

GLADSTONE CITY COUNCIL MINUTES OF REGULAR MEETING – June 11, 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; Heather Martin, City Attorney; Jolene Morishita, Assistant City Administrator; Rhonda Bremmeyer, Senior Center Director; Irene Green, Interim Library Director; Stan Monte, Fire Chief; Jim Pryde, Police Chief; and Scott Tabor, Public Works Director.

Mayor Byers led the flag salute.

BUSINESS FROM THE AUDIENCE

Bill Conboy, 545 E. Berkeley Street explained there is a motor home parked in front of his home which is owned by Tony Aldridge. Mrs. Aldridge is currently undergoing treatment for Leukemia and they can no longer stay at the mobile home park. He presented a letter to the Council explaining the situation and asked for approval for them to remain parked there until their situation changes. City Administrator Boyce stated there is a code that indicates how long someone can live in a temporary dwelling. He will review the code tomorrow to see if this situation meets the criteria and if so a two-week temporary permit can be allowed. City Council can approve a two month permit with the ability to extend it another 30 days.

A. E. (Tony) Aldridge, 545 E. Berkeley Street stated his wife is undergoing specific treatment now and if it is effective they will be leaving town on July 3rd. If not effective his wife will need to go into long-term care. He noted that an officer came by and was told of the situation. He saw no safety hazards with the mobile home. Officer Graves reported Officer Boyle went out and checked on the RV after a complaint from a neighbor. He found everything to be sufficient. It was parked on the wrong side of the street; however that was done to allow access by the door to the yard. Officer Boyle referred the owners to come and address Council tonight. City Administrator Boyce will review the code and address the issue with Mr. Aldridge tomorrow.

CONSENT AGENDA

Item(s) Removed from the agenda:

5. Approval of Resolution 1023 – Sewer Fees – 8% Increase

Councilor Martinez moved and Councilor Busch seconded a motion to approve the Consent Agenda consisting of:

1. Approval of April 9, 2013 and May 14, 2013 Minutes
2. Authorization for 0.5% Cost of Living (COLA) for Non-Represented employees as of July 1, 2013
3. Collective Bargaining Agreement with the Gladstone Police Association

4. Intergovernmental Agreement (IGA) with Clackamas County – Community Development Block Grant (CDBG)
6. Approval of OLCC Application for Temporary Use of Annual License, Vogies Bar, 464 Portland Ave
7. Payment of May Claims

Motion carried unanimously.

5. Approval of Resolution 1023 – Sewer Fees – 8% Increase -- This issue will be discussed with Item 18, Amending Chapter 13.04 of the Gladstone Municipal Coe (GMC) by increasing Water Rates

CORRESPONDENCE

Mayor Byers acknowledged receipt of:

8. Email from Pete Steinkamp – Backyard Burning
9. Letter from Jan Stark – Gladstone Municipal Coe 6.04 – Dogs on Leash
10. E-mail from Jim Miller – Various Items regarding budget and City practices

REGULAR AGENDA

11. Public Hearing FY 2013-14 Budget and Tax Rate. City Administrator Boyce reported the changes as suggested by the Budget Committee were made. Staff is looking forward to public input at this time.

Mayor Byers opened the public hearing on the FY 2013-14 Budget and Tax Rate at 7:10 p.m. City Attorney Martin explained the hearing format. She asked that testimony be kept to budget issues only.

Public Testimony – None.

Hearing no public testimony, Mayor Byers closed the public hearing.

12. Approval of Resolution 1024 – Adopting the Budget and Setting Tax Rate for FY 213-14. Mayor Byers asked for a vote on Resolution 1024.

Councilor Busch moved and Councilor Martinez seconded a motion to approve Resolution No. 1024, A Resolution Adopting the Budget and Setting the Tax Rate for Fiscal Year 2013-2014 as presented.

Discussion

Councilor Reisner asked that footnotes be added to the Resolution to indicate:

- The additional Lieutenant position for the Police Department
- Page 4, Line Item 9 and 10: 124, 1425 and 1430 indicating the reason for the line item with a 0.FTE for \$9,200 is due to a retirement on July 1st in the Police Department
- The line item for .25/\$5,000 is for a retiring officer on September 1st.

City Administrator Boyce stated these items can be easily added.

