



ROAD COMMISSION MEETING MINUTES ~ APPROVED

APRIL 16, 2012 AT 6:30 PM

City Hall ~ 82877 Spruce St., Westlake, OR

1. CALL TO ORDER

The Road Commission meeting was called to order by Road Chairman Troy Sathe at 6:38 pm.

2. ROLL CALL

Roll Call was taken by City Recorder Fred Hilden.

Present: Road Chairman Troy Sathe, Commissioner Henry Leach, Commissioner Richard Palmer, Commissioner Bill Harris and Commissioner Ron Tucker.

Others Present: City Recorder Fred Hilden, Planning Chairman Lee Riechel, Planning Vice-Chairman George Burke, Planning Commissioner Norman Martin, Gary and Laurale Baker, Haley Baker, Mr. and Mrs. Chris John, Road Secretary Brandie Bell and Honorary Road Commissioner Bill Sathe.

Absent & Excused: Vice-Chairman Jerry Curran.

3. PLEDGE OF ALLEGIANCE

All who were present stood for the Pledge of Allegiance.

4. APPROVAL OF THE AGENDA

Commissioner Leach made a motion to approve the Agenda as amended. Commissioner Palmer seconded the motion. The motion passed by unanimous vote.

5. APPROVAL OF THE 3/19/2012 MEETING MINUTES

Commissioner Leach made a motion to accept the 3/19/2012 minutes as amended. Commissioner Tucker seconded the motion. The motion passed by unanimous vote.

6. ANNOUNCEMENTS / CORRESPONDENCE

Chairman Sathe stated that all the streets from the storm have been cleaned up.

Road Secretary Brandie Bell announced that there was complaint for South Pioneer Road requesting the City to pave that section. She continued by stating that after her research that her findings were that it is a private road and drafted a letter to be sent out in response to the complaint.

7. CITIZEN INPUT

Planning Commissioner Norman Martin would like to bring up again that Rio Drive needs cleaning up still.

City Recorder Fred Hilden asked for clarification for the brushing is already done and the road repairs are on this year's list of road projects.

Road Secretary Brandie Bell gave Planning Commissioner Norman Martin a copy of the road projects list.

8. UNFINISHED / OLD BUSINESS

A. Master Road Plan – Gary Baker

Gary Baker stated that since he has not received feedback as of yet he would like to remind the Commission this is just a draft and that you may have as many questions as I do in regards to this. Some of the information was carried over from the original Master Road Plan and a fair amount of new material were added, such as the computer pavement management system. Gary Baker continued by stating that he is here to answer any questions you may have.

Commissioner Bill Harris stated that he has a question about the new Sign Ordinance. He thought that he read that the signs didn't need to be upgraded all at once, did they?

Gary Baker stated that this is a staged program between the years 2012 and 2015 and it is mandated.

City Recorder Fred Hilden stated that for 2012 the first phase is that we have a plan. The next phase as you replace signs. The major factor is that once you have a plan and say this is what you are going to do then you need to meet the standards you have set.

Commissioner Bill Harris asked if this was something they could contract out?

Chairman Sathe stated we usually do it ourselves.

Commissioner Ron Tucker stated trying to give input on this document is something he is not willing to do tonight for it will mean that he will be here all night. He continues by stating that he appreciated Gary's work and that it would just take too much time to go paragraph by paragraph. He did have a couple of questions, there is a lot of emphasis on bicycles and pedestrian ways and he questions the need for that.

Gary Baker put it in here simply as information.

Commissioner Tucker stated that there is just a lot of words and it is hard to find the meat in it, for example for the pavement management plan there is 14 pages. There are also a lot of Ordinances in here that we decided that we wanted to take out.

Road Secretary Brandie Bell announced the presence of Planning Chairman Lee Riechel, Vice-Chairman George Burke and Commissioner Norman Martin for the record. As the Commission will note that as Gary Baker summarized, some of the references were just pulled from the prior Master Road Plan and we have notes to correct that. As the Planning Commission will note that some of the references to Chapter 155 are also incorrect for those have been changed and we are in the process of changing those again. She continues stating that she has a lot of notes for changes and that she has not had the chance to sit down with Gary Baker to discuss some of these changes and the City Recorder had an idea that maybe there could be an Ad HOC Committee to try and get through some of these changes and you as a Commission have that as an option.

