

**September 12, 2018  
Regular Session  
City of Gaston**

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

**Absent:** Rod **Hale**

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

- I. Mayor Tony **Hall** called the regular meeting to order at 7:15PM.
- 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 Jon **Wismer**: present  
Councilor Rod **Hale**: *absent*  
Councilor Don **Richter**: present
- III. **ADDITIONS OR DELETIONS:** Mayor **Hall** called for any changes or deletions from the agenda at this time with addition of adding the Veterans Day Catering under New Business  
At this time, Mayor **Hall** announced the City Attorney will be consulted to discuss development with Cove Orchard Water Association acquisition. Recorder **Blanchette** called the City Attorney Ruben **Cleveland** via telephone with no answer. No action taken or needed. It was mutually agreed amongst the Council to table this for next month.
- IV. **STAFF/COUNCIL/COMMITTEE/SUPERVISOR REPORTS:**

**Police:** Deputy Rob **Richards** handed his monthly report out for August for Council to review with the following Gaston statistics:

- Total incidents; self-initiated and public demand were 85, of those calls public demand calls were up by 14 over last month for a total of 39 calls. Self-initiated was up by 13 from last month with a total 46. Took nine reports in town, 13 traffic details with and 8 citations. Hours provided 137 contract hours expected with 184 provided by Washington County Sherriff's Department. Five days in the month of August which Deputy **Richards** attended training with Gaston being provided coverage by a deputy those five days. On August 3<sup>rd</sup>, a recovered stolen vehicle driving out of Forest Grove was discovered going south of highway 47 with pursuit by the Sheriff's Department. The vehicle was located on Church and Trail with the suspect taking off on foot with several deputies and eventually a K-9 unit locating the individual, making the arrest and returning the car to the registered owner. On August 7<sup>th</sup>, there was social media attention made for a runaway female juvenile out of California located in Gaston and was placed into Washington County Department of Human Services. August 21<sup>st</sup> a disorderly conduct arrest was made for a drunk patron at the Ace Tavern. August 29<sup>th</sup> several complaints were heard against a dog owner with pictures shared over social media of the dog wearing a fabricated duct-taped muzzle. This is the 2<sup>nd</sup> similar complaint against the same individual as of March 2018. The picture of the dog with the muzzle appears to be outside of the Gaston Market with Washington County Animal Control and the Washington County Sherriff's Department determining the incident does not constitute animal abuse or neglect.
- Council **Meeker** requested to have the speed radar trailer. Mayor **Hall** asked to have the radar trailer count cars on 3<sup>rd</sup> Street and all-around town. Deputy **Richards** confirmed he would get the speed trailer for at least a week.

- Deputy **Richards** explained developments within the 9<sup>th</sup> Circuit Court of Appeals recently ruled prohibiting homeless camping cannot be criminalized and deemed unconstitutional. The Council is working toward adopting restrictions on camping and/or prohibiting the use of RV's as residences in City limits and encouraged the City Council to reconsider adopting these codes as civil offences and not criminal offences as it may not hold up in court. Mayor **Hall** explained the City would consult the attorney in this matter.

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

- 3<sup>rd</sup> Connectivity Project: The City received approval for the use of funds from the SCA Grant Award for 3<sup>rd</sup> Street. The City can request up to \$25,000 before completion of the project. The second public information meeting was had on property acquisition for 3<sup>rd</sup> Street. The City is processing the intergovernmental agreement with Washington County for the MSTIP Opportunity Fund Award where the City was awarded \$50,000 match toward the project as well.
- Met with Garland **Sandel**, Transportation Project Leader from Oregon Department of Transportation on Friday August 31<sup>st</sup> and discussed what needed to be done with the project but is still awaiting results from the Hydrology Study not yet complete. Once the City has the results of the Hydrology study, the City is hopeful at integrating flood mitigation in the area at the same time the restoration of E. Main Street occurs. The City awarded Firwood Design Group the study the summer of 2017 and was instructed to provide their Hydrology findings with the City November 1<sup>st</sup>. If Firwood Design does not provide the report by November, it would be in the best interest of the City to proceed with legal action. No action at this time.
- The Transportation Growth Management Grant was not awarded to Gaston for updating the Transportation Master Plan. Staff is working with ODOT to come up with funding and/or a solution to provide a safe route to school from NW Country Lane Mobile Home Park to Olson Road. Due to the location of the proposed project; on highway 47, Oregon Department of Transportation will need to be involved with this project. Finalized the Safe Routes to School Action Plan providing \$2,000 of grant monies which a portion shared with the Gaston School for their assistance providing surveys and work that supported the City with the necessary information to apply for further funding for this project. A letter of intent was submitted for a sidewalk from Front Street to 3<sup>rd</sup> Street, which connects to the project on 3<sup>rd</sup> Street and can use the funding the City is receiving for 3<sup>rd</sup> Street as a cash match for the proposed sidewalk with the Safe Routes to School's grant.
- Up-to-date with the municipal court proceedings. Purchased a temporary eye wash station for the garage. Completed the Oregon Parks and Recreation Parkland Mapping.

