

GLADSTONE CITY COUNCIL MINUTES OF REGULAR MEETING – April 09, 2013

ROLL CALL

The following city officials answered the roll call: Mayor Wade Byers and Councilors Hal Busch, Ray Jaren, Kari Martinez, Thomas Mersereau, Lendon Nelson, and Neal Reisner.

ABSENT: None

STAFF

Pete Boyce, City Administrator; Irene Green, Interim Library Director; Heather Martin, City Attorney; Jolene Morishita, Assistant City Administrator; Stan Monte, Fire Chief; Jim Pryde, Police Chief; Mike Funk, Fire Marshall; and Scott Tabor, Public Works Director.

Mayor Byers led the flag salute.

BUSINESS FROM THE AUDIENCE

Pat Clark, 7650 Ridgewood Drive explained he has an exotic cat that he has raised since he was a baby and is here tonight to find out what the regulations are for keeping the Siberian Lynx in Gladstone. He moved here three months ago from Milwaukie. He has letters and pictures from neighbors, family, friends, kids, etc. to show that he has been a responsible owner. He has not had one incident with her. City Administrator Boyce stated the Code does not allow this type of cat; however, staff will work with Mr. Clark to see if there is some way he can comply with the code.

Philip Smith, 365 E. Jersey Street stated he has lived in Gladstone for the past 25 years. He was contacted by PGE regarding trees in front of his home. Apparently the house at the end of the block was sold and they want to put in a primary line that needed a 12-foot clearance. He was informed by PGE that the maple tree on the west end of his property would have to go totally and the maple tree on the east end of his property totally disfigured or removed. He asked why PGE is allowed to cut down trees to supply one home while diminishing the property value of another. The removal of these trees would add considerable amount of landscaping on his property at his expense. City Administrator Boyce will work with PGE and Mr. Smith to see what could be done.

Kirk Stempel, 6960 Winfield Court is part of the dive team leaders for the Fire Department and part of the Clackamas County Water Rescue Consortium. In their meeting he was approached by the Clackamas County Marine Deputies to talk about Meldrum Bar. Two weeks ago there was a car that went in the River and prior to that there was a fatality. They are suggesting that it be closed. City Administrator Boyce stated staff is working with the insurance company to determine the best course of action to keep people from driving their cars out on the bar.

Marianna Moore, 18340 Cornell Place has lived in Gladstone for over 50 years. She read in the newspaper that West Linn is getting money because of the water pipeline going through Gladstone and West Linn for Lake Oswego's water. She asked if Gladstone will be receiving franchise fees or a lump sum payment for inconveniences of the construction. Public Works Director Scott Tabor noted he has negotiated with Lake Oswego so that Gladstone roads will be totally rebuilt through their progress of

replacing pipe. West Clackamas and Bellevue through Exeter Street will have all new curbs and drainage installed and all sub-grades will be replaced. Staff is working closely with Lake Oswego to make sure they meet the requirements of the agreement.

James Miller, 355 E. Kenmore Street noted he has over 15 years of public works experience and more than 5 years in civil engineering. He is not impressed with the Public Works Department. A water main was installed on Meldrum Bar Park from River Road down to the ball fields. The quality of work is on par; however the time it takes to do this type of work is not.

Mr. Miller stated he agrees with the gentleman on East Jersey Street as this is behind his property. He noticed the activity going on there and again he has seen the Public Works staff taking two weeks to do sewer work to fix the City's main in an effort to help the customer connect to the City sewer. He feels Public Works staff is not equipped to do non-routine maintenance. While they are doing the work on the new water main installation at Meldrum Bar Park and fixing the sanitary sewer in two phases on East Jersey, there is other work that is not being done (cleaning the storm system and sewer system). The work that needs to be completed should be in sync and competitive with the private sector.

Susie Bousha, 17590 Braden Court has been a resident of Gladstone for 36 years. Tonight she wanted to express her gratitude to the Council and public servants (Police Department, Fire Department). Her daughter had an automobile accident 13 years ago and the City employees took very good care of her. Three weeks ago, her daughter had accident on Highway 205 in the early morning traffic and once again a Gladstone off-duty officer helped her out with getting the person responsible for the accident and taking care of her daughter until she was safe to go home. More often than not you hear the bad things about the City employees, and she wanted to stand before the Council and say she is proud and honored to have the individuals who serve Gladstone serve her family in an exceptional manner and should be recognized for what they do.