Planning Vice-Chairman Burke stated that as the Commission is not too excited about bicycle paths but in our policy 14 of the Comprehensive Plan requires the City to develop standards so at some point we may have to re-address that at least at the Planning Commission level.

City Recorder Fred Hilden stated that it has come to his attention that 1% of the ODOT allotment that we get is to be designated to bicycle paths so, somehow we need to address that.

Chairman Sathe stated that the only input Commissioner Curran gave was the Road Commission does have their own Mission Statement so we need to make sure that gets in there.

Commissioner Leach stated the only thing is that we need to work with the Planning Commission on amending the Ordinances and correct those, if do decide to include those in the book.

Gary Baker wanted to comment on the 15 on pavement management system, the reason why it is there is because if there is somebody who is reading this documents who really didn't understand what a pavement management system was so they could learn about it. That is why it is in there.

Commissioner Tucker stated if you look at the output it has figures in here for how much money is going to be spent it does not reflect our current budget.

Gary Baker stated that the way the model is set up is that certain streets have certain conditions over a period of time. So, over a six year period we should look at budget and where they would fall. The program that you see here is telling you that this is something you need to do by year and we can set down and talk about how you would like to go about that. Maybe in a separate meeting and how do you prioritize? Balancing the budget over the next six years is the next step on the pavement management system.

Road Secretary Brandie Bell stated that if you look in the very beginning of the Overview the intent is that if you have maybe a change in streets, for example, you can update the Master Road Plan every year.

Commissioner Leach stated that we as a Road Commission sectionalized the Dunes City streets for each Commissioner, and Brandie can get you a copy of that, and he would like to see that incorporated.

Gary Baker stated that was something he was going to do anyway.

Planning Vice-Chairman George Burke stated there is a section on driveways and a section on and off-street parking and that shouldn't be in here.

City Recorder Fred Hilden stated the Staff has those too.

Planning Vice-Chairman Burke stated that the reference "subdivisions" was the old 156 code and that has been merged into 155 and currently 155 is under revision again so we should take a look at that. Also, in the re-naming of streets should be in code which it is not. All new streets have to go through Lane County, and he does not know where this all came from but it needs to be addressed.

Gary Baker stated that some of this was a place holder and some of it came over from the Old Master Road Plan.

Planning Commissioner Norman Martin stated there are a lot of places to get grants from and would like to make a suggestion to have the name and phone numbers of those entities be placed in here for reference.

Chairman Sathe stated that normally the Road Secretary gives him all the stuff that is to be talked about with Gary Baker so he knows what is going on, then I ship it to my guys.

Road Secretary Brandie Bell stated that this is the first time I have worked on a Master Road Plan, so you will have to bear with me, but I was unsure how to best prepare myself with all the number of suggestions that I am sure are still to be had, how did you want me to go about that?

City Recorder Fred Hilden stated that maybe everyone write their name at the top of their copy and give it to Brandie and she will process it give to Gary and give everyone their copies back. Use the same process we are using for the Planning Commission.

Planning Chairman Riechel stated that the markings in my copy are reminders to me and would be of no use to anyone else and I would support Ron's suggestion for a work session.

Chairman Sathe stated we will schedule a meeting and make sure it works with Gary's schedule and we need to make sure that we send Gary the Agenda and the packets to his house.

Planning Chairman Riechel stated that he had noted a few specifics. He continued stating that he is in support of the new signage requirements. The other thing that occurred to me that is not in our code is the requirements for street lights that needs to be written out. The Planning Commission in the code has reference everything to "the specifications of the City Engineer," and I think it should go along with the same level. The reference to the policies in the Comprehensive Plan, F1-F13, I think should be referenced differently. The definition for "building line" needs to be addressed and we need to standardize the definitions with 155.

