

GLADSTONE REGULAR CITY COUNCIL MEETING MINUTES of July 8, 2014

Meeting was called to order at 7:35.

Roll Call:

The following city officials answered roll call: Councilor Mersereau, Councilor Martinez, Councilor Nelson, Councilor Busch, Councilor Reisner, Mayor Byers

Absent:

None reported

Staff:

Pete Boyce, City Administrator; Jolene Morishita, Assistant City Administrator; Heather Martin, City Attorney; Stan Monte, Fire Chief; Irene Green, Library Director; Jeff Jolley, Police Lieutenant; Scott Tabor, Public Works Supervisor

Mayor Byers led the flag salute.

Business from the Audience:

None

Consent Agenda:

No items were removed. Consent Agenda items:

1. Approval of May 27, 2014 Minutes
2. Appointment to Planning Commissioner – Steve Johnson
3. Payment of June, 2014 claims.

Councilor Nelson moved to approve the Consent Agenda items; Councilor Martinez seconded. Motion carried unanimously.

Correspondence:

None

Regular Agenda:

4. Election of City Council President:

Councilor Martinez nominated Hal Busch. Councilor Busch stated that he would not be seeking reelection, so it didn't seem fair, but conceded that he would serve if needed. After some discussion, Mayor Byers declared that Councilor Busch had accepted the nomination. Councilor seconded. Councilor Mersereau nominated Councilor Nelson. Councilor Nelson seconded. Mayor Byers stated that the Council does not generally second nominations. Retained just for the records.

Vote was held by show of hands. For initial call for hands, neither candidate received a majority vote. Mayor Byers called for another show of hands. For Councilor Busch, four votes were cast. For Councilor Nelson, two votes were cast. Mayor Byers announced that Councilor Busch had been elected President of the Council.

5. Gladstone Cultural Festival – Rotary Requests to Eliminate Insurance Requirements for Vendors:

City Administrator Boyce explained that the Rotary had sought and received a waiver for vendors the previous year, removing the requirement by the City to provide insurance to participate in the Festival. The Rotary is seeking a waiver from the insurance requirement of vendors for the upcoming event. Joe Kaufman, of the Gladstone/Oak Grove Rotary Club, is available for answering questions.

Mister Kaufman stated that he had about a half dozen amendments that he wished to present. City Administrator Boyce pointed out that the Councilors had a second agreement that had been placed in front of them – different from that which they had received in their packets. Mister Kaufman presented the following as amendments and clarification of the agreement with the City:

- a. The festival will not be using Charles Ames Memorial Park as originally planned for the walk and bike events which were cancelled.
- b. The agreement states that the city workers would deliver a set of barriers and picnic tables on July 31, then remove them on August 3. Instead, volunteers would just place them on the corners, so public works would not have to work in the evenings, they would just pick them up on the Monday, as normal – avoiding any overtime for the city.
- c. Item number 2 of the amendment addresses the need for the Rotary to erect and remove temporary fencing; it involves the barriers and caution tape along Portland Avenue for the car show.
- d. Regarding the Special Event Permit, as a non-profit event, the Rotary is exempt from the requirement to get a business license or permit for the event, and he is asking that it be removed from the agreement.
- e. Since many of the vendors are home-based businesses, the requirements for insurance has been waived for past events. Food vendors will still carry the requirements to provide insurance.

City Administrator Boyce explained that the City's insurance company had advised them to include the insurance requirements for the vendors, and that, by striking the requirement, the City would be assuming some risk.

Councilor Reisner moved to accept the changes; Councilor Mersereau seconded. Motion passed unanimously.

6. Resolution 1044 – Submitting to the Registered Voters of the City a Referral Approving the Gladstone City Council's Authority to Incur Debt to Finance and Construct a New Library that is projected to Cost More Than \$1,000,000:

City Administrator Boyce announced that the Councilors had a new Resolution 1044 that was slightly different than that which they received in their packets. The County Board of Commissioners had consensus that the county has \$1,500,000 for the project. They also have another \$860,000 that they accrued through saving from the operation of the Oak Lodge Facility. The library district revenues would be passed on to the City of Gladstone upon the opening of the joint facility. Before making payment to the City, Clackamas County would like to see if the ballot measure passes and that the City identifies properties for the construction. On entering a buy/sell deal for the property, the \$1.5 M

will be put into an escrow account, then on closing, the money would be remitted to the City. He also explained that the resolution states that no city funds would be used in the construction and operation of the library facility. He also stated that wording had been added to the resolution that there would be some initial expenditure by the city staff in searching for the library site. The money spent on the search would be repaid when money is received from the County Commissioners.