CONSENT AGENDA

Item(s) Removed from the agenda: None

1. Approval of February 12, February 26, and March 12 2013 Minutes
2. Liquor Control Commission High Rocks Application or Temporary Use of Annual License for an Event at an Unlicensed Location (Back Parking Lot of High Ricks Restaurant
3. Accept Bid for Senior Center HAVC Units
4. Payment of March Claims

*Councilor Martinez moved and Councilor Nelson seconded a motion to approve the Consent Agenda consisting of the four items listed above as presented.
Motion carried unanimously.*

CORRESPONDENCE

Mayor Byers acknowledged receipt of:

- Letter from Bev Anslow regarding library outsourcing
- Letter from Florence Bradley regarding library outsourcing

REGULAR AGENDA

7. Library Outsourcing Information Update. City Administrator Boyce reported he approached LSSI and requested a proposal to operate the Gladstone Library. LSSI has requested information from the City to formulate their proposal. Staff is preparing that information and it is hoped that the proposal will be received by the next Council meeting in May.

Councilor Martinez moved and Councilor Busch seconded a motion to table this issue for discussion at a later time.

Discussion followed on the time involved with this issue as there will be ongoing discussions with questions, more clarification and on and on. Previous discussions have required more information from LSSI and a proposal has been requested. Concerns were raised about the amount of time on this issue and the fact there are other pressing issues to deal with. City Administrator reported LSSI has requested more information from the City; they have not started significant work on a proposal at this time.

Vote on the motion by Councilor Martinez and Councilor Busch to table the LSSI issue for discussion at a later date.

Roll: Councilor Jaren, no; Councilor Martinez, yes; Councilor Mersereau, no; Councilor Reisner, no; Councilor Busch, no; Councilor Nelson, no; and Mayor Byers, yes.

Motion failed 2-5.

8. Request for Permit to Live in Motor Home at 545 E. Clarendon Street. Stanley Jones is asking Council for a permit to live in his motor home for 2 or more weeks. He is in the process of repairing the motor home. The motor home has been in the driveway and he has been living in it for a year and a half now. He was unaware there were ordinances regarding motor homes.

Councilor Busch moved and Councilor Martinez seconded a motion to grant Mr. Jones an extra month from today to get his motor home repaired and moved if he intends to continue to live in it.

Motion carried unanimously.

9. Discussion of Chautauqua Festival Agreement. City Administrator Boyce reported Council requested staff to put together a formal agreement to enter into with the Chautauqua Committee. The City attorney has drafted the agreement and it has been given to the Chautauqua for review. Once the agreement is workable for both parties, it will be submitted to Council for review. Martha Woolridge, 1100 Clayton Way confirmed they received the agreement. There are a couple of issues of concern and they have forwarded the document to their insurance company for comments.
10. February 28, 2013, Town Hall Meeting Notes. City Administrator Boyce was impressed with the number of people who showed up at that meeting. The meeting notes include comments from those at the meeting. It has been posted on the website.

11. Building Permit Issued at 225 Berkley. City Administrator reported there was a Clackamas County permit issued in error which does not conform to Gladstone Municipal Code requirements. Council must decide whether to direct Clackamas County to issue a stop work order. The City Attorney Doughman has recommended allowing the owner/builder to complete the home and not issue a stop work order.

Councilor Martinez moved and Councilor Jaren seconded a motion to allow the construction to continue.

Council Discussion

Question: What was previously there? Answer: Mayor Byers stated there was an old garage that was part of the house.

Motion to allow the construction to continue passed unanimously.

Mike McAllister, Planning Director, Clackamas County apologized for the error and mistake made in regards to the building permit. He has met with his staff and from now on all building permits will be sent to the City Planner, Clay, for approval.

12. Review Clackamas County Planning and Building Inspection Services. City Administrator Boyce reported he spoke to the City Attorney regarding renewing the Intergovernmental Agreement (IGA). There are other IGAs with Clackamas County that need to be reviewed. There needs to be a way to incorporate some sort of check and balance that would help catch renewals when they come up.
13. Library Building Maintenance Update. City Administrator Boyce reported he has been working with Irene Green regarding efflorescence in the library building. A contractor has come in and they have made estimates between \$16,000 and \$25,000 to remove the efflorescence and repair the building. There is no immediate health issue in the work area; however, this is something that needs to be resolved

Council Discussion

Question: Are the large deposits of efflorescence as noted in the assessment mold or just salt?
Answer: Ms. Irene Green stated the firm said it was efflorescence which is a salt crystallization that came to the front. It is not mold.

