

GLADSTONE CITY COUNCIL MINUTES OF REGULAR MEETING – July 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; Chris Crean, City Attorney; Jolene Morishita, Assistant City Administrator; Rhonda Bremmeyer, Senior Center Director; Irene Green, 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

Sherry Hall, 6820 Angus Way reminded all that National Night Out is August 6, 2013. She handed out invitations and signs to put in the neighborhood yards. The High School graphics class created the invitations and yard signs.

Teresa Schmidt, 175 E. Berkley Street invited all the councilors to be participants in the Gladstone Cultural Festival Parade. Applications were handed out and can be printed from the website.

CONSENT AGENDA

Item(s) Removed from the agenda:

3. Authorize Promotion of Irene Green to Library Director

Councilor Nelson moved and Councilor Jaren seconded a motion to approve the Consent Agenda consisting of:

1. Approval of June 11, 2013 Minutes
2. Approval of AFSCME Collective Bargaining Agreement
4. Payment of June Claims

Motion carried unanimously.

3. Authorize Promotion of Irene Green to Library Director. Steve Johnson, 1420 Manor Drive asked several questions:
 - Is it was legal to hire a public employee without properly advertising the position and considering other candidates?
 - Does hiring a public employee without using the proper procedures expose the City to legal challenges from other persons or protected classes?
 - Is it discriminatory in any other way?
 - What is this person's salary?
 - How many hours per pay period with this person work?
 - Have working hours been set for this person?
 - Is this person allowed to work remotely?

- How will this person account for their time, especially comp time?
- Have any of the requirements for this position been documented in an offer letter or elsewhere?

City Administrator Boyce reported Irene Green was one of the original applicants for the position. All the applications were reviewed, interviews were conducted, and one applicant (Ms. Green) was put on hold to be interviewed by the Committee because of the possibility of using LSSI. Ms. Green was asked to come on as acting library director and she accepted. Ms. Green has shown exceptional effort in the library during her time as acting library director. Her salary will be in step one of the salary grid (\$5,838/mo.). This is a full-time position (40 hrs/wk). Ms. Green will have to adhere to the personnel policies as adopted by Council last January. Time sheets will be filled out and reviewed the same as any other department head.

*Councilor Nelson moved and Councilor Jaren seconded a motion to retain Irene Green as the permanent Library Director.
Motion carried unanimously.*

CORRESPONDENCE

Mayor Byers acknowledged receipt of:

5. Email from Rose Johnson regarding the Lake Oswego/Tigard Temporary Construction Site

REGULAR AGENDA

6. Carlotta Collette–METRO Councilor Ms. Collette updated the Council on several projects:
 - The Regional Transportation Plan must be updated by September 14, 2013 giving Metro the opportunity to look at regional transportation goals and how the region works as a transportation system.
 - The Active Transportation Plan takes into consideration how people get around on foot (sidewalks), bicycle, and using transit. Metro will look region-wide and try to connect all the trails, systems, and corridors around the region.
 - Regional Flexible Funds are made up of three pots of Federal money to Oregon Department of Transportation (ODOT), Tri-Met, and Metro/JPAC. Gladstone has an application in for the Trolley Bridge.
 - Clackamas County Coordinating Committee will be meeting on July 25th and will narrow the list from 150% to 100%. The final vote on the final approved projects will be made on August 1st. She suggested that Gladstone have a representative present at the C-4 meeting to talk about the Trolley Bridge.
 - The Natural Area Levies was passed in May (a 5-year operating levy) for the park system which allows an increase the Nature in Neighborhood grants.
 - The Willamette Falls Legacy Project is the former Blue Heron Paper Mill site that went bankrupt in 2011. A developer has made a bid on the property which will partner with Metro to redevelop the site. A campaign called “The Willamette Falls Legacy Project” has just begun and a website is being prepared that will give information about what could happen to the site and what residents want to happen to the site.
 - Nature in Neighborhoods grant program has given funds to Rock Creek Restoration in Happy Valley, Spring Creek Park in Milwaukie, White Oaks Savanna in West Linn, and Meldrum Bar Park Project.

