

MINUTES OF COUNCIL MEETING  
FOR THE CITY OF MAYWOOD PARK  
09 SEPTEMBER 2019 7:00-8:00 PM

- COUNCIL MEETING -

In Attendance: Mayor Matthew Castor, Council President Art Winslow, Councilor Michelle Montross, Councilor Chris Williams.  
Absent: Councilor Jim Akers  
Staff Present: City Recorder Rene' Sanders, City Treasurer Wendy Irwin  
Residents present: Nathan Montross, Mike Reynolds, Miriam Berman, Jeff & Mary Jo Steffen

The City Council Meeting was called to order at 7:00 pm.

**PRESENTATION**

None

**PUBLIC HEARING**

None

**APPROVAL OF MINUTES**

Mayor Castor asked if there were any changes on the minutes. There were none. The motion was made to accept corrected minutes by Councilor Montross, seconded by Council President Winslow. Mayor Castor voted aye, Council President Winslow voted aye, Councilor Montross voted aye, Councilor Williams voted aye.

**TREASURER REPORT**

Ms. Irwin presented the August 2019 Treasurer's Report for the Council. Total cash assets for August 2019 are \$417,820.75, for an increase of about \$13,843 from last month. Changes in the Storm Drain Reserve and Failing Street Fund were due to interest earned. She then presented the Budget v. Actual report on pages 2-4 which show the actuals vs. annual budget amount by line item. The actual column is for July and August; while the budget column is for the entire year. Ms. Irwin pointed out that we are not over budget on any line items yet. Also, she pointed out that there is a negative amount in Capital Outlay due to returning one item that was purchased in June. The changes in cash in each fund type are shown on the new "Change in Cash for the Month Report". The change in each fund agrees to the amount of change on the "Cash Balance Statement". Ms. Irwin asked if there were any questions. There were no further questions. A motion was made by Councilor Montross to approve the August 2019 Treasurer's Report with a final cash balance of \$417,820.75. It was seconded by Council President Winslow. Mayor Castor voted aye, Council President Winslow voted aye, Councilor Montross voted aye, Councilor Williams voted aye.

**RESOLUTIONS** None

**ORDINANCES**

No discussion.

**MULTIUSE PATH SAFETY**

Mayor Castor asked Council President Winslow if there were any updates on the safety meeting. Council President Winslow reported that he had provided 2 dates, September 28<sup>th</sup> or October 5<sup>th</sup> to the parties; but that the date is still up in the air. Mayor Castor asked if having the meeting on a Council meeting night would be better.

Council President Winslow stated that he already had several commitments for a Saturday meeting; and is considering October 5th or the following Saturday for the meeting. He had five commitments for a Saturday date. Council President Winslow also reported that should the Saturday meeting not work out; he would then try for a Council meeting night.

### **WASTEWATER SYSTEM**

Mayor Castor asked City Recorder Sanders about the septic system installation survey responses. Recorder Sanders reported that three results had been received; two online and one in the mail. Mayor Castor asked if a deadline had been included. Recorder Sanders believed that a 30-day from receipt deadline was in the notice. Mayor Castor then addressed Resident Mike Reynolds regarding issues on Maywood Place with the new ADA ramp and bicyclists. Resident Reynolds reported that he had seen a couple of bike incidents. One of them involved a cyclist coming from Campaign Street through the wall near the cul-de-sac to the bike path. Another cyclist riding on Maywood Place t-boned him. Resident Reynolds stated that both cyclists refused medical assistance. Mayor Castor asked if Resident Reynold's neighbor has their security camera installed? Resident Reynolds reported that it has not yet been installed because the neighbor has been painting; and now it's raining. The Pokémon issue was also discussed. Mayor Castor asked about the possibility of not having the Pokémon at the end of the road. Resident Reynolds reported that one male person has been a particular issue. The male was staring into the Roses' house; causing discomfort and fright for Ms. Rose. Councilor Montross has addressed the male when he has parked in the middle of the street.

### **ZONING**

Council President Winslow reported that US Circuit Court in San Francisco (Martin vs City of Boise) ruled that it is unconstitutional to remove overnight campers from property unless you have an alternate place to put them within city limits. Mayor Castor said that there has been talk on a mayor's message board regarding that.

Council President Winslow wanted to talk about the Sierra Contract, but will wait until we get to Councilor Montross.

Council President Winslow asked for Mayor Castor's approval on budget for a contractor to do speed bumps on Failing. Mayor Castor asked Council President Winslow to have Kittelson map it out so that he could get some bids.

### **PLANNING**

Mayor Castor reported that when Councilor Akers is back, we will need to follow up on curb and striping.

### **PUBLIC WORKS AND PUBLIC SAFETY**

Councilor Montross reported making some contacts regarding the relocation of lighting in Maywood Commons. Mayor Castor suggested contacting Ron Dixon, since he is a resident. Councilor Montross agreed to do so. She also spoke with Jeff Steffen regarding the light placement so that the light wouldn't be a nuisance for their property.