Chairman Sathe stated that when Gary, when you have your schedule, let Brandie know and she will send that out to the Commission.

Planning Chairman Riechel stated that he would request paginated drafts.

B. Russell Drive Culvert – Richard Palmer

Commissioner Richard Palmer stated that Mr. and Mrs. Chris John are here and this is in regards to the culvert here on Russell and Saturday we went out and looked at it and noted that the culvert was plugged, I don't know Chris did you get any of these?

Road Secretary Brandie Bell stated he should have copies of these but these are the Inspection Report, Application for the Driveway Permit, the Permit Application and the Vegetation and Tree Removal Permit that he received as part of his application for construction since 2008. So, we have picked out those pieces of information and the Commission will note that the way we used to do driveways the Driveway Application and the Driveway Access permit were one in the same. Now they are two different applications so, on page two the bottom half describes the access part of it. The first page he still has an expiration date on his inspection report of 5/04/12. Third page, on the very bottom right hand corner you will note some special conditions from the Site Review Committee from 2008 and your last page is the Vegetation and Tree Removal right-of-way use permit which is also from 2008.

Commissioner Richard Palmer stated I guess this has been an on-going deal for quite some time. So, we went out and looked at it and talked with Chris and in doing that uncovered quite a few things here of maybe why it is not done. We have to come up with some kind of plan with getting this fixed. Chris has some good pictures of the property as he started work putting in the driveway and it shows the culvert. On this paperwork her for the driveway permit, a Road Commissioner approved it and then a final performed by somebody. There are notes mentioned on the permit of having to do something with it, so evidentially there was a problem. Somebody must have brought it up but now it is a problem and eroding the road and making it sink. The Vegetation Permit has been filled out and it has no expiration date. So, what I have come up with is that we have a land owner that wants to work with us and do something. There is a lot of things here I think the City dropped the ball on. There was a lot of discussions with other Commissioners going out and talking to him about it but it never got put down on paper. The paperwork is not filled out but he has agreed that we need to do something. At this point in time we can clean out the culvert, put in a catch basin and divert the water across his property. Also, on our inspection out there we uncovered several other things that make you starch your head. For some reason his meter base was put clear out by the right-of-way and it's not totally clear but it appears to be in the road right-of-way. We are not here to beat on Chris, I think there were some things that went through that weren't really his fault. He explained to us that the inspector, one said yes it could go there, one said no so what do you do. There are property lines out there and we found the pins and after reviewing it, it is not a straight line it appears to be an arc. That Russell Road is supposed to be 60 feet wide, we don't know where it is exactly.

Commissioner Tucker asked what Commissioner Palmer's recommendation is on this.

Commissioner Palmer stated he thinks it could be pretty simple by cleaning out that culvert and putting in a concrete catch basin and we visited with Chris about finding the end of the pipe to find out where it goes and pipe it over towards his property to divert the water. It is a fairly easy fix and what I understand is that Gary Rose gave a bid to fix this a long time ago and it was around \$1200 or something right Fred.

City Recorder Fred Hilden stated that there were two bids in the file, one from Ray Wells and I think they were in the \$400 range. The work that was later bid by Gary included the installation of the swale on the west side.

Commissioner Palmer stated that it could be a pretty cheap fix and he doesn't see the need to put in a swale, I think it will run and not bother Chris. From what I see, the City dropped the ball and clearly we have paperwork not filled out right and not signed off and it's an ongoing construction of this house. I take it that you are doing most of the work yourself and it says in this one permit that it gives you a timeline to have it done and if it's not then \$500 a day is accrued and they never put an expiration date on it. So, part of this was that people were complaining about the dumpster, piled rock and a spool of wire and I think we got that taken care of. So, it's whatever you guys think, if you want to split the cost or what.

Commissioner Tucker stated let me see if I understand you correctly. We have a culvert that is blocked and the water goes and there is a culvert no more.

