GLADSTONE ADJOURNED CITY COUNCIL & WORK SESSION MEETING MINUTES of January 6, 2015

Meeting was called to order by City Administrator Boyce. No time stamp provided.

City Administrator Boyce requested seated City Council members select a temporary Council Member to run the meeting until Mayor Jacobellis takes the Oath of Office.

Councilor Reisner made a motion that Councilor Mersereau be appointed to run the meeting. Councilor Nelson seconded. The motion passed unanimously.

ROLL CALL:
The following city officials answered roll call: Councilor Nelson, Councilor Reisner, Councilor Sieckmann, and Councilor Mersereau

ABSENT:
None

STAFF:
David Doughman, City Attorney; Jolene Morishita, Assistant City Administrator; Pete Boyce, City Administrator; Rhonda Bremmeyer, Senior Center Director; Irene Green, Library Director; and Jim Pryde, Police Chief

OATH OF OFFICE - Judge Linda Beloof: New Mayor, Dominick Jacobellis, newly and re-elected City Councilors Kim Sieckmann, Steve Johnson and Patrick McMahon

ELECTION OF CITY COUNCIL PRESIDENT: *Councilor Reisner made a motion that Councilor Mersereau be appointed City Council President. Councilor Nelson seconded. The motion passed unanimously.*

BUSINESS FROM THE AUDIENCE:
None

CONSENT AGENDA:

4/5. Approval of Resolution 1047 & 1048:

Councilor Nelson made a motion that Resolution 1047 & 1048 be approved. Councilor Reisner seconded. The motion passed unanimously.

CORRESPONDENCE:

7. Letter from Oregon City to Tri-City Service District, re: Governance of Tri-Cities Service District.

Councilor Reisner requested a status report on issue.

City Administrator Boyce and Mayor Jacobellis met with the Oregon City, City Manager, one of their Attorneys and their Mayor Elect Dan Holloway a couple of weeks ago to talk about the items in the letter. They want input from the City of Gladstone on this.

Mayor Jacobellis and I have met since then and feel that the best course of action would be to invite them to a future City Council meeting and invite Clackamas County officials

as well. So City Council can get a sense of where the parties are and what makes sense for the City of Gladstone.

Councilor Reisner – I am still interested in an idea I brought forth several months ago, to have a meeting with all four entities, Oregon City, Clackamas County, West Linn and Gladstone, to discuss this and other issues they may be having with the sewer service.

City Administrator Boyce - That's something I could explore with the Mayor.

Mayor Jacobellis - City Administrator Boyce and I had talked about that, but his understanding was that Clackamas County and Oregon City were in a butting heads mode. His concern was that if we put this meeting together and they continued butting heads it could be a waste of time and nothing would be accomplished. Mayor Jacobellis suggested they sit down with the County Commission to get their version on what they are looking for that is contrary to what Oregon City wants, then knowing what both sides want, maybe Gladstone could try to mediate and come up with a solution that both sides can agree on. Then sit down with all 4 groups and come up with a plan they can all agree with.

Councilor Reisner - My concern is that if you have individual meeting with each entity, then that entity meets with another entity there may be different ideas completely and still not coming to a mutual conclusion. We're adults, and should be able act accordingly, and should all meet together to work it out.

City Administrator Boyce – How would the Council like to proceed? Councilor Reisner asked if it would be public or private and City Administrator Boyce stated that it would have to be public, it didn't fit into any exemption status. Councilor Reisner had gone to a West Linn function a couple of months ago and had spoken to a couple of their Council members about the four entity meeting idea and they were receptive to it.

Councilor Sieckmann - Both ways have merit and if the session went well, it could be more productive if they all came together to discuss it. Start a conversation about it to see how the other entities feel about the idea and if they are receptive to it, we should proceed with the 4 entity meeting.

City Administrator Boyce – I have received a request from Oregon City to have a meeting with them, President Mersereau and Mayor Jacobellis and that could be a way to discuss the 4 entity meeting as a possibility.

Mayor Jacobellis asked City Administrator Boyce what he felt the relationship was between the entities. City Administrator Boyce stated that the Tri-City Sewer District is currently suing Oregon City over the right-of-way fee ordinance. The governance is a different issue and they are all professional people and should be able to separate the two but the emotions from that could come into it.