Wording was also added to the ballot stating that no new taxes are associated with this proposal, and no city or urban renewal funds would be used to operate the new library.

Councilor Martinez asked, "What, in this plan, continues to maintain that we are operating a Gladstone public library? It isn't the Gladstone Public Library any more." Staff members explained that the operation of the library operation is funded through the library district funds, and that the 2011 IGA provides for the construction of the new library. The City Council will have the obligation to operate the new library. The ballot measure will restrict what revenues are used to fund the operation. As part of the operation outside the general fund, the library will charge an administrative fee as do other city agencies.

Councilor Busch was concerned that the wording of the ballot explanatory statement may not provide clarity to how city funds may be used for the construction of the library, and may cause expectations in the public view. City Administrator Boyce says that he sees only the expense of the staff during the search for the new library site. If needed, the City could fall back on the use of some of the library district funds to pay for the search for the site of the new library.

Kevin Johnson, Winfield Court, commended City Administrator Boyce and his staff for answering the questions so readily during the meeting. He also commended Clackamas County Commissioner for her actions and remarks.

Les Poole, Gladstone, endorsed Mister Johnson's comments and the actions of the City Council, encouraging the City to "get after it."

Ed Gronke, 4912 SE Rinearson Road, Jennings Lodge, a former member of the library advisory board, expressed concern that the structure of the library funding locked the City into a situation of insufficient funds from the library district, the operation of the library would be cut back. Mayor Byers explained that the only way that such a shortfall could happen is if the voters choose to change the library levee.

Mayor Byers called for a vote on Resolution 1044. Councilor Busch moved to accept; Commissioner Reisner seconded. After clarification by City Administrator Boyce, Mayor Byers called for a vote. The motion passed unanimously.

7. Recommendation from Park and Recreation Board – Dog Park Location to Meldrum Bar Park:

City Administrator Boyce explained that the dog park that was to go in next to Nick

Shannon Park was put on hold by the City Council while the Park and Recreation Committee looked for alternate sites. The Park and Recreation Committee has come up with two alternative sites in Meldrum Bar Park. After having received public feedback, the committee is recommending the grassy area adjacent to the community gardens across Old Beach Road (Dahl Park Road) for a dog park. The City Attorney and County Planner have determined that there are no planning or zoning issues. He would like to continue to research the proposal and bring it back to the table in the August City Council meeting for consideration.

Public Works Supervisor Tabor explained that, since the work would be done well above the water mark of the river at that point, that it does not involve other agencies or need further consideration. With the addition of the dog park, the City would just be adding more diversity to the open use park. Establishing the dog park may require the addition of maybe 100 feet of fencing. Some diseased fruit trees have been removed from the area to open the park up for other users. He also explained that the fencing will be slatted to provide separation between the dogs and other park users that may be frightened by the dogs barking. He then addressed a councilor's concern that the addition of the dog park directly across from the community garden may cause parking issues. He explained that he does not foresee any issues with traffic or parking in the common area, and the shoulders of the road would be graveled to facilitate more parking.

8. Discussion Regarding Temporary Construction Easement Lease Funds to be Earmarked for Park Expenditures:

City Administrator Boyce stated that the City had received \$161,129 from construction easements from the Lake Oswego/Tigard Water Line Project. The Park and Recreation board is requesting that those funds be set aside for park maintenance. Councilor Reisner added that he believed these one-time funds could be used for one-time projects, not for the normal maintenance on the park. He suggested, for example, upgrading play equipment for toddlers near the existing play structures.

City Administrator Boyce added that the city budget would have to be amended to add these funds to the expenditures of the Park Department in the General Funds requiring a public process. He recommends that the City reconvene the Budget Committee to start the public process, if the City wants to move forward. Several councilors agreed with the idea and expressed desire to move the proposal forward.