Commissioner Palmer stated the culvert appears to be fine. What has happened that it has broken done over the years and there is just a little metal grate that is sitting on top of the ground and the pipe is plugged up enough now that the water is just eroding the outside of the pipe and it is starting to settle. From the pictures I can't tell if it ever came out, it shows the same here, not sure if he put this down and the stories I am hearing that it exited out towards the meter base.

Commissioner Bill Harris asked Chris John if his power was buried there by the meter base.

Chris John stated that yes it is and the road was cut to bring power over to his property. Originally we had talked with the City about putting the power, re-doing the culvert and putting the power through the same access point and Bob Petersdorf said that we did not need to do anything with that culvert and that is why we were allowed to cut through the street higher up and put the electrical in. When he said we didn't have to do that we started doing excavation and took those pictures and the contractor at the time put gravel on both sides of the road to keep the dirt from turning into a big muddy mess and what happened was he put gravel over that grate and this is the one time that I know of where there was a water puddle there. When the neighbor made mention of it to the sub-contractor at the time, I made sure that it was cleaned out. But it is still blocked and that thing never worked, it was like that when we bought the property 13 years ago. As you can see there is no place for it to egress and the pipe is not connected to anything on our side of the road and does not go anywhere. It just goes to the other side of the road and we don't know when that was put in and I don't know when the street was put in. The downhill side is level with the street, the uphill side across the street has a cheap little mesh thing over it and is filled in. I honestly, don't think the construction caused any problem with the pipe. So, we have two recommendations, the first one was nothing, the second one was to do a swale and I am completely transparent. I want to do whatever I need to do to make this right and the swale was the last thing that I recall I was going to do once I got everything put back and do the swale and that was it.

Chairman Sathe stated that the one thing that he is not willing to pay for is the swale and diverting the water up the other side because Linda actually paid for this document that said that they were in charge of doing the swale and diverting the water on the other side of the road. It is documented and I am assuming even though you have a different name, you guys are married or property owners together?

Mr. and Mrs. John stated, "Yes, do we have that document."

Road Secretary Brandie Bell stated, "Yes, third page."

Chairman Sathe stated this is what I was talking to you about earlier out there, how it says it is going out to your garage. We were actually called out to your house because the water was going out to your garage and I guess I was there with Jerry at the Site Review on that one but I was also with Keith Herring, Bob Petersdorf had me and Keith Herring do all of the road stuff and then we reported back to the Road Commission. I was probably out there on two different and then me, Jerry, and Rob went out and talked to you later on the same issue because we were looking at this permit. I knew it was there somewhere and they found it. So, I am not willing to pay for anything that is on the other side of the road, the swale and the diversion of the water because you guys had already agreed to take care of it. I don't have an issue with us taking care of the other side, if these guys don't and I want you guys to all know that when I went out there to talk to Chris he said he would take all of his stuff off of the road right-of-way, the dumpster and the other stuff that the neighbors were all worried about. He has been very cooperative as far as this goes. The one issue I have and I have a big issue with this, and I think George would not like this either, is the meter base and everything that is in the City right-of-way. If we allow that to stay in the City right-of-way we are saying anybody can put anything they want in the City right-of-way. A Conditional Use Permit that you were given for having your parking area there when you were building your house, it doesn't matter if it has an expiration date because it is revocable at any time. So, that doesn't matter what-so-ever if it has an open-ended date because we can go in there and say it's revoked and that is it. It's as simple as that. I have a huge issue with the meter base if it is in the road right-of-way, from all the stakes we found it looks like it is. It should be moved down out of the road right-of-way, off of City property.

Chris John stated was that part of the City inspection where it sits right now?

Chairman Sathe stated you have no right-of-way permit to put that in the Dunes City right-of-way. If you had a permit that said that you could put it in there, it doesn't matter who inspected it the only people that have a right to say something goes in the right-of-way is the City Council and the Road Commission recommends it to the City Council.

Chris John stated just to be clear, that meter was put in where the electrical stuff was stubbed up, the stuff from the house went there, the electrical pole stuff went there and as you look at we are talking inches. If the property markers are wrong then it was a mistake but was not intentional, so I hope you take that into consideration.

Planning Vice-Chairman George Burke asked if this was temporary power.

