

## GLADSTONE CITY COUNCIL MEETING MINUTES of July 14, 2015

Meeting was called to order at 6:30 PM.

### ROLL CALL:

Councilor Mersereau, Councilor Johnson, Councilor Sieckmann, Councilor McMahon, Councilor Reisner, and Mayor Jacobellis.

### ABSENT:

None

### STAFF:

Ross Schultz, Interim City Administrator; Jolene Morishita, Assistant City Administrator; Scott Tabor, Public Works Supervisor; Stan Monte, Fire Chief; Rhonda Bremmeyer, Senior Center Director; Irene Green, Library Director; and Paul Elsner, City Attorney.

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Agenda Item #9 – Ballot Measure Title for November Election – was removed from the agenda. Staff was not ready to address this.

### BUSINESS FROM THE AUDIENCE:

Natalie Smith, representing the Gladstone Community Festival and Gladstone/Oak Grove Rotary, asked the Council members to participate in their upcoming festival. She shared a schedule of events.

Tim Goodman, Director of Government Affairs with Comcast – he is the new representative for the City. He was contacted by Councilor Sieckmann regarding a possible donation toward the Movies in the Park event. He presented a check for \$1,000. He would like to come back to a future meeting and speak about various programs that Comcast offers.

Jerry Herrmann – wanted to introduce Josh Beckham, one of the eight tour guides conducting river tours. The first tour was done last week and they have ten more to do. The Gladstone/Oak Grove Rotary Club wanted to honor Pete Boyce so they held a salmon bake for him last week. The Clackamas Review is doing a series of articles on the organization and the work they do for the community.

Beverly Chase, a member of the Gladstone Library Foundation, wanted to announce the book sale being held July 31<sup>st</sup> through August 2<sup>nd</sup>. She is hoping to get volunteers to help set things up starting on the morning of July 29<sup>th</sup> and clean up late afternoon on August 2<sup>nd</sup>.

### CONSENT AGENDA:

1. Approval of Minutes from June 9<sup>th</sup>, 2015
2. Approval of Temporary Use OLCC License – Gladstone Card Room; Vogies Bar
3. Payment of June 2015 Claims

*Councilor Reisner made a motion to approve the Consent Agenda. Motion was seconded by Councilor McMahon. Motion passed unanimously.*

## CORRESPONDENCE:

None.

## REGULAR AGENDA:

4. Resolution 1056 – Authorization to Hire Accounting Manager. This would change the City's line item budget from Assistant City Administrator to Accounting Manager. *Councilor McMahon made a motion to adopt Resolution 1056. Motion was seconded by Councilor Johnson.* Discussion – Councilor Sieckmann had a question regarding the qualifications and City Administrator Schultz explained the reasoning behind his decision. *Motion passed unanimously.*
5. Resolution 1057 – Authorization to Hire a Public Works Director. *Councilor Sieckmann made a motion to adopt Resolution 1057. Motion was seconded by Councilor Johnson.* Discussion - there was discussion regarding the necessity of hiring a professional engineer and City Administrator Schultz explained the reasoning behind his decision. *Motion passed unanimously.*
6. Resolution 1058 – Authorization to extend Earth Crusaders Contract until August 28<sup>th</sup>, 2015. City Administrator Schultz would like to amend all the ending dates to October 14<sup>th</sup>, 2015. City Attorney Paul Elsner addressed the issues surrounding a possible lawsuit. *Councilor Reisner made a motion to adopt Resolution 1058. Motion was seconded by Councilor McMahon.* Discussion - Councilor Johnson would like to see an end to this. Mr. Herrmann wanted to point out that the insurance has never lapsed and that the only dangerous equipment involved were rakes and shovels. There was a discussion regarding possible litigation. City Administrator Schultz suggested that he be given two weeks to work with Earth Crusaders and attempt to obtain a stipulated agreement – and if not the eviction date will be August 28<sup>th</sup>, 2015. He will present the options at the next Council meeting. Council agreed. *Councilor Reisner made a motion to withdraw his motion to adopt Resolution 1058. Motion seconded by Councilor McMahon.*
7. Resolution 1059 – A Resolution to Authorize Staff to begin Negotiations with Murray, Smith and Associates to complete the City's Sanitary Sewer Master Plan Update. City Administrator Schultz explained that there was only one respondent and now is the time to negotiate. The contract will come back before the Council for consideration. *Councilor Sieckmann made a motion to adopt Resolution 1059. Motion was seconded by Councilor Mersereau.* Discussion – Councilor Mersereau had a question regarding the date of the contract. The Mayor explained that the delay was due to the RFP process. Public Works Supervisor Scott Tabor said that a lot of the groundwork has already been done. *Motion passed unanimously.*