Councilor Mersereau voted to approve the budget as it was presented at the Budget Committee meeting and will vote to approve the budget tonight. He would like to see the Budget Committee review Council Goals for the coming year, have the City Administrator review the draft improvement for corrections and suggestions, then present the draft to the Budget Committee for review and approval.

Councilor Reisner stated he voted against the budget at the Budget Committee because many of the columns did not added up (and they do now). In the future he would like to have all background information provided before the night the budget vote is taken (as with the lieutenant position) and address the ability to have the Police Department respond to McLoughlin Blvd. He will be voting in approval of the budget.

Hearing no further discussion Mayor Byers closed the public hearing.

Vote on Resolution No. 1024

Motion Carried Unanimously.

Mayor Byers recessed the Council meeting into an Urban Renewal Agency Meeting at 7:20 p.m. and reconvened at 7:25 p.m.

13. Approval of Resolution 1025 – Elect to Receive State Revenue Sharing Funds. Mayor Byers asked for a vote on Resolution 1025.

Councilor Martinez moved and Councilor Nelson seconded a motion to approve Resolution No. 1025, A Declaring the City's Election to Receive State Revenues as presented.

Discussion

Hearing no discussion on Resolution 1025 Mayor Byers closed the public hearing.

Vote on Resolution No. 1025

Motion Carried Unanimously.

14. Approval of Resolution 1026. Mayor Byers asked for a vote on Resolution 1026.

Councilor Martinez moved and Councilor Nelson seconded a motion to approve Resolution No. 1026, A Resolution Certifying that it provides four or more municipal services enumerated in Section 1, ORS 221.760 as presented.

Discussion

Hearing no discussion Mayor Byers closed the public hearing.

Vote on Resolution No. 1026

Motion Carried Unanimously.

15. Update Regarding Summer Festival. City Administrator Boyce reported that at the last Council meeting it was explained that the Chautauqua Committee informed the City that the 2013

Chautauqua Festival was cancelled. Since that time the City has been approached by the Gladstone/Oak Grove Rotary Club to put on the Gladstone Cultural Festival. He is a member of this club and will be the president of the club beginning July 1st. He has let the Rotary Club know that he cannot participate in any of the planning of the Festival as he will be representing the City by negotiating contracts on behalf of Gladstone. If Council feels this is a conflict of interest, Assistant City Administrator Jolene Morishita can take over the responsibility of the draft agreement.

Marti Peterson, Event Director for Gladstone Cultural Festival reported this is an event sponsored by the Gladstone/Oak Grover Rotary. All the checks are written to the foundation. They are basically putting through the same events as the Chautauqua Festival (parade, movie in the park, food and non-food vendors, cruise-in on Portland Avenue, bike event, a historic wall talking about the Rivers, etc.) They are also embellishing and enhancing the event; that's why they called it the Cultural Festival. The beer garden has been dropped because of liability issues. They would like to give the business to the sports bars and taverns in the area. This beer garden will be away from the family games area and the children.

They will be building pavilions that will house educational, cultural, business, a legacy wall where she is interviewing families in the community that have contributed to the growth and development of Gladstone. The Grand Marshall will be Grand Ronde. There are many corporations that are interested in coming and sponsoring the event.

Event managers are being interviewed and she asked anyone who has event planning experience to apply. Vendors and those participating will be completely trained for the event. The event and after-flow will be well managed to be used as a template for years to come.

The event will last three days;

- Thursday noon to 8:00 p.m.--movie in the park
- Saturday--Senior Breakfast hosted by the Quanis Club, Shock the Run (Sherie Hildreth), parade, foot races
- Sunday a complete culture day honoring Grand Ronde with many entertainment acts. The Cruise-In, and a Chili Cook-off. Derrick Field may be used for entertainment which will bring traffic to McLoughlin as well. There will be full security with the City, schools and Tri-Met

Questions from the Council

- Question: What were the plans for Meldrum Bar? Answer: Ms. Peterson stated they were going to use the diamonds and move the additional vendors there. The legacy wall was going to be extended there as well.
- Question: Are there going to be rides for children? Answer: Ms. Peterson said no. The planning is already seven weeks out and they want to make sure there is protection.
- Will Meldrum Bar be a part of the Festival? Answer: Ms. Peterson said no there will be a baseball tournament that weekend.

16. Update Regarding Library Management Proposal Request from LSSI. City Administrator Boyce reported he has been contacted by Bob Windrow, LSSI and working with him to obtain

a proposal to operate the Gladstone Library as requested by Council. Last week the City was informed that LSSI would not be submitting a proposal because the impact the company could make would be minimal both financially and operationally.