**Public Works:** Public Works Director Brent **Whittaker** was absent and did not provide a verbal report.

- Consumption and Loss Report: Percentage of water loss remains steady and about the same. Leak detection did a survey of the distribution system and located ten leaks; two have been repaired and currently working on the third.
- Gaston Farm and Artisan Market had their key vendor no longer participating in Gaston's Market and are unsure of how the remaining weeks with the market will end.
- Councilor **Wismer** wanted to know why consumption of the water went down but the usage went up with Public Works Director **Whittaker** explaining consumption is being lost in old meters that are in need of replacing. There have been approximately 50-60 new meters placed in the ground, however there are still over 300 water accounts. One of the big spikes in usage comes from exercising the fire hydrants which are faulty and corroded; seals that never leaked before due to non-use are leaking now. All hydrants installed in town were from a design that is no longer used with all hydrants needing to be replaced. Councilor **Meeker** asked how much a new hydrant cost with Public Works Director **Whittaker** responding they cost

approximately \$1,200-1,500 each. There are 43 fire hydrants in the City's water distribution system.

**Recorders Report:** Recorder Wenonah **Blanchette** provided her report with the following:

- No legal updates.
- Pauly Rogers Co. will be at City Hall tomorrow and Friday to perform their field work to complete the City's financial audit. This will be the first year in over six years the City files on time their financial audit with the State.
- Established a petty cash policy and procedure for monthly reconciliations of water and general fund petty cash balances requiring the Mayor or designated person to sign off on cash amounts. The City's auditor recommended establishing wage designation statements to be reviewed and signed annually by staff. This form outlines wages, benefits, and other incentives or certification levels as necessary to perform the job as required by Council or a higher authority.
- One lien search was filed with the City.
- The Knights of Pythias are revising their sign application and permit for their illuminated message board sign. Previously approved by City Council; Oregon Department of Transportation denied their original application hanging an illuminated sign over ODOT right-of-way. Next month the City will have a public hearing on their revised conditional use permit and variance request installing two separate signs one on the north side and the other on the south side walls of the building.
- Research was done for an individual interested in selling cars on a property on Front Street. Currently the Gaston Grooming business is located at the property. This would be to sell one or two cars at a time; rebuilding vehicles and selling them to low-income/veterans as a non-profit operation. No application has been submitted which requires a conditional use and home occupation permit.
- Representatives for the Ace Tavern were looking to consolidate their three lots into one lot permitting a large canopy-like cover providing a designated smoking and covered area outside. This land use action requires a partition application requiring property owner's notification and approval made by staff as an administrative action in the zone code. Washington County Building Department would not permit this until the consolidation is approved by the City.
- 414 Hedin Terrace, new dwelling permit application has been approved through Washington County. All fees have been paid.
- 2018 Election filings have one person filing for each of the four positions up for re-election. Those are Mario **DePiero** for seat 4; Sarah **Branch** for seat 5; Susan **Carver** for seat 6; and Jerry **Spaulding** for the Mayor's seat.

**V. CITIZEN COMMUNICATION:** Mayor **Hall** called for citizen communication at this time.

Brook **Jordan**, student at Gaston High School addressed the Council regarding concerns for having a pathway from the Country Mobile Estates Trailer Court to Cottonwood Street. This location is in need of a safe pathway to walk as it has a very narrow width of area to walk along the highway with cars traveling 40-60 miles-per-hour by.

