

**October 11, 2017  
Regular Session  
City of Gaston**

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

**Absent:** None

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

**I.** Mayor Tony **Hall** called the regular meeting to order at 7:04 PM.

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

Councilor Jerry **Spaulding**: present  
Councilor David **Meeker**: present  
Councilor Bill **Martin**: present  
Mayor Tony **Hall**: present  
Councilor Chris **Jeffries**: present  
Councilor Rod **Hale**: present  
Councilor Don **Richter**: present

**III. ADDITIONS/CHANGES OR CORRECTIONS:** None

**IV. STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:**

**Police:** Deputy **Wormington** reported the September 2017 statistics: 111 total incidents, 29 call ins, 82 self-initiated contacts, 2 arrests, 30 stops, and 10 citations. Contract hours: 128.5 hours expected, 145.5 hours provided. On September 19, a physical domestic near 3<sup>rd</sup> and Park Street in which a female assaulted her boyfriend and was arrested later that night for domestic assault. On September 21, there was a verbal domestic near Mill Street and Front, in which the male left the area before the police arrived. He had an active warrant and the police later located him at his apartment on his way to the Market. He was arrested without incident. On September 25, a verbal domestic near Mill and Front with no crimes identified. Information was provided to the female who obtained a restraining order, which Deputy **Wormington** served later in the day. On September 27, a hit and run crash near 3<sup>rd</sup> and Cottonwood. The suspect was known by the victim, but the police were not able to locate him at this time, so follow up was still in process. He submitted a request for the LI-DAR speed-measuring device, which he hoped to get soon. Since school started, he had been working mornings dealing with the traffic. The chaos of the morning drop offs had smoothed out now, but the streets around the school were very tight. The school provided some staff to help with traffic control. He responded to Council questions as follows:

- Park Street was marked off as ‘no construction parking,’ which the construction workers were respecting pretty well; however, the workers just parked the next street down and caused congestion there. There had been a couple littering complaints from residents along Park Street, but that was no different than any other school year.
- There were a couple of parking complaints throughout town about some trailers and boats, which the police tagged and were then moved off the street.
- Washington County noise ordinance prohibited construction noise after 10 pm and before 7 am. The construction workers had done a good job not starting until after 7 am, and they are gone by 4 pm. Sundays might have a start time an hour later, but he would have to check the ordinance.

**City Clerk:** Clerk **Bregante-Candau** discussed the following items to her staff report and responded to Council questions with these comments:

- The Washington County Coordinating Committee (WCCC) awarded Gaston a \$50,000 match for the Community Development Block Grant (CDBG) for the 3<sup>rd</sup> Street connectivity improvements. Based on staff research and contacts made, she was highly confident Gaston would receive the CDBG Grant. Letters of support were forwarded to ODOT for a \$50,000 Special Cities Allotment Grant, which she was also confident would also be granted.
  - She asked that a Councilor attend the monthly WCCC meetings as a Gaston representative. It was an opportunity to make contacts with the surrounding jurisdictions, which were very beneficial to the City, as Mayor **Hall** has done.
- Tomorrow, ODOT and the Federal Highway Administration would do an onsite visit of the restoration work on East Main St. City Engineer Erik **Hoovestol** would also be there. Staff hoped to see if Gaston was approved for its requested funding and if so, how much those agencies would cover, so the City could move forward.
- Grant writing training had been completed and was very helpful.
- Applying for the Transportation and Growth Management (TGM) Grant to fund the Transportation Master Plan update. The proposal from DKS & Associates to do the update was available for Council review.
- Staff met with Washington County transportation planners about using the Transportation Development Tax (TDT) and Transportation Improvement Funds (TIF) to fund the 3<sup>rd</sup> Street and Church Street projects.
- The Council needed to decide whether it wanted to purchase, install, and maintain the signs for the height limit on Front Street or enter into an agreement with ODOT to do those tasks.
- She met with Lynn **Burrell** of Amateur Radio Emergency Services (ARES/RACES) about emergency communications. She will look into grants to purchase emergency communications equipment per the list Ms. **Burrell** was sending.
- She confirmed she had been trained in CPR and how to use a defibrillator. If allowed, she could train City staff on using the City's defibrillator, which is mounted in a visible location.
- The City received an e-mail from Rover.com offering to provide two (2) dog waste bag dispensaries for the City's parks. Since the City did not allow animals at its parks, the question was whether Council wanted to have these installed somewhere else in the city.
- The amount of grant funds that could be used for administrative or technical purposes was proportional to the size of the grant and the amount of work. As long as the City could justify the expenditure for professional and employee services, grant funding would cover those expenses.
- To get funding for a Country Mobile Estates pathway for kids to walk to school safely, the City needed a pathway that was feasible. ODOT said putting a pathway along the highway would not work because it was in a flood zone. The pathway would be included in the Transportation Master Plan update, and DKS & Associates would work with ODOT or other agencies to get something figured out. The streets the City believed would be extended further had not done so, nor had the streets from the new development. Once the project was in the Transportation Master Plan, staff could apply for grant funding.

