

GLADSTONE CITY COUNCIL  
ADJOURNED MEETING/WORK SESSION  
CITY HALL COUNCIL CHAMBERS  
January 27, 2015

**7:00 p.m.**

**EXECUTIVE SESSION – 192.660 (2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.**

**ADJOURNED MEETING**

**7:30 p.m. CALL TO ORDER**

**ROLL CALL**

**FLAG SALUTE**

**BUSINESS FROM THE AUDIENCE**

Visitors: Presentations not scheduled on the Agenda are limited to five (5) minutes. Longer presentations should be submitted to the Assistant City Administrator two weeks prior to the Tuesday City Council meeting.

**CONSENT AGENDA – None**

**CORRESPONDENCE**

1. Letter from Cheryle and Richard Rusaw Regarding Business License Renewal Fees

**REGULAR AGENDA**

2. Planning Commission Municipal Code Review Request

**Recess to Work Session**

**WORK SESSION**

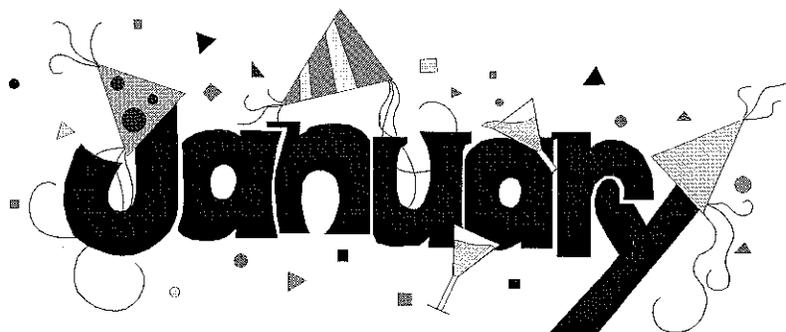
**REGULAR AGENDA**

3. WSC Insurance – New Elected Officials Training Video (no attachments)
4. Code Enforcement Program

**BUSINESS FROM THE COUNCIL**

**ADJOURN**





## **CORRESPONDENCE**





January 12, 2015

Council Members  
City of Gladstone  
525 Portland Avenue  
Gladstone OR 97027

RE: 2015 City of Gladstone Business License Renewal fees

I have a small business and my husband has a small business, both businesses are in the City of Gladstone, in our home. We do not have a storefront and we do not have people, other than ourselves, coming in and out of our neighborhood to get to our businesses. To renew our business licenses for 2014, the cost of the renewal was \$35.00 each. However, for the 2015 renewals you raised the rate of the Home Occupation License fee to \$50.00 and there is an additional fee of \$5.00 per person that works in the business. On top of this fee you are requiring, that the small businesses that are run out of our homes, we must pay for the General business license fee. Why are the small businesses in the City of Gladstone required to pay TWO separate business license fees while the other businesses that have a storefront or office only required to pay the ONE Business License fee? My husband's business paid \$35.00 last year and is required to pay \$160.00 this year; while I paid \$35.00 last year and am required to pay \$155.00 this year. This is preposterous! This needs to change! Do you really want to run the Home business offices out of Gladstone, because this is what it is appearing to be? Just charge every business the ONE \$100.00 and do away with the Home Occupation license fee. Why is there a separate Home Occupation fee in the first place?

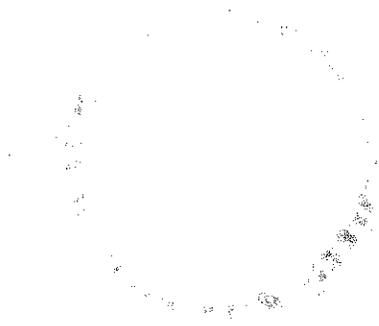
I would like a response to this letter at you earliest convenience.

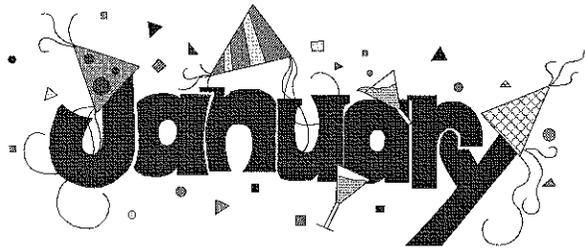
Regards,

Cheryle Rusaw

Regards,

Richard Rusaw





## **REGULAR AGENDA**



# City of Gladstone Staff Report

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Report Date: January 20, 2015  
Meeting Date: January 27, 2015  
To: City Council  
From: Tammy Stempel, Planning Commission Chair

## AGENDA ITEM

Revision of the Gladstone Municipal Code by the Planning Commission

### History/Background

Much of the Code has not been updated in many years. The Planning Commission has been in the process of reviewing the Code to correct problems, fix inconsistencies, and update language. The past City Council approved the Planning Commission to review the Municipal Code. With the changes to our Council, the Planning Commission felt it would be respectful to check in with this "new" Council to determine if the previous charge remains the same.