Isabelle **Gomez**, student at Gaston High School who lives at the trailer court expressed to Council she has walked that route along the highway and is very scary. She explained her brother was hit by a car walking along the highway at the location and stated that on some occasions she has to walk along the highway to get home because the trail which you have to cross the highway to walk to is flooded. When the trail area floods there is nearly a foot-high of water.

Damien **Patzlaff**, student at Gaston High School stated the speeding cars are an issue and there is only a little space to walk along the highway. In walking along that route a few times, he was

worried that he would be hit by a vehicle. A sidewalk would not only be a benefit to students walking along this way but better for the community as a whole  
Mayor **Hall** asked the students and audience if there are other persons who have been hit by a car along the highway from the trailer court to Cottonwood Street. Isabelle **Gomez** stated that yes, she knows of one other person who was hit by a car along the highway; her brother's friend, which was a hit-and-run. This occurred last year. City Clerk **Bregante-Candau** asked if there were police reports filed for the hit-and-run with **Gomez** confirming yes, a police report was filed. Isabell **Gomez** stated there are approximately 20 students from Country Mobile Estates who attend the Gaston School and one that she knows that walks to school each day. Continued discussion heard of solutions for resolving the safety concerns for students/and or pedestrians walking along highway 47.

**VI. CONSENT AGENDA:** Mayor **Hall** called for a motion to approve the consent agenda.  
Included in the consent agenda:

- Bills Payable -September 2018
- August 8, 2018 Work Session
- August 8, 2018 Regular Session

Motion made by Councilor **Meeker** following second heard by Councilor **Richter** to approve the total bill's payable of \$62,736.84. Motion passed with aye votes heard from **Spaulding, Meeker, Martin, Hall, Wismer, and Richter**. Nay: None.

## **VII. NEW BUSINESS:**

- **Approval to Apply for Safe Routes to School Grant-Sidewalk from Hwy 47 to 3<sup>rd</sup> Street on Cottonwood:** Mayor **Hall** called for a motion to approve the application to ODOT's Safe Routes to School Infrastructure competitive grant to apply for sidewalk project with the cost estimate from AKS Engineering. Councilor **Richter** motioned to approve to apply for the safe route to school grant sidewalk from Hwy 47 to 3<sup>rd</sup> street and on to Cottonwood and a motion to approve AKS to provide a cost for the project. Motion was seconded by Councilor **Spaulding**. Motion carried with aye votes heard from: **Spaulding, Meeker, Martin, Hall, Wismer, and Richter**. Motion carried.
- **MSTIP Opportunity Fund Request for Matching Funds Safe Routes to School Grant:** City Clerk/Funding Specialist **Bregante-Candau** explained to Council this grant is being offered through Washington County Coordinating Committee as matching funds for the City. Mayor **Hall** called for a motion to approve the MSTIP Opportunity Fund Request for matching funds for Safe Routes to School grant. Councilor **Richter** made a motion to apply for matching MSTIP Opportunity Fund matching funds request for Safe Routes to Schools program. Motion seconded by Councilor **Martin** with aye votes from **Spaulding, Meeker, Martin, Hall, Wismer, and Richter**. Nay: 0.
- **Park Street Project Safe Routes to Schools:** City Clerk/Funding Specialist **Bregante-Candau** explained to Council the City should apply for Safe Routes to Schools for park Street. Motion was made by Councilor **Wismer** and seconded by Councilor **Richter** to apply for the Park Street project. Motion carried with aye votes: **Spaulding, Meeker, Martin, Hall, Wismer, and Richter**. Nay: none.
- **No Parking Designation/Discussion on Park Street:** Mayor **Hall** turned the meeting over to Deputy **Richards** to explain traffic patterns at the Gaston School. Deputy **Richards** stated he observed the school busy during drop off's and pick-ups with Mayor **Hall** asking what is observed since improvements on 3<sup>rd</sup> Street and specifically the end of the new curb with the "No Parking" area. Deputy **Richards** responded that Park Street has a lot of traffic at times but appears to flow very nicely. The first day of school had a few warning citations issued in the "No Parking" zone but haven't had any issues since.  
Damien **Patzlaff**, student at Gaston High School stated wanted to know what the reasoning was