Public Comments

Question: In the report is there any mention of toxic mold? Answer: Mayor Byers said no.

Question: Where will this come out of the budget to make the repairs? Answer: City Administrator Boyce explained if it is repaired this fiscal year it would come out of the library operating budget. There is a line item for building maintenance. If it exceeds that line item it will be covered at the end of the year with a line item transfer.

Question: If is not mold why does it have to be fixed? Answer: It is important to deal with the water intrusion that is causing the problem. There is water leaking into the building from the outside.

Question: Has the contractor identified the source of the water. Is it the roof? Answer: Mayor Byers stated for this episode it is the wall.

Question: How much longevity do you get from the \$16,000 to \$25,000 repair? Answer: City Administrator Boyce noted the City is not at the point where they have determined the time period of fix that is needed. There needs to be a determination of what the City wants done in terms of a repair and then request bids.

Mary Accettura, 17528 SE Valley View Road asked why the library building is treated as a naughty stepchild. Anything done with this building is always a big hassle. They have been without a sign on the building since before Christmas; it fell apart. It has not been replaced. Parents are afraid to bring their children in the building for story hour because of building problems. Answer: City Administrator stated this issue has been reviewed by staff and if it is determined to stay in the facility long term the sign will be replaced. There will be more information at the next meeting.

Bev Anslow, 145 E. Dartmouth stated the library had mold for two years. Water comes down the gutters and the gutters have not been repaired. City Administrator Boyce reported there are gutters that need repair and they are looking at that also.

Carol Winegarten, 280 Harvard Avenue thinks that not only is the library the stepchild, the City Hall and Police Station are also. There is a lot of disrepair and people are frustrated because a lot of money was spent on the other library location. Mayor Byers explained the funds spent on the proposed library was money dedicated to the design of Gladstone Library. The City does not have to pay back the million dollars to Clackamas County. It was given to Gladstone for library only. The funds that have to be paid back are the \$1.5 million dollars that was additionally paid. These funds have not been used.

Rose Johnson, 5480 Abernathy Court explained recently there was posted on the website the original IGA with Clackamas County. She encouraged the audience to read it. City Administrator Boyce will find the original IGA and re-post it.

James Miller noted the City Administrator, when talking about transfer of funds stated perhaps urban renewal funds can be spent by replacing some of the sanitary sewer fund. The purpose of enterprise funds being the sewer fund is that it should be sustaining, which includes staff equipment, repair and replacement. City Administrator Boyce stated that is true, however, the City has a policy that if they are able to use restricted funds, such as urban renewal funds, they do use those funds first for a project. It does minimize the effect on the ratepayers. The sewer storm water fund is an enterprise fund and it's to be self-sustaining.

14. Update on City Hall/Police Station. City Administrator Boyce reported the City has information on what it would take to repair the City Hall/Police Station building. Group McKenzie has estimated costs for repair/construction of the building at its current location and at the Webster Street location. It was suggested to also look at a library; however, there are no estimated costs for that building. In consideration of the library staff will need to find out if Gladstone still wants to consolidate with Oak Lode to retain the \$1.5 million and have the external revenue source coming in to help pay the construction costs and operating costs in the future and how much square footage will be needed for the addition of Oak Lodge or only for the current service area. He is asking Council for guidance as to how to proceed with this project. It was suggested that staff look into what other cities have done, the square footage and costs. Staff will continue to gather information.

Carol Winegarten, 280 Harvard Avenue asked when the City Hall/Police Station was built. Mayor Byers stated the City Hall building was constructed in 1940 and Police Station in 1960. Ms. Winegarten asked who is responsible for maintenance. Mayor Byers said it is City staff.

Rose Johnson, 5980 Abernathy Court has resided in Gladstone for 20 years and she thinks the Council had done the best they can with the money they have. They have responded to every needed repair and addressed it. It takes time to go through the process of each project. In November residents voted to put \$1 million spending limits on the Council.

Robin Bragg, 280 E. Jersey has a ton of respect for Council. He does mold remediation and is also licensed as lead based paint certified renovator; been remodeling for 30 years. He suggested the City sell the property on Webster and uses the fund to do something with the downtown area which could encompass many of the needs expressed tonight. City Administrator Boyce stated he will continue to gather information on a new library structure and from that point move on to a worksession with Council to discuss the merits of the plans.