Mayor **Hall** proposed using part of the grant funding for administrative purposes could be a way to extend Clerk **Bregante-Candau's** hours to work on more grant issues.

**Public Works:** Public Works Director **Whittaker** discussed his written staff report and responded to Council questions with these comments:

- He distributed the water consumption and loss chart, noting the water loss jumped to 400,000 gallons in September, which was not unexpected, as staff knew much of the City's water loss came from unregistered water usage and slow, aging meters.

- Staff fixed two significant leaks on Trail Street and Costello Street, which accounted for an estimated 600,000 gallons a month. Resident at 202 Park Street has fixed a leak, which was on his side of the meter.
- Midco would provide the City with a DVD of the tank dive. Staff would request an EPA-approved report for the City's next annual summary. There was minor sediment in the tank, iron manganese, flowing through the system. The minor coating issues on the inside of the tank of bubbles in the white epoxy would need to be addressed within the next five years.
- Staff was still reviewing Cove Orchard water system, and he was invited to address the Cove Orchard Water Association (COWA) Board at its next meeting. The COWA system had some outdated elements, but it was a decent system.
- Obtaining three bids to fix East Main was not realistic, as the project cost more than \$100,000. The City needed to send it out to public bid, which required the City Engineer creating a scope of work to detail how to fix the infrastructure. Without the hydrology study, the City Engineer would be working blind in creating the scope of work. Staff could put the project out to public bid without knowing how to make the repairs or the City could proceed with the hydrology study.

Mayor **Hall** reminded that at last month's meeting, Council could not agree on which company to do the hydrology study. There have been unofficial complaints from the E, Main Street residents regarding major concerns about flooding in their homes if the City did not do the repairs correctly, so some Councilors had suggested opening a dialog with the residents.

Mayor **Hall** confirmed Council had approved the hydrology study. Councilor **Hale** noted any conversations with anybody, including contractors and residents, would be irrelevant and unsubstantiated until the City knew how to do the repairs correctly.

Councilor **Jeffries** stated she had serious issues with completing the hydrology study before ODOT and the FHWA assessed the damage, which was part of Clerk **Bregante-Candau's** meeting with those agencies tomorrow. It was not right to spend money until grants were considered and this was done. Councilor **Richter** concurred.

Clerk **Bregante-Candau** said there could possibly be funding for the hydrology study. The application form she filled out stated the funding was pro rata. She suggested the City have the agencies do their onsite visit before moving forward with anything else on E. Main. Council could meet next week after tomorrow's meeting, when Staff hoped to confirm whether federal funding would cover up to 80% of the complete restoration and to get all their questions answered. Mayor **Hall** stated he would also attend the meeting.

Councilor **Jeffries** noted the preliminary budget cost estimate, not including design work, was between \$325,000 and \$478,000. Staff was now saying the City potentially could recover 80% of the cost through grants. She stated she could not in good conscience vote to go through with anything until the City had complete information. Councilor **Spaulding** concurred.

**City Council** agreed to wait to move forward until the staff learned more from tomorrow's meeting with ODOT and the Federal Highway Administration.

Clerk **Bregante-Candau** stated she checked with ODOT and confirmed East Main did qualify for the federal funding controlled by ODOT.