17. Urban Growth Management Area. City Administrator Boyce reported at the last Council meeting he was asked to review the area south of 212 on the east side of I-205 and west of I-205. There is additional research that needs to be done in terms of assessed values, and population numbers. More time is needed to give a meaningful assessment. If some of this property is annexed in the future, it will be the City's choice whether or not to leave the existing service providers in place.

Mayor Byers explained the attraction to this area is that it has a high assessed valuation. Gladstone is very well equipped to provide the municipal services that are needed in those areas.

Public Comments

James Miller 355 East Kenmore Street is in support of annexing the subject area. The revenue generated by annexing the properties could be used to improve current services within Gladstone. He hopes there will be an assessment of the areas that would prompt the City to take some areas, but not all. Some of the areas have aging infrastructure.

18. Approval of Ordinance Amending Chapter 13.04 of the Gladstone Municipal Code (GMC) by increasing Water Rates 8% and Reaffirming All Remaining Provisions of Chapter 13.04 of the GMC. Mayor Byers asked Assistant City Administrator Morishita to read the Ordinance No. 1441 by title only. The Ordinance was read.

City Administrator Boyce reported this is a request for an 8% increase in water rates. Gladstone has some of the lowest rates within the Metro area. The City is drafting a Water Master Plan which will include a rate study. Next year the City will be able to make educated decisions on rates and projects moving forward.

Questions from the Council

- What is taking so much time to prepare the Water Master Plan? Answer: City Administrator Boyce stated the deadline is the end of this year. Plan mapping is more labor intensive than originally thought.
- Has the rate been increased over the last 4-5 years? Answer: City Administrator Boyce noted the rates have been increased 5-7% over the last few years.
- How was the 8% figure determined? Answer: City Administrator Boyce stated the City water fund is at a point where they can repay some of the old enter-fund loans that were administered several years back to redo the reservoir. A determination will be made to see if the water fund is healthy enough to make the payments to the sewer fund and the state revenue sharing fund.
- Is the rate increase due to pass-through costs from Oak Lodge and others? Answer: City Administrator Boyce stated that pass-through costs are included; however the reason for the higher rate is to shore up the cash reserves in the fund.

- How much the water funds owes to State Revenue Sharing? Answer: City Administrator Boyce reported the water fund owes \$120,000 to the Sewer Fund and \$397,588 to the Revenue Sharing Fund.
- How much interest is being paid on the loan? Answer: City Administrator noted that a while back the Council decided to only pay on the principal of the loan and the interest that was earned up to that point. Payment on that loan has not been made in the last ten years. There will be Council action in a future meeting to reaffirm the loan. Council could also take action to forgive the loan.

Public Testimony

Jim Miller, 355 E. Kenmore Street stated he is for the 8% increase as long as the City can keep the increases and all future enterprise funds in the Water Department. City Administrator Boyce explained the City looks to where the employees have been used historically in the last three years and then assign those employees in the budget document to those funds.

Jeff Glazer, 130 E. Gloucester thinks the 8% is a little large. It is well above the cost of living increases that have been going on in this area. He doesn't understand why there have been increases several times recently. Five of the six bills he pays are well below the minimum. In the summer he gets hit hard. Water conservation is an issue that needs to be addressed. He would like the increase to be temporary until the Master Plan is completed so an educated decision can be made on what increases are necessary and what direction the money should go. He understands the need for repair and prevention. His same comments apply to the sewer fund.

Rose Johnson, 540 Abernathy there are reasons included in the packet that tell why the 8% increase is being made. She asked the City to prepare a memo that would explain the reasons in more detail for those who don't understand.

Carol Winegarden, 280 Harvard Avenue was unaware until this meeting that the loan is actually to the City; the debt is being paid to the State Revenue Sharing Fund and the Sewer Fund. Ms. Winegarden noted that the debt would not be paid back with the propose increase; why pay it back now. Response: City Administrator Boyce explained when he came to the City five years ago the cash reserves in the water fund and the storm water sewer fund were extremely low. Over time the City has been attempting to build those reserves to save money and have it available for maintenance on the system or an emergency situation.

Jeff Glazer, 130 E. Gloucester asked if there could be a lump-sum payment or a partial payment. Answer: City Administrator Boyce stated the original agreement was for repayment over a 5 year term; this is the first year funds have been available to make a payment.