### Proposal

To have the Council reaffirm they wish to have the Planning Commission continue working through the list of Code topics as attached.

### Options

1. Have the Planning Commission continue working through the same list of topics (attached).
2. Change, add, and/or delete items from the attached list for a modified list of tasks.
3. Instruct the Planning Commission to stop their Code review if the Council wishes to deliberate on a new direction.

### Cost Impact

The Planning Commission consists of an appointed group of volunteers. The time taken for the Planning Commission to discuss and deliberate has no cost impact. However, the support staff, i.e. Contracted City Planner and City Attorney does have additional costs which are determined by the billable hours spent on this review. The involvement of these two paid individuals would be necessary whenever applicable Codes are updated.

### Recommended Action

Review, direct, and approve the Planning Commission's charge to proceed with Code revisions.

  
\_\_\_\_\_  
Planning Commission Chair Signature

1/22/2015  
Date

  
\_\_\_\_\_  
City Administrator Signature

1.22.15  
Date



**GLADSTONE CODE REVIEW**  
**Suggested Review Procedure**  
Adopted by the Planning Commission  
At the December 17, 2013 Work Session

**INTENT**

As Planning Commission, our intent is to review the current Gladstone Municipal Code in the order outlined below. We will add a work session to each scheduled Planning Commission meeting to address this review. If a meeting is not planned due to lack of agenda items, we will instead have a work session to continue the process.

For all Titles other than 17, we will provide notice to the City Council of our recommendations at the time that particular review is complete.

For all Title 17 recommendations, due to the required noticing procedures, we will provide quarterly updates to the City Council of our progress, and then present the complete Title 17 review at one time to be considered. Our hope is that this will save time and a considerable amount of money.

As the review progresses, if there is documentation a Planning Commission member would like to introduce as informational or examples, we will submit this information to Tami Bannick at least one week prior to our meeting in order for it to be included in the formal packet.

- I     **Code Analysis Ordinance Review January 2012**  
- After review, this is mostly housekeeping and we should recommend our codes be updated per the suggestions listed in this document.
  
- II    **Review Completed Approximately a Year Ago**  
-The city hired a firm approximately a year ago to review our codes to see if there were any issues stopping development. We should look at their suggestions to see what barriers there are for encouraging development in our commercial zones.
  
- III   **Title 2 Administration & Personnel**  
Specifically Chapter 2.28 Planning Commission
  
- IV    **Title 17 Zoning & Development**  
**Division 4 Section 17.54 Clear Vision Codes**  
-Since this was a specific area directed from the City Council for improvement, we should start with Division 4 Section 17.54.
  
- V     **Title 8 Health & Safety**  
**Section 8.04 Nuisances**  
-This topic took up most of the work session, so I feel we should start by looking at this section for clarification and application.

**Section 8.12 Noise Control**

- VI Title 8 Health & Safety**  
**Section 8.06 Chronic Nuisances**  
 -As with Section 8.04, this was the main topic of the work session, so we should address this section for clarification and application.
- VII Title 17 Zoning & Development**  
**Division 2 Zoning Districts - Commercial**  
 -To continue looking at encouraging development, we should start with the commercial zoning districts C1, C2, C3 + OP and L1. Clackamas County is combining some of their commercial and industrial districts to make it easier to navigate. Is this something we should consider since our commercial zones are so small?
- VIII Title 17 Zoning & Development**  
**Division 2 Zoning Districts – Residential**  
 -Review of residential zones R7.2, R5 and MR. What do we want these zones to look like considering what we will most likely see in the future is redevelopment and in-fill. How can we integrate sustainability into these zones? How about storm water management strategies? Heritage Trees? Seattle’s Green Factor concept?
- IX Title 17 Zoning & Development**  
**Division 2 Zoning Districts – Other**  
 -HCAD/Habitat Conservation Area, OS/Open Space, WQ/Water Quality Resource Area, FM/Flood Management. Are these up to current state/federal requirements? How can we ensure these areas are protected yet maximized?
- X Title 17 Zoning & Development**  
**Division 4**  
**17.42 General Provisions**  
**17.44 Building Siting and Design**  
**17.46 Landscaping**
- XI Title 17 Zoning & Development**  
**Division 4**  
**17.48 Off-Street Parking and Loading**  
 -What have other cities done to allow for an active commercial zone while minimizing parking...encourage pedestrian/bicycles? Our downtown core cannot allow for new development because of our parking requirements.  
**17.50 Vehicular and Pedestrian Circulation**
- XII Title 17 Zoning & Development**  
**Division 4**  
**17.52 Signs**  
**17.53 Billboards**

- XIII Title 17 Zoning & Development
  - Division 4
  - 17.56 Drainage
    - Progressive storm water management strategies
  - 17.58 Grading and Fill
  
- XIV Title 17 Zoning & Development
  - Division 4
  - 17.60 Utilities
  - 17.61 Wireless Telecommunication Facility
  
- XV Title 17 Zoning & Development
  - Division 4
  - 17.62 Special Uses
  - 17.64 Design Standards and Property Line Adjustments
  
- XVI Title 9 Public Peace, Morals & Welfare
  - Title 10 Vehicles & Traffic
  - Title 12 Streets, Sidewalks & Public Places
  - Recommend we engage the police department on where this section could be changed to support their enforcement needs.