Public Works Director **Whittaker** stated, no matter what happened, the City could not repave the road this winter; it would be next summer at best. Council needed to make a decision on this issue either tonight or in a special session following the meeting with ODOT and the Federal Highway Administration. If necessary, the Public Works budget could cover the \$25,000 for the hydrology study, but not the \$300,000 to \$478,000 estimated cost of the project. In order to get the funds to repair the road correctly, the City first needed the hydrology study, which was critical to getting the funds to do this wisely chosen project affecting the homes in the project area.

**City Council** consented to holding a special meeting next week depending on the information obtained at tomorrow's meeting with ODOT and the Federal Highway Administration.

Public Works Director **Whittaker** clarified the preliminary dollar amounts were estimates from industry standards.

Councilor **Hale** asked Public Works Director **Whittaker** to include last year's numbers on the water consumption and loss sheet at the next Council meeting.

Public Works Director **Whittaker** continued his staff report, stating Staff was waiting for a surveyor on the school easement project, and that staff ordered the roof repairs and signed the contract, but was just waiting on the scheduling. Staff also solicited a bid for rewiring the network, including a patch, as the system currently did not have a patch box.

- Staff was still working on hiring a part-time employee. Since the Public Works Director was not getting applications for the position at \$12 an hour, he asked if Council consider increasing the hourly wage to \$15 an hour.

Mayor **Hall** asked if Council wanted to use the seasonal part-time employee hours left over from the summer position for other city improvements. Public Works Director **Whittaker** suggested using the approximately 320 remaining hours to hire help for installing the water meters.

Clerk **Bregante-Candau** noted if Council wanted use funding from the Revolving Water Loan, the City would have to wait for that process to be approved to have the money to spend on replacing the water meters. It could take about three months for the approval to come through.

Mayor **Hall** suggested staying with the City's plan to obtain three loans over three years and pay off each loan each year. Over a three-year period, the City would be able to borrow enough funds to replace all the meters.

**City Council** discussed what hourly rate to pay the part-time help.

Councilors **Spaulding** and **Jeffries** supported \$15 per hour, which would attract more applicants. Mayor **Hall** confirmed the number of hours available depended on how much money was left in the fund.

Motion by Chris **Jeffries**, seconded by Jerry **Spaulding**, to increase the pay for temporary seasonal help for the Public Works Director to \$15 an hour. Motion passed 6-1. Ayes: **Spaulding, Meeker, Martin, Hall, Jeffries, and Richter**. Nays: **Hale**.

Public Works Director **Whittaker** explained the City's current computer system was very slow due to wiring issues. The Building Maintenance budget had sufficient money to cover the \$1,400 for the network rewiring.

Motion by Councilor **Jeffries**, seconded by Councilor **Meeker**, to contract with Five Star Electric to complete the work for the network rewiring for the amount of \$1,400. Motion passed unanimously. Ayes: **Spaulding, Meeker, Martin, Hall, Jeffries, Hale, and Richter**. Nays: 0.

**City Recorder:** Recorder **Blanchette** reviewed the following items to her staff report and responded to Council questions:

- While the electronic payment system was working well, she was having a little difficulty reconciling the bank accounts because payments processed at different times.
- Completing the audit work would allow the City to access grants because a big issue with grant funding was the City using its finances adequately and correctly.
- The Councilor attendance summary showed an accurate representation of Councilor attendance beginning a year ago in September 2016. The Council needed to set what month-to-month range the members wanted to use to track the attendance.

Councilor **Jeffries** noted there were work sessions she was not able to attend because they started so early, yet she was marked absent for the regular session. Recorder **Blanchette** explained there was confusion about excused and unexcused absences. The Council needed to state clearly at each meeting whether an absence was excused or unexcused so she could hear it on the record.

Mayor **Hall** noted the Council Procedures required the Council to decide during the meeting what absences were excused or unexcused.

Recorder **Blanchette** clarified she withdrew the City from the US Bank SinglePoint Essentials after learning that the City could not process electronic payments through the program.