Councilor Mersereau asked how many people would be involved in the meeting with all of the entities. Clackamas, West Linn and Oregon City Councils are all 5 Councilors each plus there would be City Administrators, there would likely be Lawyers as well. Councilor Mersereau asked if the meeting would be videotaped, and City Administrator Boyce answered that they are required to be public, and audio recordings made but it would depend on where they would find a room big enough for that meeting and whether

or not it was outfitted for video. He also said that they could rent some video equipment for the night if they wanted to.

City Attorney, David Doughman asked if it would make more sense to start with something smaller than a quorum group. Councilor Reisner said that they had requested that last summer, in onesie twosie, and he wasn't comfortable with that. To his knowledge, no one from Gladstone participated in that. His concern is that it could get out of hand and information wouldn't be as fluid in the smaller meetings.

City Administrator Boyce, with Council approval, will go ahead with the meeting requested by Oregon City with Mayor Jacobellis and Councilor Mersereau, and talk about the idea of bringing all of the parties together with certain representation and see if it plays with Oregon City, then contact Clackamas County and West Linn and see if we can make that happen.

Mayor Jacobellis asked for Councilor McMahon's opinion on the ideas presented. Councilor McMahon felt we should proceed with the Oregon City meeting and see how they feel about it, and feels that there are more urgent and immediate issues, especially the Library, that need to be taken care of prior to putting the big meeting with all of the entities together. This is about a long term rate increase over 5 years and doesn't have to be taken care right away.

Mayor Jacobellis asked for Councilor Johnson's input. Councilor Johnson's feels that Oregon City's concerns have merit and we should meet with them.

Councilor Mersereau would rather do the smaller meeting with Oregon City first because when you have 30 people or so in a meeting, many people won't give their input because they won't feel like they will be heard. So we should proceed with the Oregon City meeting to start and then go from there.

Mayor Jacobellis directed City Administrator Boyce to setup the meeting with Oregon City and then with Clackamas County then they will report back to the Council and go from there.

WORK SESSION:

8. Police Station/City Hall Advisory Committee:

City Administrator Boyce – We have been talking about facilities, in particular the City Hall and Police Station. The consensus was to put together a citizen's advisory committee and to figure out what that committee would look like and who should be on that committee. I have tried to reformulate the staff note to focus on the Councils previous requests, new construction and how it should be financed. We talked about a 9 citizen committee with some staff and others who can give support and help with input.

Knowing that we have three new people on the Council now, I would like to open it up to get their input on what the committee should look like and their scope of work, like what they should be focusing on and we need to discuss the timeline. We talked about shooting for the May election, which would mean that committee would need to complete its work by February 13th in order to get ballot language together for the City Council to consider in time. It's an aggressive timeline but I feel we should open it up and get the new opinions and try to come to consensus.

Councilor Nelson - There needs to be a representative from the Police Department, whomever they choose, that can bring their need forward. They need to be a part of this package. The Chief can choose who he would like to represent them.

Councilor Sieckmann asked City Administrator Boyce to give a run down on what they had discussed and agreed upon at the last meeting, so the new members will know what had been agreed upon and then they can give their input and we can adjust from there.

City Administrator Boyce – My understanding of the consensus at the last meeting was there would 9 citizens at large who comprise the advisory committee and they would be voting members. Others who would be at the meetings, in a support role would be someone from law enforcement who would be internal to our Police Department. We talked about someone representing the Court or City Hall, a Planning Commission member, someone from the Library Board, because part of the proposal could be to combine the City Hall or the City Hall and Police Department with the Library under one roof. We also talked about having a representative from the Fire Department on the committee, because the location of the Police Department could have some effect on Emergency Services.

Councilor Nelson – Those people really need to be on there to represent their needs because the citizens may not be aware of things that may be critical to those groups. They are important players in this.

Councilor Johnson – Were those 9 citizens the only voting members on the committee? So the others would be there purely in an advisory role? City Administrator Boyce – Yes, that was the consensus. They are there to provide information and support the committee in its duties. Councilor Johnson – There had been some talk about having someone from the School District, has that now been dropped? City Administrator Boyce – There wasn't much support from the Council on that, the reason I had initially included that in the first place was because they would have more experience in larger construction projects. Councilor Johnson – I agree with that but if it was found that they could be helpful, they could be added in the future right? City Administrator Boyce – Yes they could.