# City of Gladstone Staff Report

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Report Date: January 16, 2015  
Meeting Date: January 27, 2015  
To: Pete Boyce, City Administrator  
From: Jim Pryde, Chief of Police

## AGENDA ITEM

### **City of Gladstone Code Enforcement Program**

#### History/Background

Code enforcement is an important component of community livability in Gladstone. The Municipal Ordinance Specialist (MOS) is charged with the responsibility of enforcing codes related primarily to health and safety, parking and abandoned vehicles. The MOS also has responsibility for the police department evidence function and found property management. A time management audit showed the MOS can spend a similar amount of time in code enforcement and evidence/found property, but this can vary throughout the year.

The code enforcement function is somewhat seasonal in nature, meaning generally more complaints are received in the fair weather months than the rest of the year. The current enforcement philosophy is more reactive in nature. There is a delicate balance between being too aggressive with enforcement and not being aggressive enough. Typically the MOS receives most of the complaints via a phone call, e-mail or on some occasions dispatch. When investigating a code enforcement complaint, the MOS endeavors to resolve a violation at the lowest level possible – seeking cooperation from the person(s) involved. When necessary a citation is issued. When dealing with a particularly problematic property the MOS can utilize the chronic nuisance ordinance as an additional tool to bring about compliance. This tool has been particularly helpful when dealing with ongoing criminal activity and excessive police responses at a property in Gladstone.

Currently the MOS is not trained to deal with zoning violations so we rely on Clackamas County for assistance with those matters. The MOS position is funded 50% in the General Fund budget and 50% in the Police Levy budget.

#### Proposal

This is an opportunity for city council to learn about, review and discuss our current code enforcement efforts in Gladstone and provide direction on what, if any, changes need to be made to this program area. Public input on this matter is very important to determine what code enforcement service level Gladstone community members desire.

#### Options

1. Leave the current code enforcement program as is.
2. Consider a full-time code enforcement position that might include enforcing zoning codes and a more proactive enforcement philosophy. If this change takes place, we would need to hire a part-time evidence/found property person.
3. Consider some other option that has not yet been brought to light.

#### Cost Impact

Option 1: Program costs remain the same as they are now.

Option 2: Costs to be determined. Research on salary would need to be conducted for a full-time code enforcement position. We would need to budget for a half-time evidence/found property person.

Option 3: Costs are unknown.

### Recommended Staff Action

Provide direction to staff on the desired code enforcement function of the City once stakeholders/community members have had the opportunity to provide input on service levels.

Department Head     Jim Pryde

City Administrator     Pete Boyce



## Gladstone Police Department Memorandum

**To:** Chief Pryde  
**From:** Sean Boyle  
**Date:** 01/20/15  
**Subject:** 2014 Statistics for Municipal Ordinance Specialist

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In 2014 I responded to 575\* calls for service. These calls generated 262 reports and 131 citations resulting in \$4558.00 in assessed fines. Calls for service include all citizen calls, complaints and self initiated actions.

\* It should be noted that the 575 calls for service only reflect calls where I am the primary officer. Calls where I provide assistance to GPD Patrol or GFD are not searchable. For example the statistics listed above likely do not reflect three search warrants I assisted with in 2014 or when I assist with a traffic crash.

Over 765 items were received and processed into the property room. 350 Items were processed out of the property room. 24 Items were sent to propertyroom.com (auction) resulting \$353.82 for the City. I also managed digital photos for 276 cases.

Approximately 700 pounds of prescription drugs, over the counter drugs and vitamins were taken in and processed from the prescription drop off bin and prescription drug take back day.



## Gladstone Police Department Memorandum

**To:** Chief Pryde  
**From:** Sean Boyle  
**Date:** 08/05/14  
**Subject:** 2013 Statistics for Municipal Ordinance Specialist

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In 2013 I responded to 729\* calls for service. These calls generated 306 reports and 247 citations resulting in \$28,505.00 in assessed fines. Calls for service include all citizen calls, complaints and self initiated actions.

\* It should be noted that the 729 calls for service only reflect calls where I am the primary officer. Calls where I provide assistance to GPD Patrol or GFD are not searchable. Some recent examples of these types of calls include assisting on three search warrants or when I assist at a traffic accident.

Over 700 items were received and processed into the property room. 303 items were processed out of the property room. 56 items were sent to propertyroom.com (auction) generating \$1015 for the City. I also managed digital photos for 207 cases.

Approximately 600 pounds of prescription drugs, over the counter drugs and vitamins were taken in from the prescription drop off bin and prescription drug take back day.