## V. CITIZEN COMMUNICATION:

Lewis **Miller**, Location Manager, Mid-Columbia Bus, stated his company handled the Gaston, Yamhill-Carlton School Districts' transportation. With respect to the vehicle traffic issues on Park and 3<sup>rd</sup> Streets, if there was parking on both sides of the street and a school bus came down the road, the street essentially became a one-lane road. If parents tried to come through anyway, it became very tight. In addition, the parking above 3<sup>rd</sup> Street did not allow for the 3 feet of clearance school buses needed to make the sharp left-hand turn into the school. School buses have tagged a car on the street. He requested that Council to restrict or stop parking during school drop off and pick up hours on Park Street from 3<sup>rd</sup> Street up to the end of the school to open up the road for bus drivers. It would be preferable to clear Park Street for another block to the south to make sure the buses had room. He did not know what to do about the parking on 3<sup>rd</sup> Street because the road was simply too narrow.

Councilor **Jeffries** noted many of the houses on 3<sup>rd</sup> Street and Park Street had no driveways to use for parking.

Councilor **Spaulding** cited his experience as a school bus driver in missing cars by inches, especially making the left-hand turn into the school. If Council did not restrict the parking on Park Street, there would be accidents all year. Mr. **Lewis** explained how bus drivers could lose their jobs over accidents.

Councilor **Hale** suggested restricting parking in the turning radius of the buses during the requested times, as blocking off the whole street was unrealistic. Councilor **Spaulding** observed the problem was not resident parking but rather construction parking.

Suggestions were made to sign the area with temporary no parking and to partner with the construction company to cone the area off

Deputy **Wormington** reported the car that was hit was a homeowner's car. If the area was going to be blocked off, it needed to be blocked off permanently. He has talked with the homeowner whose house had the main problem; the homeowner was no longer parking there. He offered to work with Public Works Director **Whittaker** to map the area out and put up temporary no parking barricades.

Clerk **Bregante-Candau** suggested limiting 3<sup>rd</sup> Street to buses and through traffic only in order to accommodate the people who lived there, adding the school buses needed to exit the school onto 3<sup>rd</sup> Street. The School District has already told parents not to use 3<sup>rd</sup> Street but rather, the outside roads. It was also a safety issue for the kids, as there was no sidewalk there.

Councilor **Jeffries** suggested Public Works Director **Whittaker** talk with the **Christians**, the homeowners, about making the front of their property no parking. She believed the **Christians** would work with the City. Limiting 3<sup>rd</sup> Street would not work because everybody was so used to using 3<sup>rd</sup> Street. She suggested all the buses come out on Park Street.

Mr. **Miller** stated the company was trying to route the buses to turn right to Cottonwood and then vacate the area, per the direction of the construction company and law enforcement, as opposed to the buses' current exit route of turning left on 3<sup>rd</sup> Street and going back to Park Street,.

Clerk **Bregante-Candau** observed the problem with the flow of traffic on 3<sup>rd</sup> Street was not the construction workers but rather parents not using the route the school told them to use to drop off students and using 3<sup>rd</sup> Street instead. The school did not have additional staff to direct traffic at that location. School staff was already trying to prevent people from going up the bus only lane or crossing the students over the road. She suggested asking the construction company to direct traffic.

Mayor **Hall** said the City needed to sign the area temporarily for no through traffic on 3<sup>rd</sup> Street. Councilor **Spaulding** added no parking on the right side of Park Street. Public Works Director **Whittaker** stated he would work with the construction company, as directing this traffic was the construction company's responsibility and not the City's. Councilor **Martin** doubted signing the street would prevent drivers from using 3<sup>rd</sup> Street. Deputy **Wormington** pointed out once the City put the signs in place, he could legally enforce the signs.

Motion by Councilor **Spaulding**, seconded by Councilor **Richter**, to put up a temporary no through traffic sign on 3<sup>rd</sup> Street. Motion passed unanimously. Ayes: **Spaulding, Meeker, Martin, Hall, Jeffries, Hale, and Richter**. Nays: 0.

Councilor **Jeffries** noted residents would have to show identification to go to their house with the street posted as no through traffic.

Motion by Councilor **Spaulding**, seconded by Councilor **Jeffries**, to put a temporary sign restricting parking on the right side of Park Street between 3<sup>rd</sup> Street and the school.

Motion by Councilor **Jeffries**, seconded by Councilor **Martin**, to amend the motion with the condition that the homeowner be notified.

**City Council** discussed what time limit to set for the parking restriction. Mr. **Miller** said the school buses were in and out of the school property at random times from 7:30 a.m. to 11:30 p.m., but the bulk of the traffic ended at 3:15 p.m.