Chairman Sathe stated no.

Chris John stated it is permanent power, where the inspector wanted it. I didn't want it there obviously, I would rather have the meter on the house. This is the way they wanted it.

Planning Vice-Chairman George Burke asked if there was an electrical inspection.

Road Secretary Brandie Bell stated, "Yes."

Planning Vice-Chairman George Burke asked if the meter was out on the street.

Road Secretary Brandie Bell stated, "Yes."

Planning Vice-Chairman George Burke stated I can't believe that would meet any kind of code.

Chris John stated that is where Lane County wanted it.

Commissioner Tucker stated that he had just had his electrical done and PUD would not allow the meter to go on a pole outside.

Chris John stated he has had 5 different inspectors at my house and I have had some huge hurdles with inspections and have done what they have asked. I am trying to everything possible to do it right but I keep getting steered to different areas when the next guy comes out. I came out here to talk about the culvert, that's what I understand what we are going to be doing. I am trying to do the right thing, I am not hiding anything, I am transparent.

Commissioner Harris stated we started out on the culvert and we are taking a lot of muddy trails down here. This deal here you are showing with the Site Review Committee, inspected April 4 of 2008 and April 21 and May 20 of 2008 was signed off by two people saying ok it's done final approval. We are going to have to meet half way here. The paperwork is right here and the City screwed up. Or there could be another thing the culvert could have been there it could have been proper. We don't know at this time if somebody filled in the outlet. We don't know that either and we don't know where exactly the right-of-way is. Somebody is going to have to survey it, we can't be guessing. Somebody will have to open up the other side, it's pretty simple. The paperwork is in the land owners favor. There is all kind of sign offs on this one.

Chairman Sathe stated it is still open.

City Recorder Fred Hilden stated that the Structural Permit is still open and he has the appropriate inspections so the permit is still open. Sometimes it takes a person a long time to build a house and is within Oregon Building Code.

Chris John stated that he has a full time job working 50-60 hours a week and we are doing this ourselves.

Commissioner Palmer made a motion to recommend to maintain and fix the East side and for the homeowner to maintain and fix the west side. Commissioner Harris seconded the motion. The motion passed unanimously.

Commissioner Harris made a motion that if the power is in the road right-of-way it should be removed. Commissioner Leach seconded the motion. The motion passed unanimously.

Chairman Sathe stated that any motion made here can be appealed to the City Council.

C. Alders in the right-of-way on Manzanita – Tom Grove

Chairman Sathe stated this needs to be put on the next Agenda.

D. Little Woahink Drive Project – Ron Tucker

Commissioner Tucker stated I was hoping we can set up a work party for next Saturday. Chairman Sathe Stated he had to work that day. Commissioner Palmer stated he could it May 5th. The Commission reached a consensus to schedule a work party for May 5th at 10:00 am.

E. 84277 Wright Road – Truck in the right-of way

Commissioner Leach stated that his understanding is that Site Review was going to make a determination sometime in April.

Chairman Sathe asked if the truck was still there.

Commissioner Leach stated visual it is still there. I worked with Eric, Richard's licensed surveyor and we located the initial survey marker for all of Fern Acres and we had that marked. He needs one more point somewhere to make a determination.

City Recorder Fred Hilden stated we need to find out what Wobbe is going to charge us and what Eric is going to charge us and move ahead on it.

Chairman Sathe stated this homeowner talked to me and Duke when we went over there and he told us he was going to move all this stuff clear back when we went out there and he lied to us. When somebody lies to me, I don't have any faith in them again. If he wasn't going to move it he should of told me he wasn't going to move it.

Commissioner Leach stated that he has a backyard to accommodate it.

Chairman Sathe stated that this will be put on the next Agenda and have a survey complete at least a week before the next Road Meeting.

Commissioner Leach stated my last suggestion would be that the most recent building was done is on the corner of Woahink Drive and Wright Road and he fronts on Shirley and I believe the property owners name is Wilson so, if any survey was done we could probably find his markers.