Councilor McMahon – I have a couple of questions and the timeline you have is not feasible if you wanted a report by February 23rd, the date you picked, when we don't have the committee yet, so I think we're starting down the wrong path.

Councilor McMahon – I wasn't at the December meeting but at the November meeting there was discussion and confusion on the double majorities. I think that there were differing opinions between you, the Attorney and the Mayor on the days and years? City Administrator Boyce – Yes. It's my understanding, and we have confirmed this with the City Attorney and we had asked staff at the County Elections office that if we hit the May election or November election, the double majority rule would not come into play. Councilor McMahon – I would just say we scrap the May election and shoot for the November one because of time constraints.

Councilor McMahon – We need to talk with the County to see if we have any time constraints on when we need to start work on the Library now that we've passed the ballot measure? City Administrator Boyce – Right now we are negotiating an IGA with

Clackamas County regarding the new construction and their contribution towards that. No one has discussed a timeline yet. The current IGA doesn't have a timeline in it so it would be a new provision if it's brought up. I do know that Clackamas County does want to move forward on this. Councilor McMahon – I think we need to shoot for the November election in order to give us enough time to put a committee together and do a thorough job. Councilor Nelson – I think if you go for November you'll have a better complete package than if you hurry it and try to hit May and people may not vote for. But if you take your time, get all of the information in there, it's complete and it looks doable, then people might vote for it.

Councilor Sieckmann – Just for clarification, we've decided the committee is good as it stands? We kind of jumped onto something else there. So where are we with the committee, where do we stand, what was your understanding? City Administrator Boyce – I'm not hearing anyone asking for additional members to the committee, I'm hearing a consensus on the committee.

Councilor Johnson – How about the organization of that committee, is there going to be a chair person, how are they going to be organized? City Administrator Boyce – There was a suggestion at the last City Council meeting from one of the Councilors that they elect a chair person and I've included that in the staff notes so that's part of the proposal right now. Mayor Jacobellis – So to run through the group of people, there is someone from Law Enforcement, Court and/or City Staff, Planning member, Library, Fire, School District is still a question mark. City Administrator Boyce – We've ruled that out. What I have is a Planning Commission member, a Library Board member, someone from Administration, which could be from Court or City Hall staff, someone from the Police Department, and the Fire.

Councilor Sieckmann – The question I have is, everyone else on this list is pretty much staff, should we have the Planning person be the City Planner rather than a Planning Commissioner? If this side is going to be staff and they are going to be feeding information to the committee to make decisions on, should that be a staff person also? Councilor Nelson – Why can't it be Chairman of the Planning Commission? Are you saying they are not qualified? Councilor Sieckmann – I'm just asking because if they are a citizen then they could be a voting member of it. City Administrator Boyce – I think the City Council could classify that person, if it were a Planning Commissioner, as a non-voting member. Having a Planning person, we contract with the County for that and we would have to pay that person to be there and we would have to schedule it at such a time that they can attend, but it is doable. My personal opinion is that we have one of the Planning Commissioners there, there are several who are very qualified and very knowledgeable about the Planning Code, the Zoning Code. Councilor Sieckmann – It had nothing to do with their qualifications, it had to do with them being a community member and if they are a community member, they may want a voting right on it rather than an advisory role. City Administrator Boyce – At this point there is nothing that would prevent a Planning Commissioner from submitting an application to be one of the nine Citizens at Large also.