Clerk **Bregante-Candau** suggested blocking off the right side of Park Street while buses were going into the school. Councilor **Spaulding** believed the construction company should regulate that traffic.

Mayor **Hall** summarized the Council's direction as having Public Works map the area, work with the bus company, school, and construction company, and act as the Public Works Director saw fit.

Motion passed unanimously. Ayes: **Spaulding, Meeker, Martin, Hall, Jeffries, Hale, and Richter**. Nays: 0.

## VI. PRESENTATIONS: None

## VII. CONSENT AGENDA:

- Bills Payable for October 2017
- Minutes for Regular Session, October 11, 2017
- Attendance Summary 2016-17

Motion by Councilor **Spaulding**, seconded by Councilor **Jeffries**, to approve the Consent Agenda with bills payable at \$17,488.46. Motion passed unanimously. Ayes: **Spaulding, Meeker, Martin, Hall, Jeffries, Hale, and Richter**. Nays: 0.

## VIII. NEW BUSINESS:

- No Parking on Park Street Request – This item was discussed under Citizen Communication
- Network Rewire for City Hall – This item was discussed under Public Works Director’s Report
- Scope of Work for Public Bid to Repair E. Main Street – This item was discussed under Public Works Director’s Report

## IX. OLD BUSINESS:

- Waste Management Recycle Program Survey Update

Public Works Director **Whittaker** reported he would have a final tally after the November 15 deadline, but currently, the responses of the close to 40 respondents was about even between Options 1 and 4. Options 2 and 3 would still be available to residents even if the City did not offer full yard debris.

## X. COMPLAINTS

- 205 2<sup>nd</sup> Street - vegetation in ROW Letter

Public Works Director **Whittaker** reported he informed Thomas **Jordan**, the property owner at 205 2<sup>nd</sup> Street, that the property owner, and not the City, was responsible for removing vegetation in the parking strip. Staff mailed a copy of the ordinance to Mr. Gordon and posted on the property. Mr. **Jordan** was arranging removal of the vegetation.

- 400 Front Street - Public Works Director

Public Works Director **Whittaker** reported a resident filed a complaint against him for shutting off the resident’s water due to non-payment on the account. Since he has been employed at the City, the homeowner has had her water shut off three times for non-payment. Prior to his time, the homeowner received 17 door hangers and no water shut off, but never paid on the door hangers either. This was an enforcement issue.

Mayor **Hall** asked if the Gift Program was available to the homeowner. Public Works Director **Whittaker** stated, while the homeowner could qualify for the Gift Program, the Gift Program stipulated the applicant applying proactively and not having late payments. He confirmed the Gift Program information was not included in the letter to the homeowner, but it would be in a future letter. He reviewed the Gift Program, and clarified the Program had a lot of flexibility and applications were handled quickly.

- 305 Cottonwood - Spoils from School District Construction

Mayor **Hall** mentioned his conversation with Mr. **Gilbert**, who owned four properties near the new school, regarding the construction issues at the new school and the amount of dirt, or spoils, the contractor was dumping on the school’s tax lot in the back.

David **Gilbert**, 305 Cottonwood Street, stated he has worked in commercial construction for 40 years and owned his own construction defect investigation company. He described how contractors prepared dirt for long-term storage, noting the contractor did not prepare the dirt dumped on the school property for the first six weeks. When the amount of dirt hit 100,000 cubic yards, he talked with Randy **Peterson**, the construction manager, and learned the property was outside the scope of Mr. **Peterson**’s drawing. About an hour and a half after Mr. **Gilbert** called Washington County to ask about the plans for the improperly placed and engineered dirt, the County red-tagged the property because the contractor had not pulled the permit to do anything with the property. When the dirt dumping resumed a week later, Mr. **Gilbert** wrote the letter to Washington County included in the Council packet to document what was happening and to protect the property owners downstream from the property. The concerns were the natural fault running through the area and the winter rains causing a dirt slide. After meeting with Mr. **Gilbert**, Washington County tied dealing with the dirt to the final occupancy permit for the

school building. Mr. **Gilbert** talked with Mr. **Peterson** again; P&C Equipment has spread some straw with some sort of rodent control, but the company has not done much else to the dirt.

