

GLADSTONE ADJOURNED CITY COUNCIL MEETING MINUTES of January 28, 2014

ROLL CALL

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

ABSENT: Hal Busch

STAFF

Irene Green, Library Director; Heather Martin, City Attorney; Jolene Morishita, Assistant City Administrator; and Jim Pryde, Police Chief

Mayor Byers led the flag salute.

BUSINESS FROM THE AUDIENCE – None

REGULAR AGENDA

1. Appointment to the Library Board. Mayor Byers reported there are two people who have submitted applications for the Library Board: Beverly Chase and Steven Heckert. Staff has recommended these two applicants be appointed.

Councilor Nelson moved and Councilor Martinez seconded a motion to appoint to the Library Board Beverly Chase term expiring December 31, 2017 and Steve Heckert term expiring December 31, 2016.

Motion carried unanimously.

2. Appointment to the Library Advisory Committee. City Attorney Heather Martin reported at the last Council meeting a motion was approved to appoint ten positions on the Library Advisory Committee. It was decided that there would be one member from City Council, one member from the Library Foundation, one member from the Library Board, one School Board member, one member from the County Advisory Committee and five members selected from the community. This agenda item tonight is to select the ten members to the Library Advisory Committee.

Councilor Martinez moved to allow an additional five members to the community side of the Library Advisory Committee for a total of 15 members.

Motion died for lack of a second.

Councilor Jaren stated he was impressed with the large number of applications received in the short period of time. There were a fair number of applicants from outside Gladstone. He asked the Council to consider accepting all of the applicants, use the Children's Center as the meeting room, and get a facilitator for the meetings.

Councilor Martinez moved and Councilor Jaren seconded the motion to appoint all of the applicants for the Library Advisory Committee, including the one received tonight with the two

exceptions: Steven Heckert who is the Library Board representative and Susan Nielsen who is the County Library District representative and are part of the five stakeholders.

Council Discussion: Councilor Mersereau noted City Administrator Boyce suggested having a representative from the “Save Gladstone” group. He is concerned that by allowing all the applicants it would be heavy on the side of “Save Gladstone.” He feels it would be fairer to have a representative from Save Gladstone. Discussion followed on the advantages and disadvantages of a larger committee.

- What role would Ms. Green play in this committee. Answer: Mayor Byers stated she would be staff resource.
- Would it be possible to have County staff available as staff support? Answer: Susan Nielsen is the representative for the County Library District Board. She can seek information or if staff needs information/support they can ask County staff for it.

Public Comments: Kim Sieckmann, 145 W. Dartmouth Street asked if a number could be specified as to how many “Save Gladstone” members can be allowed. Answer: Mayor Byers suggested 5 “Save Gladstone” members.

Jerry Labash, 5915 Sladen Avenue noted the concern of Council that the members of the Committee are not outweighed by any group. Since there is no background information on the applicants, he does not feel it is fair to say that “Save Gladstone” is underrepresented since we have no idea how many people who applied might be in sync with “Save Gladstone.”

Craig Seghers, 17400 Webster Road agrees there is no way of knowing who is affiliated with “Save Gladstone” if it doesn’t say on the application. There is a group to redo the library vote (a large following) and he asked if they will be reduced to five. When consideration was being given to LSSI, they pushed back on “Save Gladstone” and he brought in 250 signatures. How about Oak Grove, do they only get one. Mayor Byers stated he knows the applicants and only one is affiliated with “Save Gladstone.” Councilor Jaren explained the postcard sent out inviting applications was sent to every household in Gladstone plus every household within the expanded library district area. Everyone had a chance to put their name in.

Kevin Johnson, 6970 Winfield Court suggested going back to the original motion; five from establishment and five community (two be from Oak Grove).

Julie Fulkerson, 18130 Trevor Court asked if Council is in agreement that they want a new library and not refurbish the old library. Answer: That is what this committee will decide whether to rebuild or new the library. She asked if the “Save Gladstone” people are in support of spending money on the library. Tammy Stempel answered from the audience for “Save Gladstone” stating absolutely.

- Where is the funding coming from to support this committee (i.e.: facilitator)? Answer: Assistant City Administrator Jolene Morishita stated that Mary Bosch will

be the facilitator and the first meeting will be on February 10, 2014 at 7:00 p.m. with the location to be determined based on the size of the committee selected.

Mayor Byers repeated the motion by Councilor Martinez and seconded by Councilor Jaren to appoint all of the applicants for the Library Advisory Committee, including the one received tonight.

*Councilor Nelson moved and Councilor Jaren seconded the motion to include an additional five "Save Gladstone" people (total of six) onto the Library Advisory Committee.
Motion carried unanimously.*

Tom Mersereau was appointed City Council Liaison for the Library Advisory Committee.

BUSINESS FROM THE COUNCIL

Councilor Jaren announced he attended North Clackamas Water Commission Meeting this evening and there was a report in executive session that the first phase of the litigation regarding the membranes for the water plant was highly successful. The calendar has been prepared for the next several months to get into discovery.