Councilor Johnson – If they were on the committee, a Planning Commissioner and a Library Advisory Board member will part of that 9, would that mean fewer advisors that would be on the committee, or would we still need a Planning Commissioner and a

Library Board member? Councilor Sieckmann – You're representing two different things, in my opinion. In one you are there to provide guidance and information. The other side of it, you are accepting information and making a decision based on the information. It's similar to what we have here. We have the staff over there feeding us information and we are making decisions on it based on the input we receive. I see these as two different entities. City Attorney Doughman – I was just going to offer, in regard to the Planning Commissioner, this came up in the last go around as well, the one thing you want to be aware of is the ex parte contact issue, it's very likely, it doesn't mean they can't come to and participate the meetings. What I would recommend if it's going to be a Planning Commissioner, that in an advisory role, that we record audio, video or take copious notes. City Administrator Boyce – It depends on where we hold the meetings. When we had the Library Advisory Committee meeting we didn't have any audio, just the minutes. If we have them at the Senior Center there is a pretty large expense involved in renting that recording equipment. Councilor Reisner – You would have better, faster and more accurate information if you have a professional Planner there. Councilor Nelson – They are working 40 hours a week and we would have to have all of our people having to adjust their schedules to accommodate him being here, that's not fare either. Councilor Sieckmann – Is the Planning Commissioner considered staff? City Administrator Boyce – I don't think they could be considered staff but they are considered experts in the field and provide advice in that capacity. Councilor Sieckmann – Then I would like to recommend that we allow the Planning Commission Chair to speak if she wishes because she may have some vital information on this exact thing we're discussing.

Planning Commission Chair Stempel – If you have a Planning Commissioner on the committee then they could just recuse themselves from any vote that is related to Planning, so as long as you don't have five Planning Commissioners on the committee that would be just fine. City Attorney Doughman – It has happened in the past so it's not a big deal but we need to be aware of it. Planning Commission Chair Stempel – It has come up in the past in other instances and we do need to be aware of it but it is very important that there is a Planning Commissioner involved in this because we are at the point of where we are reviewing our codes and ordinances and if there are things we need to consider changing, that's where this would be an important step. Councilor Nelson – If you have a question and are unsure of something, you can always fall back on Clay and ask him what you need. Planning Commission Chair Stempel – Don't we need to be cognoscente of the cost though, it hasn't been put up for vote yet and we are limited on what we can spend. City Administrator Boyce – City Attorney had interpreted the charter amendments but the intent is to keep the costs down and be able to give the voters enough information to make an educated decision. There is some play on what is reasonable to spend but we should cut the costs wherever we can.

Mayor Jacobellis – We have a 2 day retreat scheduled for all of us to give us a chance to really sit down, start fresh, and take some time to set some priorities, some goals and set some benchmarks and timelines. I would like to pump the brakes on this just a bit on this advisory committee because we already know it's going to cost us a little money, who knows how much, and it's going to cost us staff time. Who knows after those two days where this will be on the priority list, it may drop down, and we're devoting a lot of staff time to get this up and running it would be nice just to give us a chance, it might be

priority number two, who knows. I think we can agree that November is a better timeline than May. So we've got a little built in time, why don't we wait until after the two day retreat and we'll have a better feel for where we're at and we can talk about this more and then we can say, we're going to devote this amount of time to doing this, it's a commitment, it's number 3 priority on our list, let's get it done. That's kind of what I think.

Councilor Johnson – As of 2:30 yesterday afternoon there were six applicants for this committee. Out of those six applicants, there are two of them that, if appointed, would be on three different committees, which is something we've tried to avoid. One of the applicants is a City employee who is also a resident and that's never come up before and would probably require some more discussion. So that's what we're looking at as of 2:30 yesterday afternoon.

Councilor Sieckmann – I think there are a whole lot of pieces to this and I've said that since this committee was brought up. We're putting the cart before the horse because there's a whole lot of information that we don't have access to right now. We're requesting that information but it's not in. I don't have a problem with forming the committee and deciding who should be on that committee, and having procedure for it, because that's all going to fall into place later, no matter when we do this. If this project falls to priority 5, then as soon as we are done with number 4, if this portion is already done, we're going to have nine people on the committee, this is going to be the support staff, we've received applications from 6 to 60 people and we're going to pick these nine to do it. I think we should continue to take applications until we are actually ready to form a committee but I don't think it's wrong to have the guidelines and everything ready and in place so when we do form the committee and we do have the information for the committee, we're ready to go.