- This is the 50th year anniversary in Oxbow and Blue Lake Parks. On Friday July 16th the parks there are no park entrance fees.
- The Community Investment Initiative is comprised of leaders from the business community, the private side of the region. Metro contacted the private sector and they agreed to form the Community Investment Initiative Committee. Ms. Collette noted she is the Council's liaison to the Regional Infrastructure Enterprise who will be doing a couple of demonstration projects over the next few years working with private consultants and developers to bring to life some of the projects that have been on the list in communities around the region,
- Metro was mandated to work with the communities to figure out how to reduce our greenhouse gasses from transportation. Eight case studies were submitted showing how different communities around the region are reducing their greenhouse gases. Climate Smart Communities is a group studying what it would take to get the greenhouse gases to the level the State has set by 2035.
- Consideration is still being given to the Convention Center Hotel project.
- The first art piece designed into the Elephant Land Forest Hall has been selected for the Portland Zoo. On June 3rd site work began for the Condors of the Columbia Exhibit at the Portland Zoo. Ground was broken for Elephant Land expansion at the Zoo.

7. Request to Purchase Fire Engine. Fire Chief Steve Monte reported the Gladstone Fire Department serves 4 square miles as a City and 12,000 people. They average 1500 calls a year for fires, medical calls, water rescue, aid to other departments, etc.. They respond with two engines, a truck, and a rescue unit. There have been several times when he has walked into the department and there was no equipment to go out on a call. There have been times when they called in engine 101 (40 years old) and staffed it to go on a call. This engine will no longer pass OSHA standards for safety of fire fighters. Most fire engines are replaced after 15-20 years.

Fire Chief Monte is requesting Council approval of the purchase of a new fire engine, under the Public Cooperative Purchasing Rules for an estimated \$510,000.

Councilor Nelson moved and Councilor Busch seconded a motion to approve the purchase of a new fire engine for the Fire Department at the estimated cost of \$510,000.

Motion carried unanimously.

8. City Hall/Police Station/Library. City Administrator Boyce reported there was a Council worksession regarding the city hall/police station/library facilities. There were discussions on how the City might pay for the facilities and what the expenses were of refurbishing or restoring the city hall building compared to new construction. New numbers were discussed on library construction at 9,000 sf and 13,000 sf. There was concern for paying for the new structures and the percentage of urban renewal funds may have to go towards the debt. There was discussion about the master plans that are currently ongoing and proposed in the future.

Councilor Busch suggested placing a new roof on the city hall structure. The cost of roof repair will be around \$280,000 and with other necessary repairs to the structure the total cost would be about \$600,000. Expansion of the police station would be over \$1 million.

Councilor Jaren suggested putting all three facilities on Webster; city hall/police station on the first floor and a library on the second floor. This would cut costs because the library would be supported by the two functions on the first floor. More information is needed to consider this new configuration.

City Attorney Heather Martin will put together a document that outlines the process for selling the Webster Road property.

Councilor Nelson moved and Councilor Jaren seconded a motion to authorize staff to put out a bid for the patching of the roof if needed.

Motion carried unanimously.

9. Citizen Request to Amend GMC6.08.050 Keeping Wild or Dangerous Animals to allow a Siberian Lynx to the List of Allowed Animals. City Administrator Boyce introduced Pat Clark who has previously been before Council before to request that his Siberian Lynx be allowed in Gladstone. Gladstone Municipal Code 6.08.050 prohibits the Lynx from being kept in the City. Council asked that the code be reviewed to see if this is possible. Mr. Clark's request now is to amend the City Code to include it as an allowed animal.

Patrick Clark, 7650 Ridgewood Drive explained that a wild and dangerous animal is a wide range. His lynx is not a tiger, not a cougar; it is a cat he has raised since she has been 10 days old and she is now 16 years old. The estimated life of a lynx is 21-26 years. He submitted pictures of the lynx cat. He lived in Milwaukie since 1997 and there is nothing on record about having problems of the cat. Laws in Milwaukie required a cage and she is in that cage now. She is part of his family.