Councilor Montross reported that the issue with Sierra Northwest Landscaping Company has nothing to do with the contract. The issue lies with Sierra in not performing the jobs that are in the contract. The islands were not done for at least a year. Jaime Sierra has been out to meet with Councilor Montross, but it seems like the more they meet and talk, the less happens. At the last Council meeting Councilor Akers reported that the reason they are out weekly working on sprinkler heads is because they're getting hit by lawnmowers. Councilor Montross reported that two weeks passed and she didn't get any quotes from them. She contacted them again to request action. Councilor Montross asked Treasurer Irwin not to pay any more invoices because they didn't fulfill the contract work. Mayor Castor asked what she is suggesting. Councilor Montross reported that she is checking into

getting other quotes. However, many companies are too small, not taking on new clients, or don't have enough employees. Mayor Castor mentioned that Sierra was reasonably priced for the amount of work. He requested that she ask Sierra if they feel that they underbid the work; and why has there been a change in the quality of the work? We need to understand why the work isn't happening as it used to. Does he want to serve our city or not? The trouble with trying to get new bids is that often companies are too small to take of the job; or, if they are big enough, the price is too high. Michelle detailed some of her conversation with Jaime. She points out that they aren't providing the work that is detailed on the contract. Resident Reynolds commented that he <Jaime Sierra> entered the contract in good faith. Resident Reynolds reported that Mr. Sierra said that he lost some of his staff. The other issue is the bottom line, which has been skewed with them for payment without service rendered. Mr. Sierra admitted that they aren't completing all of the services. Resident Reynolds reported that ODOT persons who repair the sprinkler heads showed him that mowers are breaking sprinkler heads. Resident Reynolds suggested that a revision to the contract include that whomever breaks the heads should repair them. Resident Reynolds asked if there is a clear definition for where Sierra's responsibility stops for the berm? Mayor Castor said that we've had them do cleanup out there as an additional item in the past. He further reported that from the curb to the chain-link fence and the lighting is our responsibility. Resident Reynolds asked who is responsible for the fence. Mayor Castor stated that the fence itself is a gray area; but it seems to be in our best interest to repair it when homeless people cut it. Resident Reynolds said that a wrought iron style that people can't cut might be an option. Mayor Castor asked if Resident Reynolds had enough information for a project like that so that he could gather a quote. Resident Reynolds said that he did.

Councilor Montross reported that one of the deputies suggested pointed rocks on the other side of the fence. We would not be able to do this, but ODOT might. Resident Reynolds reported that homeless people are breaking up the arbor vitae and building shelters with it.

Councilor Montross reported that she has copies of 2 new proposals from Sierra.

### **COMMUNITY AFFAIRS**

Councilor Montross reported that October 15 would be the chili cookoff in the Commons.

Councilor Montross asked if the woman was ever found that assaulted someone along the path in Maywood Park. Mayor Castor reported that she was never found. He also stated that the Sheriff's Department requested air support; but it was not available. Resident Reynolds reported that there is a Woman who walks the bike path with a Rosary. She has called 911 on the attacker in the past. The attacker thought Barbara (the victim of the assault) was this person. Mayor Castor reported that they tried to get the K-9 unit out, but the dogs couldn't detect a single person with all the different homeless people around. Resident Reynolds talked to the lady with the Rosary; she said she didn't care about what happened and wasn't going to change what she's doing.

### **PARK WATCH**

Nothing to report.

### **INFORMATION TECHNOLOGY**

Councilor Williams reported on the traffic pattern for 102<sup>nd</sup>. PBOT has made an offer to come to a City Council meeting again. They are going to put out a survey this fall for feedback. We invited them to council meetings in the past; but they weren't able to come. Mayor Castor suggested having them come out to a Council meeting and include the Parkrose neighborhood once the survey had come out.

Resident Jeff Steffen asked if we've noticed any difference in Maywood Park traffic cut-throughs since the traffic pattern change. Mayor Castor reported that he hadn't noticed any different cut-through traffic. Resident Nathan Montross reported no benefit from the change. Traffic is about the same. Mayor Castor reported that there were

a few accidents initially. Councilor Montross reports that it's dangerous where 102 Avenue opens up to two lanes. People don't signal to enter the lane when it opens to 2 lanes. Resident Reynolds said that the split wasn't supposed to happen until south of the Maywood Place intersection; but they pushed it back half a block. Councilor Montross said that surveyors were out marking property lines recently. Resident Reynolds said that he asked who had hired them? They replied that PBOT hired them to find the property lines and place the markers.

Councilor Williams reported on the progress of Codification. He received the style sheet and proposal for organization of our ordinances. He will go over these items with Mayor Castor.

### **FINANCIAL AUDIT AND CAPITAL ASSETS**

City Treasurer Irwin reported that the capital assets listing is done. She also reported that we have two CDs coming due in the Storm Drain Reserve Fund and the Failing Street Property Development Fund on October 3, 2019, and recommended renewing both of the CD's with a 12-month term at the current market rate. The council approved the roll-over of the CD's with another 12-month term. Ms. Irwin also reported that the audit has been turned in; and that she requested that it be completed by end of the year so we can meet the deadline and be in compliance with Oregon State requirements.

### **AUGUST RECONCILIATION**

City Recorder Sanders reported that the August reconciliation is complete.

### **CITIZEN COMMENT**

### **NEW BUSINESS**

President Winslow brought up needed care of the berm. He reported that foliage has grown up and is blocking the view of people in the thick of it near the footbridge. He would like to see the foliage cut and trees pruned up high. If Sierra won't do it, Councilor Winslow will do it himself if need be. Mayor Castor said that we can form a work party. Resident Reynolds stated that he is hesitant to use Sierra for this until we get the contract issues sorted out.

**Mayor Castor requested a motion to adjourn. The motion was made by Councilor Montross, seconded by Council President Winslow. Mayor Castor voted aye, Council President Winslow voted aye, Councilor Montross voted aye, Councilor Williams voted aye.**

**Meeting was adjourned at 7:55 pm.**