Chuck Gustafson, 6635 Buckingham Drive noted if all the improvements were made to the downtown area it would only generate an additional 6 people using the downtown area. There is nothing in Gladstone that appeals to people.

Suggestions for City Hall/Police Station/Library

- The current City Hall is adequate for staff. A design could be drafted that would accommodate the Police Department and Police Station as a second phase.
- There are several instances of combination City Hall and Libraries. The library on the first floor and the City Hall on the second floor. It would reduce the cost of the library.
- There is a house for sale across from John Wetten Elementary School that sits on three lots. The house could be demolished and it would end up with a lot of land. Mayor Byers explained that the zoning requires an entire city block would be needed for off-street parking.

15. Set Date for City Council Retreat. City Administrator Boyce asked the Council to consider a date in late May through early June for the Council Retreat. It was the consensus of the Council to tentatively hold the City Council Retreat on June 1, 2013.

16. Set Date for Joint Meeting with Planning Commission. It was suggested that the joint meeting be held on May 28th. City Administrator Boyce will contact the Planning Commission to see if that date would be available for them.
17. Proposed Dates for Joint School Board Meeting. City Administrator Boyce reported the School Board is available May 1st and May 15th, 2013. He will be in touch with Council as soon as the School Board lets him know which one is most acceptable to them.
18. Public Works Update. Scott Tabor, Public Works Supervisor, reported all the allegations presented to Council from a resident in Gladstone have been vindicated.

BUSINESS FROM THE COUNCIL

- Councilor Mersereau thanked the Public Works crew on a job well done. He attended the Fire Department meeting; there will be four new firefighters sworn in Friday, April 12th 2013.
- There is going to be a \$1/Scoop night at Baskin and Robins on April 23, 24, and 25th. They are asking that people bring toys for their Toy Drive.
- Jim McFarland is a new/old officer with the Police Department who was with Gladstone in 1990, went to Beaverton where he was injured on duty there, and decided to come back to Gladstone. Travis Hall is applying for a lateral position; his previous positions were in Colorado and Clackamas County Sheriff's Department. There have been interviews with reserve officers and hopefully two officers will be selected. For the first time the Police Department will be at 100%.
- On April 27, 2013 the Gladstone Youth Coalition will sponsor a Drug Drop Off Day in front of the Police Station from 10:00 a.m. to 2:00 p.m. There will be a container inside the front door for used and out-dated medicine.
- It was learned at the Clackamas County Coordinating Committee Meeting that the application for the grant for the Trolley Bridge Study is one of six on the flexible funding program.
- Clackamas County Coordinating Commission has had discussions on the impact of the Columbia River crossing, particularly if it is tolled on Highway I-5. Already Highway 205 carries more traffic than Highway I-5. There is a potential if Highway I-5 is tolled to divert 25,000 – 35,000 more cars driving onto 205. It might be appropriate for Gladstone to send a letter voicing their concern about Highway 205 and the potential impact of the increased traffic congestion between the Abernathy Bridge and the Stafford Road exit.
- Councilor Nelson announced he was selected to the FBI Citizen's Academy. He thanked the Police Chief for his letter of recommendation. He is privileged to have been selected.
- Councilor Reisner reported he attended the Fire Department meeting during which there were four calls. The calls were handled professionally. He thanked the Fire and Police Department for keeping the residents safe.
- Mayor Byers reported the Ethics Commission filing is due April 15, 2013. He asked the Councilors to get them to the City Administrator by Friday.
- Mayor Byers reported a former Clackamas County Commissioner and Chair of the Commission Len Peterson is now the director of the Washington Transportation Department.

Adjourn

Mayor Byers adjourned the April 9, 2013, Council meeting at 9:45 p.m. into Executive Session ORS 192.660(2)(h) to consult with Counsel the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed and ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

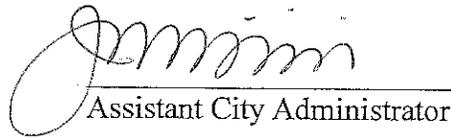
The next City Council meeting was adjourned to _____, 2013, at 7:00 p.m.

Approved by the Mayor this 11 day of June, 2013.

Attest:



Mayor



Assistant City Administrator