Council discussed the possibility of allowing a lynx on a case-by-case basis and not adding such animal to the allowed animals list. City Attorney Chris Crean stated the case-by-case basis is problematic and encourage public entities not to do things on a case-by-case basis because of the potential that it begins to look like favoritism. It would be very important to put standards in place like another code section that states, "Notwithstanding the prohibition in the section above, the City Manager may approve an exception to the prohibition provided the applicant meets the following standards." This decision could be appealed to City Council.

10. Police Department Reorganization. Police Chief Jim Pryde is proposing to reorganize its command staff to create a lieutenant position out of one of the existing sergeant positions and replace that sergeant position with an acting sergeant career development position. The city administrator and the Gladstone Police Department command staff support this reorganization proposal and have been involved in its development. City Council recently approved the FY 2013/2014 city budget that contains the salary line items relevant to this proposal.

Councilor Martinez moved and Councilor Nelson seconded a motion to approve the reorganization of the Gladstone Police Department Command Staff as presented.

Discussion: Comments were made regarding support of this topic followed by some questions. Question: What is the advantage of mentoring one lieutenant rather than mentoring three sergeants rotating through as an administrative sergeant? Answer: Mentoring sergeants is something that both the lieutenant and the chief would participate in.

Question: The structure is the same as Sandy and Molalla but neither has a lieutenant position.

Answer: Sandy has a lieutenant position that is not funded.

Question: Would an acting sergeant position be good for the officers who are rotating around?

Answer: The position will allow officers to be better trained and better informed when they go back to their regular duties. Also it will create a more cohesive network in the department because of the position so it is a good thing.

Question: Is State accreditation a requirement for the lieutenant's position?

Answer: There is no relevance to the lieutenant position for State accreditation. We do accreditation because we choose to. There are 102 standards and we have met 22 of them so we are on the countdown and hope to be accredited by the end of this year.

Motion carried unanimously.

Councilor Reisner expressed concern that our police department is not first responders on McLoughlin Boulevard. Councilor Reisner acknowledged that the police department responds to calls from businesses on McLoughlin, but does not respond to, for example, stalled cars on McLoughlin. Discussion took place.

11. Part-time Library Assistant Position. City Administrator Boyce reported Library Director Green in an effort to reduce on-call expenditures is requesting approval of a 16 hour per week library assistant. The net savings is about \$4,000 and will give increased flexibility of reducing expenditures going forward. Library Director Green is requesting City Council to approve filling the permanent part time Library Assistant position as allocated on line item 1292231 of the FY13/14 City of Gladstone budget.

Councilor Jaren moved and Councilor Nelson seconded a motion to approve a 16 hr/week library Assistant position as requested by Library Director Green.

Motion carried unanimously.

12. Library Building Repairs. City Administrator Boyce reported staff has identified a list of needed repairs to the library facility. Staff is requesting permission to seek quotes on the items marked as "Immediate Critical Repairs" on the list submitted. The quotes will come in about the \$17,000-20,000 range. The "Additional Repairs" listed are items that will need to be addressed in the future.

Councilor Jaren moved and Councilor Martinez seconded a motion authorizing permission to seek quotes on the items marked as "Immediate Critical Repairs" as described on the list presented.

It was asked whether the front door of the library could be made handicapped accessible. City Administrator Boyce said he would look into the cost of an automatic door and present it to Council to be added to the list of Immediate Critical Repairs.

Motion carried unanimously.

13. Urban Growth Management Area (UGMA). City Administrator Boyce reported Council previously discussed this issue. Happy Valley and Milwaukie have approached Clackamas County to expand their urban growth management area boundary. Staff was asked to get more information about the area east of I-205, south of Highway 212.

Should the city obtain this management area and annex the property, the city would have the ability to decide whether or not the current service districts in the area would continue providing the services or if the city would provide the service itself. The approximate taxable value is \$459 million, compared to Gladstone's current taxable value \$757 million. Staff is working with the county to determine the assessed values of the properties in this area. The population of this area is approximately 2,400; Gladstone is currently 11,415. Staff has had discussions with the Fire Chief and Police Chief to get an idea of what they felt it would take to serve that area. The Fire Department may request an additional man to equip a station near that area. The Police Department may need additional staff to cover the patrolled area. Public Works would be the biggest concern if the City were to take over water, sewer, etc. they would need to acquire that infrastructure from the service district to be able to put it in. That may not be feasible because of the large capital expense. Other city services such as planning and zoning would be impacted as it is contracted with Clackamas County and there could be additional fees charged.