City Administrator Boyce – There is one more piece of information I need to give City Council. If you remember, there was a new grant that was out there to do seismic rehabilitation on Police Departments, we've been awarded that grant of $380,000. I don't know the timeline for that but we either have to accept or reject it, and the money can't be used for new construction so it could only be used on the current Police Department. So that needs to also play into our thinking about the timeline. We have gotten away with patching the roof on this building. There will also be City expenses related to that if we take the grant and seismically upgrade the Police Department. So there may be a number of items that we would have to get with an engineer and figure out what would be the City cost and what would be covered under the grant.

Councilor Sieckmann – Please find out what the timeline is for accepting the grant and if we accept the grant and some months down the road we decide to build a new building for the Police Department, can we return the money at that point.

Councilor Nelson – This thing isn't going to happen overnight, it could be five years down the road, but I feel we should do the seismic upgrades so our Police are safe in the building they have to work in, no matter if it's a year or five years. Just like City Hall for your guys, you're in an unsafe building. I don't want to have to knock on someone's door and have to say, I'm sorry but your husband is dead because we didn't do anything to their building. I don't care how long or short the amount of time is.

Councilor Johnson – I think Councilor Sieckmann asks a good question. These grants often do have conditions on returns and I would like an answer on that as well, and what the penalties are for doing it.

City Administrator Boyce – We can get the Council a copy of the grant for next week.

Mayor Jacobellis – So getting back to the committee, where are we at, can we decide were going to have a committee and when are we going to start it, and we're going to keep taking applications to a due date, when are we going to close it then pick people?

Councilor Johnson – I think we should keep taking applications again for another month. Councilor Reisner – When is the due date for applications? City Administrator Boyce – The cutoff is this week so we could include them in the packet next week. So tomorrow. We could open it up for another month. Mayor Jacobellis – So would there be a problem with that if we open it up for another month, we didn't fill our quota or get enough qualified people, or whatever it is, we're ok for another month? Is everyone ok with that? Councilor Mersereau – Just one thing. I would advocate for the May election, and there was one reason for that. I want us to get something done so we could have some accomplishment in this year. I want the proceedings to go on perfectly if possible, to get a good advisory committee together. However, there's another piece of time we haven't mentioned here. We have to put an advisory committee together, we've got to have meetings, and we have to have them get some agreements and recommendations to us. But there's another piece of time and that's to help educate the public for the vote. So that's going to take some time too, so whether we say one month, two months, or whatever so I just want you to remember and think about it. Just educating the City is not too bad a deal. Councilor Johnson – We want to get to yes if we can, right?

Mayor Jacobellis – So how do we close this? We're going to agree that we're going to open it up for another month? City Administrator Boyce – Well in the Work Session we can't make a decision but if we adjourn the Work Session and now go to the Adjourn Meeting, I have another agenda item on the same topic where City Council could make a decision. Mayor Jacobellis – So before I close the Work Session, is everybody ok with this? *Unanimous yes.*

Mayor Jacobellis – So I'm closing the Work Session and now we return to the adjourn meeting.

REGULAR AGENDA:

9. Police Station/City Hall Advisory Committee:

City Administrator Boyce – So we are back to the regular agenda so if the Council would like to vote, we can do so. Councilor Sieckmann – Does it require a motion? City Administrator Boyce – I don't think it does. I understand what the consensus of the Council is on the committee make up. The scope of work, it sounds like City Council wants to have some more discussion on that topic, and I think I understand the consensus as far as which election cycle we want to hit, November. So I don't know if there is a vote that needs to be taken. Council can take one if it so chooses.

Councilor Nelson made a motion to form the advisory committee as discussed, shoot for the November election and extend accepting applications for another month. Councilor Sieckmann seconded. The motion passed unanimously.

BUSINESS FROM THE COUNCIL:

Councilor Reisner – Actually I was going to ask, I saw that City Administrator Boyce had added an Executive Session next week, I'm assuming that is going to be before the regular session? City Administrator Boyce – I was planning on having the Executive Session at 7 pm. Councilor Reisner – Maybe we could start a little earlier if possible because we have new members on the Council, and the last couple of years it's taken Council seven or eight months to get your evaluation done so, if nothing else, even if just for discussion next week.