Jeff Glazer, 130 E. Gloucester asked if the City gets a payment for having the streets torn up because of the improvements that are being made by Lake Oswego. Public Works Director Scott Tabor stated the City has negotiated with Lake Oswego/Tigard for their route through the City. They have been asked to rebuild the roads, put in curbs, and storm systems where applicable. When the opportunity is there, the City can improve their water system while

Oswego/Tigard is there, a savings for the City. A six-inch water main will be installed to the boat ramp for fire protection.

James Miller, 355 E. Kenmore Street asked that Council forgive the loan as a learning curve because having that burden in the budget wastes Council time and employee time.

City Attorney Martin asked that a change be made to the date in Section 2 to reflect August 1st, 2013.

Councilor Martinez moved and Councilor Nelson seconded a motion to approve Ordinance No. 1441, An Ordinance Amending Chapter 13.04 of the Gladstone Municipal Code by Increasing Water Rates and Reaffirming All Remaining Provisions of Chapter 13.04 of the Gladstone Municipal Code.

Roll: **Busch:** Aye; **Jaren:** Aye; **Martinez:** Aye; **Mersereau:** Aye; **Nelson:** Aye; **Reisner:** Abstain; **Byers:** Aye
The motion carried 7-0.

Mayor Byers asked that the Assistant City Administrator Morishita to read the Ordinance by title only for the second time. The Ordinance was read.

Councilor Martinez moved and Councilor Nelson seconded a motion to approve Ordinance No. 1441, An Ordinance Amending Chapter 13.04 of the Gladstone Municipal Code by Increasing Water Rates and Reaffirming All Remaining Provisions of Chapter 13.04 of the Gladstone Municipal Code.

Roll: **Busch:** Aye; **Jaren:** Aye; **Martinez:** Aye; **Mersereau:** Aye; **Nelson:** Aye; **Reisner:** Abstain; **Byers:** Aye
The motion carried 7-0.

5. Approval of Resolution 1023, A Resolution Revising the Master Fee Schedule, Resolution 1015, Reflecting Changes In Sewer Fees.

Councilor Martinez moved and Councilor Reisner seconded a motion to approve Resolution No. 1023, A Resolution Revising the Master Fee Schedule, Reflecting Changes in Sewer Fees as presented with City Attorney and staff changes.

Discussion -- None.

Public Input -- None.

The motion carried 7-0.

BUSINESS FROM THE COUNCIL

- Councilor Mersereau reported he is now trained by the FBI Academy.

- Councilor Martinez thanked the Rotary for stepping up and doing the Cultural Festival. Mayor Byers also expressed appreciation to the Rotary club.
- Councilor Nelson announced the Tri-City Baptist Temple has a law enforcement Sunday and an award was presented to the Gladstone Police Department for a job well done.
- Councilor Nelson announced an award from the Florida State University to Chief James Pride, Co-chairman of the Police Chief Association Training Committee.
- Councilor Nelson was presented with a plaque in support of his participation with the Stair Climbing Team.
- Councilor Reisner asked for an update on the Siberian Lynxes brought up several months ago and whether Phil Smith had his meeting with PGE regarding his trees. City Administrator Boyle stated Mr. Clark is considering requesting a code change from Council. There is nothing in the Code that would allow him to keep the animal. PGE does not have an application for construction on that vacant lot at this time. When they do, they will consider it. Possibly the lines can be put higher and underground so the developer of the lot will not have problems. The City could request they go around the trees but that would require a different route for them to access their lines to the lot.
- Councilor Reisner asked if there had been a date set to get together with the Planning Commission and School Board. City Administrator stated he found a facilitator to do the retreat (Mary Bosch). Possibly the retreat can be held end of July or in August. It was suggested to have an annual meeting with the School Board to alleviate setting dates. They have suggested October.
- Mayor Byers reported he attended the graduation ceremonies at the High School last Friday. It was a very nice event.

Adjourn

Mayor Byers adjourned the June 11, 2013 Council meeting at 8:35 p.m. into Executive Session ORS 192.660(2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing,

The next City Council meeting was adjourned to July 23, 2013, at 7:30 p.m.

Approved by the Mayor this 7 day of July, 2013.

Wade Byers
Mayor

Attest:
[Signature]
Assistant City Administrator