- He asked the County about the 250-ton Euclid running down 3<sup>rd</sup> and Cottonwood, both of which were substandard streets; the County said that was a City of Gaston problem and to contact Gaston Public Works to inform the City that the heavy equipment destroyed the long-term life of Cottonwood in particular. His letter to the City was also in the Council packet.

Mayor **Hall** encouraged the Council to read both letters and thanked Mr. **Gilbert** for bringing this matter to the Council's attention.

Mr. **Gilbert** confirmed he has noticed the road getting worse since the contractors have been running the heavy equipment on it. Councilor **Martin** asked who in the City gave the contractor permission to run the heavy equipment on that road. Councilor **Richter** observed the City did not give permission to do so. Councilor **Jeffries** asked what has been done to stop the practice.

Public Works Director **Whittaker** stated his conversations with Mr. **Peterson** have focused on permitting and not transportation. Mr. **Peterson** told him he was working with Washington County and the permit was now tied to the final occupancy. He explained this has become a sticky conversation because the school instructed the contractor not to move forward with his proposal to move the dirt to the property correctly, and just to put it down there. However, after Washington County contacted the school, the school's representative has changed his tune about who was responsible for how the dirt got to the property.

Mr. **Gilbert** stated Mr. **Peterson** shut down the Euclid within hours of Mr. **Gilbert** asking him about it. Mr. **Peterson** also told Mr. **Gilbert** his company had provided pricing to properly place that dirt for long-term storage but their proposal was rejected by the school and/or school representative.

Mayor **Hall** clarified the City needed to inspect the streets and to determine what the damage was before talking with the school. Public Works Director **Whittaker** noted no one documented the status of the streets prior to construction starting. Mr. **Gilbert** suggested Mr. **Whittaker** use 3<sup>rd</sup> Place for a comparative with Cottonwood Street, as they were overlaid at the same time. **The Council** discussed the requirement that heavy equipment running on any public road be permitted, which did not happen in this situation. Public Works Director **Whittaker** said he would obtain pictures of the road conditions tomorrow.

Clerk **Bregante-Candau** asked if the City could use monies from the \$40,000 Council committed to the school project to cover the cost of road maintenance. Councilor **Jeffries** explained there were two different legal issues involved.

Mayor **Hall** recessed the regular session for a break at 8:37 p.m.

## **XI. EXECUTIVE SESSION**

Mayor **Hall** convened the Executive Session at 8:48 p.m. pursuant to ORS.660 (2) (e) to conduct deliberations with persons designated to negotiate real estate transactions.

## **XII. RETURN TO REGULAR SESSION**

Mayor **Hall** reconvened the regular session at 8:59 p.m.

Mayor **Hall** stated Clerk **Bregante-Candau** pointed out to him that she was a part-time employee paid \$14 an hour and the Council just approved paying part-time help \$15 an hour.

**The Council** discussed part-time employee pay rates, advertising the part-time Public Works employee position, the possibility of using high school seniors in the position, the possibility of the Public Works Director installing a couple of meters a week himself over the winter and not hiring part-time help, and the possibility of giving the City Clerk a bonus from the administrative portion of grants.

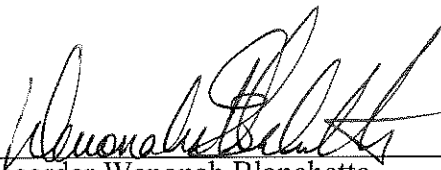


**The Council** discussed whether to approve the contract on the real property or continue to wait for the documentation. Mayor **Hall** commented there was no real risk to the City with approving the contract because if the City did not receive the property, the City did not have to pay the funds. However, the City would have to pay the attorney an estimated minimum of \$3,500 for his work.

Motion by Councilor **Jeffries**, seconded by Councilor **Richter**, to approve the agreement to withhold exercise rights of redemption rights between the City of Gaston and the Estate of Bart Brown. Motion passed unanimously. Ayes: **Spaulding, Meeker, Martin, Hall, Jeffries, Hale, and Richter**. Nays: 0.

**XIII. ADJOURNMENT:** Mayor **Hall** asked for any further business, none heard. Meeting adjourned at 9:20 PM.

  
\_\_\_\_\_  
Mayor Tony Hall

Attest:   
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City Recorder Wenonah Blanchette