Councilor Sieckmann – I've got two things. There were some posts on public media sites in Gladstone talking about the Tigard, Lake Oswego water partnership site, where their putting in the building. So I went down there and took a quick look at it today, and I was on the Planning Commission when it was approved, and I was thinking, this just doesn't look right. So I went home and grabbed my old packets and books and started going through it and I found some things that I thought were discrepancies, in my opinion. I came down and talked to Assistant City Administrator Morishita and she called the City Planner and he sent me some documents and I reviewed them and highlighted some things in there and sent them back to him, along with some pictures, and he responded back to me that he would like to meet me down there at 10 am tomorrow to have some discussion. He already sent an email out to the person he was working with in the planning process asking, why doesn't this look like what you presented to the Planning Commission? Councilor Nelson – That was one of the things I was talking to one of the people about on the road project down there and she said they had told her that they were going to put the facade of the building so it would match the neighborhood, and it doesn't look anything like it, and it's not very pretty. Councilor Sieckmann – There are certain things in the design review that I'm going to discuss with Clay tomorrow. Councilor Nelson – Maybe when the gates up it might hide some of it. Councilor Sieckmann – I don't even have enough information to make a decision, there was just something, it didn't look quite right to me, so we're going to have some discussion, and I'm staying in contact with City staff on it, and we'll figure out what's going on and see if anything is going to happen on it or not.

Councilor Sieckmann – The new business license applications have come out and I've had a lot of feedback from local business owners. I've been called a lot of names, the fees went up considerably, not that they're not justified, and not that this doesn't bring it up to a reasonable amount, but there are a lot of people that I've talked to and I know that City staff have fielded several questions on them. So I mentioned, because a lot of times I hear, "as a business owner, what are we going to get for this?" So I may talk to City Administrator Boyce little bit and see if the increased money could be spent on something that would benefit the business owners. I don't know what that would look like. Councilor Nelson – What did that go from, to, what's the increase? Councilor Sieckmann – Well I've got a few examples, one example went up 12,000%. Councilor Nelson – No, I'm asking in dollars, what was the increase? Councilor Sieckmann – That example went from $35 to $450. That's not $450 over a 12 month period is not that much money. But the way they look at is "I paid $35 last year and now I am paying $450." Councilor Nelson – Don't you think it's hard to

run a city on $35? That just provides the city the money to operate. Councilor Sieckmann – I have spoken to these people at great length and explaining the breakdown but they are asking is how it benefits them, and they want to know if the money is just going into the city coffers. I just wanted to throw that out there and say it's something we are going to need to discuss in the future and it may need to go on our priority list but it's not probably number one. I just wanted to mention that because in the last month, there's been a lot of discussion out there.

Audience Member & Business Owner 1 – I would like to make a comment on that. I think just a notification would have been nice. I didn't know mine was going to go up. I've always thought that for years it should have gone up, it was inexpensive but mine went up 125%. It's still not a lot, but at least to know that it was going to go up to be aware. That was all, I opened it up and thought, wow, okay that's a little more than I anticipated but not in the realm of what it probably should have been for a while, but. Councilor Nelson – I think in the past we've been behind a lot of other cities. Audience Member & Business Owner – I agree, it's been the same for 20 years. Audience Member & Business Owner 2 – In West Linn we pay, our business license fee is $40 and then we pay a street maintenance fee every month.

Mayor Jacobellis – I just wanted to mention that I got an email saying there will be a Police Officer Appreciation Day. The County is putting on some kind of deal, I don't know exactly what it is but I'll just mention it. I know we all do but when you see a Police Officer just shake their hand, thank them and let them know your care, and tell them to be safe. I want to thank everyone for coming.

City Administrator Boyce – Mister Mayor, I have something I want to pass around for the Council. It's something that the Council voted on and started last year and it's called Coffee with a Councilor. What it is, is trying to arrange public meetings with citizens who have concerns can talk to a Councilor. It has to be three or less Council members at the meeting. They can't take action on the items but they can listen and bring the items back to City Council if they think it warrants that. So we have a sign-up sheet with some dates so I wanted to pass that around. If you need to go home and look at your calendar, I'll email this out and you can get back to me that way to see which meetings you'd like to attend.

ADJOURN

Meeting was adjourned, no time given.

Approved by the Mayor this 10 day of February, 2015.

Attest:

Dominick Jacobellis, Mayor

Jolene Morishita, Assistant City Administrator