behind the “No Parking” along Park Street. Mayor **Hall** responded with Gaston School closing campus, students should be parking on campus. Also, there had been numerous complaints regarding speeding and trash/debris being thrown out by the neighbors along Park Street. Damien **Patzlaff** stated there were a number of students having issues with parking on campus and are not allowed to park in the staff parking area. He is hoping the School and City find a work-around solution to resolving the parking issues on campus. Mayor **Hall** stated as a requirement of the recent school improvements, they assured the City would provide adequate parking.

Isabelle **Gomez**, student at Gaston High School, stated there are about 20 cars from students parking at school. Also stated it doesn’t matter if students parked on or off campus as the school does not allow for students to go to their vehicle during school hours. Mayor **Hall** stated contacting their school representatives to let these concerns be heard by the School.

Oliva **Hansen**, student at Gaston High School stated the staff parking lot is sometimes full resulting in teachers parking in the student parking lot. Other students and the Council continued to discuss issues relating to parking at the Gaston School and concerns with “No Parking” along Park Street near the school with motion made by Councilor **Richter** and seconded by Councilor **Martin** to open the south side of Park Street for parking with no parking during school hours. Voting Aye: **Richter, Spaulding, and Martin**. Nay: **Wismer and Hall**. Motion carried.

- **Pacific Tractor Rent to Own Contract Review:** Mayor **Hall** reviewed with Council steps recently put in place for reviewing contracts the City engages in with all contracts needing to be reviewed and approved by Council. Public Works Director **Whittaker** explained the process and misunderstanding that came about for the tractor purchase. Further explanation heard that Cities are not eligible to finance through Kubota’s financing but offered the City a rent-to-own agreement. The Public Works Director was not in attendance at the last meeting and did not know of the consensus held by the Council waiting for November before completing the purchase of the tractor. Without this knowledge, the Public Works Director engaged in a rent-to-own contract with Kubota causing a miscommunication between the Council and Public Works Director resulting with the Council’s need to review and approve at this meeting. The tractor is located in the garage and has not moved. Mayor **Hall** wanted to reiterate the Council is responsible for review and approval of all contractual agreements. By consensus of the Council, it was agreed that in the future all contracts must be reviewed and approved by Council.

- **Web Portal Access through KRP Data for LED Access-Municipal Court:** Councilor **Wismer** asked City Clerk **Bregante-Candau** if this is to provide services for Municipal Court similar to a Judge with City Clerk **Bregante-Candau** replying that the City’s current judge would need to set up an order establishing a violations bureau in order for the Clerk to handle traffic court cases. The purpose for establishing a web portal for LED access and establishing a violations bureau is to hopefully engage in an on-call basis with the judge possibly saving money if the Clerk were able to rule on specific traffic citations. It would also aid those who are not able to make Court as it’s only held once every two months in the evening. Motion made by Councilor **Martin** following second heard by Councilor **Richter** to approve the contract from KRP Data for 1-year, 20\$ a month for a total cost of \$240. Gaston High School student Damien **Patzlaff** asked the Council for clarification on the topic being discussed with the Mayor explaining the Gaston Municipal Court program and handed him a copy of the KRP Data contract. Those voting Aye: 6, Nay: 0. Motion passed.

- **Gaston School Field Use Agreement and Contract:** Public Works Director **Whittaker** drafted a new school field use contract to be held between the Gaston School District and the City for use of the City’s ball fields during softball and baseball. Changes include paying for use of the fields up front and does not propose splitting costs of the porta potties, turface and weed & feed. Mayor **Hall** proposed the contract should state the City to include mowing two times a week in the contract. Public Works Director **Whittaker** explained this draft is the original draft and has not been reviewed by the School or the City Attorney at this time; it is being presented to

Council for their review first. Consensus amongst the Council was heard in forwarding the contract to the Attorney for his review and final approval.

Mayor **Hall** inquired about hours remaining for the part-time help employee. The Public Works Director stated there were about 350 hours remaining for the 500 hours allocated for the position. Hours remaining will be used next spring for the part time help.

