, including upgrading the pump systems and infrastructure.

V. CITIZEN COMMUNICATION:

- **Susie McKenzie, Gaston School Superintendent—Request for P&C Contractors to use Fire Hydrant during School Bond Projects**

Ms. **McKenzie** referenced her letter asking for Council permission for the P&C contractors to put a meter on the hydrant at Mill and Second and use it to fill their water truck during construction. Mayor **Hall** said staff's research found an ordinance that authorized this use. The Council addressed the matter at its work session earlier.

Public Works Director **Whittaker** clarified the ordinance did not require a permit but it did require the user to put a backflow device and a water meter on the pipe. The contractor needed to set up an account with the City; they would be billed at the full standard pipe rate because it was a bulk outlet. He would monitor the usage daily but only record it during his normal meter route. He concurred with Ms. McKenzie that allowing the contractor to use the fire hydrant would lessen the traffic congestion. He clarified the meter was a 3-inch side stem off the hydrant.

Mayor **Hall** said the request has been approved by himself and the Public Works Director.

Mario **Depiero**, Gaston City Resident, asked what kind of double check the City would use on the hydrant. Public Works Director **Whittaker** said the usage was subject to his approval. He would also check with the City's DRC, Richard **Howard** from Yamhill, who was also a cross-connection specialist. He would appreciate any input from **Depiero** as a licensed plumber. He noted the checks were needed because of the possibility of someone illegally filling up his/her truck with City water and not paying for it.

- **Screaming Chicken regarding liquor license**

Janette from the Screamin Chicken Diner said she wanted to get a beer and wine license limited to on premise sales. She explained, due to customer requests, she wanted to enhance her customers' dining experience by upgrading the menu to include a glass of wine or a beer with dinner. She emphasized she did not want to turn the Screaming Chicken into a bar and would only sell beer and wine with a meal. She asked the Council to recommend approval of her request, as required by the OLCC license application.

She responded to Council questions, stating she was willing to put a limit on the amount sold. The cost per employee for OLCC training was \$100, which the restaurant would absorb. She would be the in-house regulator, as she was familiar with the process, having run a bar in the past and worked in restaurants that sold beer and wine.

Motion by **Chris Jeffries**, seconded by **Jerry Spaulding**, to "approve beer and wine sales on site at the Screaming Chicken. Motion carried unanimously." Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

Mayor **Hall** confirmed the City wanted a copy of the full application.

VI. PRESENTATIONS: None

VII. CONSENT AGENDA:

- Bills Payable for June 2017 in the amount of \$81,503.78
- Minutes for Work Session, ~~March 8,~~ **May 10,** 2017
- Minutes for Regular Session, ~~March 8,~~ **May 10,** 2017

Councilor **Martin** noted the minutes date should be May 10 instead of March 8.

Motion by David **Meeker**, seconded by Bill **Martin**, to adopt the Consent Agenda with the minutes as corrected. Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin.** Nays: 0

NEW BUSINESS

VIII. Reconsideration of Nuisance Ordinance – No. 2017-001

Recorder **Blanchette** distributed copies of the comments from the City Attorney regarding the nuisance ordinance reviewed by Council in 2015.

Councilor **Meeker** noted a spelling error on Page 3, Discarded Vehicles, Item 2b: ~~wrecked~~ **wrecked.**

Mayor **Hall**, as Staff Supervisor, recommended the Council accept the revisions to the City's nuisance ordinance as suggested by the City Attorney. He explained the Council would vote to approve the ordinance once the revisions were made.

The Council agreed by consensus to direct the City Attorney to revise the nuisance ordinance.

IX. Resolution 17-005: A Resolution Declaring the City's Election to Receive State-shared Revenues

Motion by David **Meeker**, seconded by Don **Richter**, to "approve Resolution 17-005, A Resolution Declaring the City's Election to Receive State-shared Revenues for Fiscal Year 2017-2018." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin.** Nays: 0

X. Resolution 17-006: A Resolution Imposing and Categorizing Taxes for Fiscal Year 2017-2018

Motion by David **Meeker**, seconded by Don **Richter**, "to approve Resolution 17-006, A Resolution Imposing and Categorizing Taxes for Fiscal Year 2017-2018 at a tax rate of \$6.6146 per \$1,000 of assessed value. Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin.**" Nays: 0

XI. Resolution 17-007: A Resolution Adopting a Budget and Making Appropriations for Fiscal Year 2017-2018

Motion by David **Meeker**, seconded by Bill **Martin**, to "approve Resolution 17-007, A Resolution Adopting a Budget and Making Appropriations for Fiscal Year 2017-2018 with the noted changes." Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin.** Nays: 0

OLD BUSINESS

XII. Garbage Franchise – ongoing, no additional updates

City Recorder **Blanchette** reported staff has sent the letter of termination to their current garbage hauler, which set off the four-year clock before the City could obtain a new garbage company. Staff would do an RFP before the end of the four years to see if there was interest from other garbage companies in the area.

XIII. Protection One/Security System Proposal

Isidoro **Toscano**, Protection One, answered questions from Council. The monthly lease was \$48 a month. The purchase price to own the system was \$3,526. The lease was for 36 months. If the Council wanted a five-year lease, the monthly fee would decrease by approximately \$10 a month. With a lease, Protection One would fix equipment malfunctions at no cost but not replace a working recorder just because it was old. The installation price for the lease option was \$1,820. Mayor **Hall** confirmed with Recorder **Blanchette** the budget had a line item specific for the security system.

The Council agreed by consensus to go with the lease option.

Public Works Director **Whittaker** pointed out going with a 36-month lease gave the City the opportunity to update the equipment at the end of three years. **The Council** agreed by consensus to go with a 36-month lease.

Motion by David **Meeker**, seconded by Chris **Jeffries**, to approve the Protection One proposal for a lease for 36 months. Motion carried unanimously. Ayes: **Spaulding, Meeker, Hall, Jeffries, Richter, and Martin**. Nays: 0

XIV. COMPLAINTS: None

XV. EXECUTIVE SESSION

Mayor **Hall** recessed the regular meeting to Executive Session at 8:43 p.m. pursuant to ORS 192.660(2) (e), to conduct deliberations with persons designated to negotiate real estate property transactions. He reminded the Councilors that this matter could not be discussed outside the meeting.

Mayor **Hall** closed the Executive Session at 8:59 p.m. and returned the meeting to Regular Session.

XVI. ADJOURNMENT: Mayor **Hall** asked for any further business, none heard. Meeting adjourned at 8:59 PM.

Mayor Tony Hall

Attest:

City Recorder Wenonah Blanchette