Happy Valley is still pushing Clackamas County to adopt their plan and the County has been instructed to continue working on that plan. If Council wants to present a plan that is credible to Clackamas County the City may need to seek professional help to put that together. The cost of the proposal would be \$3,000-5,000.

Discussion

Mayor Byers explained there is more to this consideration than dollars; it is what the major tenants in that area want to see happen. There has to be a vote by the residents to approve the annexation. Currently the area is being serviced by Clackamas River Water, County Sheriff, Clackamas Fire District #1, and Service District #1. The County has the surface streets, etc.

Steve Johnson, 1420 Manor Drive stated in the 1980's Multnomah County, the unincorporated area between the edge of Portland and Gresham was annexed into Portland and Gresham. The people in that area were opposed to be a part of either city. How did that happen? Mayor Byers explained they had sewer moratoriums that wouldn't let people make connections to the sewer system unless they were in a City. It did pass with a vote of the people.

Steve Monte, 230 W. Exeter asked if there was an agreement between Happy Valley, Milwaukie and Gladstone, why the County is working with one party. City Administrator Boyce explained that Clackamas County was not a party to the agreement.

Staff was asked to gather information on what type of consulting service is needed if any.

14. City Council Guidebook. City Administrator Boyce suggests a worksession on this issue July 23, 2013 at 7:30 p.m. City Attorney Martin has reviewed the agreement, has some comments and wants to discuss it with Council.
15. Gladstone Cultural Festival – Change to Contract. City Administrator Boyce reported he was approached by the Rotary regarding insurance. Most of the food vendors are able to meet the insurance requirements; however the arts and crafts and lecturers are not. City Attorney Martin was asked to review the situation and suggested replacing the language in Section 4, Item 6 with, "User must provide City with all applicable food and beverage vendor certificates of

insurance and endorsements naming the City as an additional insured for the event." The City would be taking on an additional risk that is fairly minimal.

Councilor Martinez moved and Councilor Mersereau seconded a motion to change the language in the Section 4, Item 6 with, "User must provide City with all applicable food and beverage vendor certificates of insurance and endorsements naming the City as an additional insured for the event," disallowing the non-food vendors from the insurance requirement.

Patrick Gyurica, Branch Manager U.S. Bank, Gladstone, Sergeant of Arms for the Gladstone Oak Grove Rotary, and Co-chairman for the Gladstone Cultural Festival stated the arts and crafts booths, educational and non-profit organizations want to be a part of the Festival. Gladstone/Oak Grove Rotary has the insurance umbrella to cover these people. They have been asked to have an additional umbrella underneath for specific liability in order to cover in removing any liability to the City.

Motion carried unanimously.

BUSINESS FROM THE COUNCIL

- Councilor Nelson announced there will a car show on the Sunday of the Gladstone Cultural Festival on Portland Avenue. A trophy will be awarded to the owner of the favorite car by the Fire Department and Police Department.
- Neal Reisner thanked the Library Director for inviting him to story hour this last week. The focus was on Independence Day and there was a great turnout. Mayor Byers read to the kids.
- Mayor Byers announced that Mike House, Police Department has retired. His service to this community has been superb.

Adjourn

Mayor Byers adjourned the July 9, 2013 Council meeting at 9:20 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,

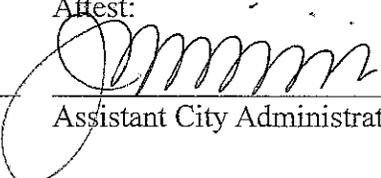
The next City Council meeting was adjourned to _____, 2013, at 7:00 p.m.

Approved by the Mayor this 10 day of September, 2013.



Mayor

Attest:



Assistant City Administrator