- **Veterans Day Catering Breakfast:** Last year, the City sponsored a Veterans Day Breakfast at the Gaston High School during the school's annual Veterans Day celebration. Last year the breakfast was a success and would like to offer the catered breakfast again. It cost approximately \$300 and propose to spend approximately the same. Councilor **Richter** motioned to approve the \$300 for the Veterans Day breakfast. Motion seconded by Councilor **Meeker**. Motion carried. Aye: 6, Nay: 0. City Recorder **Blanchette** asked for further clarification with the Council stating the caterer should be local and provide a homestyle breakfast. Any Council member may attend the breakfast which will be held at the commons area at the Gaston School November 8, 2018 at 8 AM.

#### VIII. OLD BUSINESS:

- **Ordinance Review:**

- **Hazardous Vegetation, Noise, Park Rules and Regulations:** Mayor **Hall** asked the Council to table these ordinances at this time with the Council agreeing and motion made by Councilor **Richter** following second by Councilor **Martin** to table the Ordinance Review to the next meeting's work session. Motion carried. Aye: 6, Nay: 0.

#### IX. COMPLAINTS:

At this time Public Works Director **Whittaker** left the meeting at 9:03PM.

##### New—

- Mayor **Hall** asked if there were audience members present wishing to speak on behalf of a complaint with 205 2<sup>nd</sup> Street, Julie **Dailey**, Gaston resident was present to discuss with Council difficulties she's had with her neighboring property that is doing construction work on the listed address. She wanted to have the Council hear her complaint against her neighbor as she does not feel safe in her own yard with her neighbor working on his duplex/church building and does not feel her complaint is being heard by staff at City Hall. Julie **Dailey** claims he does not follow regulations and did not have a demolish permit to take down the chimney that ended up in her yard right after her kids went inside. The property owner was not on-site when the chimney fell only having a permit for construction, not demo. She would like to know what needs to take place when you're taking a business and turning it into a duplex to perform the work safely. In contacting Washington County Building Department, Julie **Dailey** has not had phone calls returned by them. She would like the City to have more jurisdiction to ensuring safety for construction projects. Councilor **Spaulding** stated he would like to have someone from the City contact the County to investigate. The City did participate with the County in requiring him to have a permit for foundation work being performed on the building. She indicated he has removed all the windows from the second level and is concerned about the paint, may possibly be lead and is not properly disposing/managing the paint chips that may be flaking off the building. She is very concerned with the roof and will need to perform work on the roof but being at the location; so, near her home (approximately 3ft) away from her property, she is concerned the roof may end up in her yard. Mayor **Hall** has looked at her complaints, drove by the property and reviewed pictures of the property. Councilor **Wismer** stated that she should contact Occupational Safety and Health Administration (OSHA) and report these concerns with them as these are significant safety concerns.

- **Riverside Apartment Police Follow-up:** Resident at the Riverside Apartments filed a complaint asking for police follow-up from an earlier situation reporting speeding cars and noise

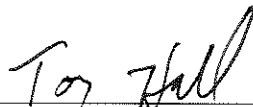
issues with police. City Clerk **Bregante-Candau** did confirm she conveyed the complaint to Deputy **Richards** as of today did follow up with the complainant. Issue has been resolved

Old—

- **310 Church Street Nuisance Violation Update:** City Recorder **Blanchette** explained no additional updates are available aside from the Public Works Director maintaining contact and continues to work with the property owner regarding their nuisance violation.
- **307 Park Street Hazardous Vegetation:** City Recorder **Blanchette** explained no additional updates are available aside from the Public Works Director maintaining contact and continues to work with the property owner regarding their nuisance violation.

City Recorder **Blanchette** announced the Public Works Director passed his level one certification for water distribution and is now certified to operate and run the City's water department no longer requiring Richard **Howard** to report as Gaston's DRC for the State of Oregon's Drinking Water Program.

**X. ADJOURNMENT:** Mayor **Hall** asked for any further business, none heard. Meeting adjourned at 9:21PM with motion heard by Councilor **Martin** and second from Councilor **Richter**. Aye: 6, Nay: 0. Motion carried.

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

Attest:

\_\_\_\_\_  
City Recorder Wenonah Blanchette