9. Adjusted Job Description and Salary Grid for Senior Center Assistant Position:

Senior Center Director Rhonda Bremmeyer made a presentation of appreciation to the City and several volunteers for their support. She presented Jamie Southworth to the Council for a raise because Jamie has continued her education and has been assisting Director Bremmeyer in her administration of cases at the center.

Councilor Nelson made a motion to approve the increase; Councilor Mersereau seconded. Motion passed unanimously.

10. Block Party Fee:

Mayor Byers explained that the City had received an email request asking for a review of the fee. The City Administrator and Council discussed the fee and its application to block parties and National Night Out.

Councilor Nelson made a motion to keep the fee at \$35; Councilor Martinez seconded.

Mayor Byers asked if there were comments from the public.

Cami Heckert, 245 W Clarendon St, explained that her street is a main thoroughfare to McLoughlin, and it would be unsafe for small children if they conducted the block party without closing the street. Because of the fees, they have canceled this year's party, which involves about 70% of the households on that section of the street. They have conducted two parties per year in the past.

After discussion by the Council, Councilor Nelson withdrew his motion to keep the fee.

City Administrator Boyce and the Council continued to discuss the fee structure. They determined that the fee was not part of an ordinance, but was part of the City Fee Schedule, suggesting that the National Night Out fee could be removed from the schedule. City Attorney Martin clarified that the ordinance would need to be amended to exempt National Night Out from the block party fee requirement.

Kim Sieckmann, explained that National Night Out is actually National Night Out Against Crime. He worries that the fee might defer people from participating in National Night Out and would like to see it removed so that it does not become a deterrent to NNOAC. Councilor Martinez stated that since NNOAC is also a City sponsored event, that fees should not be collected for the event.

Attorney Martin will check the ordinance to confirm that it exempts City sponsored events since it appears that this is what the City is currently practicing. Independent block parties would remain the same.

11. League of Oregon Cities Legislative Input:

Mayor Byers explained that the League has asked the Council for advice on legislative priorities and asked for advice about what the legislative session ought to be. Each Councilor could make suggestion on the summary page at the back of the request in the packet, then return them.

Business from the Council

Councilor Nelson reported that Adventist Camp starts today (July 8) and will go from July 10 to July 20, so things are going to get busy there for the next three weeks.

Councilor Reisner reported that he had met with the Clackamas Cities Association and Lynn McNamara, Director of the City Council Insurance Service, made a presentation on insurance

risks. Miss McNamara indicated that about 40% of the claims were now coming from personnel issues, and that police claims had dropped to only 20%.

Councilor Reisner asked about the crosswalk that had been approved for Oatfield. Public Works Supervisor Tabor responded that it would be soon. Public Works is playing "catch up" and would be addressing the crosswalk issue in the next two weeks.

Councilor Reisner stated that Accounting Clerk, Jeff Anderson, is retiring within the month and wondered what is being done about his replacement. City Administrator Boyce reported that they are rewriting the job description and is hoping to have it advertised this week.

Councilor Reisner asked about the disposition of the Oregon City Right of Way. City Administrator stated that TriCity Sewer District is intending to file a suit against Oregon City. West Linn is also affected and has been soliciting the Oregon legislation and the League of Oregon Cities to push for a legislative change in the upcoming session. He stated further that he believes it is a good idea to meet with representatives of West Linn to talk out the concerns. Mayor Byers added that The League of Oregon Cities is not going to get involved with the issue.

Mayor Byers reported that people in the community have reported damage to homes and cars by falling trees. He stated that he thinks there should be articles in the city newsletter about the dangers, and suggested people check their trees for possible danger. Elliot Beezy, 6650 Park Way, suggested that people also check to make sure their insurance has the proper coverage and riders for protection against such damage.

Mayor Byers called for a recess to go into executive session 192.660(2)(i). No time stamp provided.

Mayor Byers reopened the regular session. No time stamp provided. He suggested a work session with people putting their priorities on the newest list that the Council has. City Administrator Boyce reported that Staff wanted a work session with the Police Department on July 22 at City Hall. There is a grant that is available to seismically upgrade the police station. City Administrator will pare down the list and provide it to the Council members.

Meeting was adjourned. No time stated.

Approved by the Mayor this 12 day of August, 2014.

Attest:

Wade Byers
Mayor

Jmm
Assistant City Administrator