9. NEW BUSINESS - NONE

10. UNSCHEDULED ITEMS NOT LISTED ON THE AGENDA

Chairman Sathe stated that last month we were to have a shovel ready projects going and he contacted Gary Baker and Tom Hart at Dyer Partnership and we are coming down to a timeline.

Commissioner Tucker made a motion to move ahead on the two shovel ready projects. Commissioner Leach seconded the motion. The motion passed unanimously.

Chairman Sathe stated let's call Dyer Partnership tomorrow.

Commissioner Leach stated that we had some vandalism on Huckleberry and we have had a camera up there and I have not removed that camera yet because we have not had any more activity.

Chairman Sathe stated that Commissioner Leach should take his ladder over there and take the SIM card out for it has to be full by now and then reinstall it.

The Commissioner discussed the idea of getting a second SIM card.

Commissioner Harris stated that we talked about the new bicycle policy and we should be working on that and understanding the regulation, we need to address that.

Chairman Sathe asked Commissioner Harris if he would like to head up that.

Commissioner Harris agreed.

Chairman Sathe stated that he is glad that Bill is interested in this.

Commissioner Harris stated he is not all that interested but he likes a flat spot if he is riding a bike.

Commissioner Tucker stated he did not want to go over the budget tonight but he would like to have this as a line item on the Agenda.

Road Secretary Brandie Bell stated that she will not have the budget officer every month if they put that on the Agenda.

City Recorder Fred Hilden stated he could explain it for one month and it will be self-evident.

City Recorder Fred Hilden stated that he should have brought this up earlier and Brandie brought it to my attention and is probably relevant that the FEMA money, appears that all of the hard work that the Road Commission has been doing is going to account for the City's 25% share of FEMA reimbursement if we get our 75% reimbursement on the monies we have spent on the clean-up on the storm in January. With record keeping and Troy's hard work and Jamie's hard work on gathering the data and putting together the report. I met with the FEMA coordinator a week ago and it there seems to be no reason why we shouldn't at least get \$10,000 in reimbursement funds, which would be real nice for the road fund. Thank you for all the hard work and the record keeping. Thank you Brandie I wasn't sure where you were coming with that.

Chairman Sathe stated that it looks like we are going to go over on personal services, with three months left we should be at 75% not 83.5%.

City Recorder Hilden stated I need to take a look at that and we will come in under budget.

11. FINAL COMMENTS

City Recorder Fred Hilden stated that he had nothing to add. Thank you.

Road Secretary Brandie Bell stated just in summary I have a work session for May 5th at 10:00 am. I will get back to you on Gary Baker dates for a work session.

Chairman Sathe asked the Road Secretary if we had sent Lee a road packet.

Road Secretary Bell stated yes he has it.

Commissioner Leach stated I think my comment is I would like to thank the City for moving forward on issuing the emergency road fund money and took care of all the damage and that did a good job and we did a lot of work up there and it made a big difference on keeping the roads safe.

Chairman Sathe stated he was going to say the same thing. Richard and his crew went out there and had a lot of good compliments from people. The chipping was the way to go and that was cheaper to the City and people were going out there and getting chips to put in their flower beds. People really enjoyed that.

Commissioner Palmer stated that he thinks they did a good job on the clean-up. Everything turned out looking real nice.

Commissioner Harris stated I agree.

Commissioner Tucker stated so do I.

12. ADJOURNMENT

There being no further business to come before the Road Commission, Commissioner Tucker made a motion to adjourn the meeting. Commissioner Harris seconded the motion. The motion passed by unanimous vote.

The meeting of the Dunes City Road Commission adjourned at 9:35 pm.

The proceedings of the Dunes City Road Commission meeting were recorded on tape, and are on file at City Hall. Upon approval by the Road Commission, these minutes will be available online at www.dunescity.com.

APPROVED BY THE ROAD COMMISSION ON THE 21TH DAY OF MAY 2012.

[Signed copy available at Dunes City Hall]

Troy Sathe, Road Commission Chairman

ATTEST:

[Signed copy available at Dunes City Hall]

Brandie Bell, Road Secretary