Councilor Mersereau noted there was no specification as to what the Library Advisory Committee was expected to deliver. Mayor Byers stated generally Council would like a definition of what a proposed library would be. For the first meeting City Administrator Boyce and the facilitator will decide what will be reported to Council.

Councilor Mersereau noted the Council Guidebook indicates that long-term committees have a resolution or bylaws. Is this required for the Library Advisory Committee? Mayor Byers stated the facilitator will set ground rules at the first meeting.

Councilor Mersereau asked when the Council needs the Advisory Committee to have a completed format. Mayor Byers stated there is no definite date but should have it sometime in May so they can respond to the County Commission where they are in the process.

Councilor Nelson reported the Police Department had a busy weekend. Chief Pryde was the commencement speaker at the Police Academy in Salem. Two officers from Gladstone graduated after 19 weeks, Casey Newton and Mark Herkamp. Saturday there were 80 applicants for new positions for the Police Department (1 full-time position and several reserve officer positions). After passing the physical and written exams, there were about 25 applicants remaining.

Councilor Reisner reported Parks and Recreation Board met last week and received a presentation in making some changes in the BMX bike area. The Traffic Safety Commission met last night and discussed safety concerns along Oatfield Road.

Mayor Byers reported he attended the opening of the Oregon City elevator last week and was impressed. There is a projector with a movie on the column of the elevator. He also attended the dedication in 1955. He invited everyone to go and see this site.

Councilor Martinez stated it was nice to get all of the applications for the Library Advisory Committee. She asked that those who submitted applications and are now members stand and give their name. Individuals were recognized with Councilors applauding their willingness to serve.

Tammy Stempel reported the City won the grant for the Trolley Bridge Feasibility Study.

RECESS

Mayor Byers recessed the Council Meeting into Executive Session 192.660(f) with the Planning Commission to consider information or records that are exempt by law from public inspection at 7:40 p.m.

RECONVENE ADJOURNED MEETING

REGULAR AGENDA

3. Discussion of Medical Marijuana Dispensaries. Mayor Byers stated he did not feel there was enough information provided to make a decision tonight. City Attorney Martin stated there needs to be staff direction of whether to ban medical marijuana dispensaries or regulate marijuana dispensaries.

Mayor Byers stated he is comfortable with short-term banning of the dispensaries. It was asked if State Representative Brent Barton was consulted and what is his stand on this issue. Mayor Byers stated he doesn't know what the bill is yet.

Chief Pryde was asked his opinion on allowing a restricted area for medical marijuana dispensaries or banning it outright. Police Chief Pryde said there is no easy answer. This has been hot topic for the police chiefs across the state. Generally the police chiefs do not think this is a good thing; however no one knows what will come out of the February legislative session.

- If dispensaries are allowed would enforcement be under the Gladstone Chief of Police? Answer: Chief Pryde stated he was not sure; there may be one or two enforcement people in the state.
- Can staff prepare two options? Answer: City Attorney Martin stated there is more notice, process, and procedures needed if it is regulated such as changes to the Ordinance.
- Is the proposed dispensary currently operating? Answer: Chief Pryde said no; it has an open sign and people can go inside and get information. The code enforcement officer has done an inspection and there was no product on site.
- Are there people who are running this dispensary living in the house connected to it? Answer: Chief Pryde stated he is not sure.

Public Comments: Kim Sieckmann, 145 W. Dartmouth noted if a decision is made tonight it can be changed later. If the decision is made to ban it permanently or temporarily, that can be changed; if a decision is made to allow it in a certain zone and something goes in that zone, if changed that will not require them to leave.

Rose Johnson, 5480 Abernathy Court stated if it is restricted to a certain type of zoning it would be a way of dealing with the problem of establishing a policy. She finds it hard to believe that if you let it in you can never stop it. City Attorney Martin said it would be a non-conforming pre-existing use. She stated there is one on McLoughlin already. She noted there are some people with legitimate medical need and asked if there is a way to address the medical dispensary part of it and keep the so-called recreational part out of it. It isn't just marijuana there is a problem in town with crack cocaine, meth labs, etc.

Councilor Mersereau stated Gladstone is a small city and he can see where they could just ban the dispensaries. The medical people could go a reasonably short distance to get a supply that would last them for some time. He agrees with the need for medical marijuana but he also believes it is misused. If you open the City to that it could create a hectic situation. Keeping it down in an industrial area seems like an appropriate step.

Mayor Byers stated if there is a ban until Council can get all the information and proposed bill coming from the Legislation, Council can do that later. If we allow it now, it may not be reversible.

Councilor Nelson moved and Councilor Jaren seconded a motion to direct staff to prepare an Ordinance that will be a temporary ban on medical marijuana dispensaries in Gladstone. Motion carried unanimously.

City Attorney Martin asked what notification procedures will be used? Mayor Byers stated normal notice procedure for ordinances. City Attorney Martin said she would talk with staff about different ways of notification.

Council asked that this draft Ordinance be brought back at the February 11, 2014 meeting.

ADJOURN

The next City Council meeting was adjourned to _____, 2014, at 7:30 p.m.

Approved by the Mayor this 8 day of April, 2014.

Wade Byers
Mayor

Attest:

Jammin
Assistant City Administrator