## DISCUSSION ITEMS:

8. Award Contract for Fire Station Maintenance: City Administrator Schultz said that this is within his signature authority but he wanted to advise Council what was going on.

10. Charles McDonald, 455 Hereford – Request for Extension of Temporary Recreational Vehicle Occupancy: City Administrator Schultz explained the situation.
11. Begin Process for City Manager Recruitment and Issuance of RFP for Recruiter: Council sub-committee met and decided it would be best to bring in a recruiter. They will meet again to decide who to send the RFP to. Council agreed.
12. Tri-City Agreement: Councilor Johnson asked City Attorney Elsner his opinion regarding the franchise fee decision. Mr. Elsner said the decision confirms the concept that municipalities have the authority to impose charges for the use of their right-of-ways.
13. City of Lake Oswego/Tigard Waterline Partnership – Request for Approval of Exception to Noise Code for Nighttime Construction and Construction Permit to Cross River Road with Trench for Pipeline: City Administrator Schultz explained the request. Discussion – Councilor Sieckmann is concerned that only two commercial property owners were contacted and no residents. Councilor Johnson has trust issues and feels we need a better solution. Councilor Reisner agreed. Councilor McMahan has been happy with the project near his house and feels this project should move forward. Mayor Jacobellis feels we should move on. Representatives from Lake Oswego said they are being the best neighbor they can. They would like to donate a significant portion of their infrastructure to the City of Gladstone for emergency supply purposes. They had to obtain the easements from the two property owners prior to contacting the surrounding residents. The contractor went over the difficulties they've encountered with drilling. City Attorney Elsner went over the criteria for granting or denying the request. There was a discussion regarding public testimony. *Councilor McMahan made a motion to approve the noise ordinance variance. Motion was seconded by Mayor Jacobellis.* Discussion – Councilor Mersereau said he is opposed to them making noise but would approve the variance if they make the effort to notify residents. Councilor Sieckmann would like to see that communication happen prior to granting the variance. *Assistant City Administrator Morishita polled the Council and: Councilor Sieckmann – no; Councilor Mersereau – no; Councilor Johnson – no; Councilor McMahan – yes; Councilor Reisner – no; Mayor Jacobellis – yes. Motion defeated.* City Administrator Schultz went over the criteria the Council would like to include in order to consider a revised request at the next Council meeting.

## **BUSINESS FROM THE COUNCIL:**

### **Councilor Sieckmann:**

He has parade applications for the Festival – if the Council would like to participate.

### **Councilor Mersereau:**

He would like to extend his appreciation for the weekly reports from the City Administrator. He feels it's a good communication process.

**Councilor Johnson:**

He would like to welcome City Administrator Schultz and he is impressed with the work he has done so far.

**Councilor Reisner:**

He also thanked City Administrator Schultz for coming out of retirement and he enjoys the weekly reports.

**Councilor McMahon:**

He needs a parade application for the fire engine.

**Mayor Jacobellis:**

We need to have a discussion regarding a temporary appointment to the Council. Assistant City Administrator Morishita said that everyone was notified regarding the temporary appointment in the last newsletter and it is on the agenda for the first meeting in August.

**City Administrator Schultz:**

Wanted to remind everyone of the work session coming up on July 22<sup>nd</sup> at 4:00 PM to discuss buildings and civic structures. It may also include an executive session. He said his model for running the City and working with the Council is basically that of a board of directors and a CEO. It's important to him that he can have confidential conversations with Council members.

**ADJOURN:**

Meeting adjourned at 8:36 PM.

Approved by the Mayor this 11 day of August, 2015.

ATTEST:

  
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Dominick Jacobellis, Mayor

  
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Jolene Morishita, Assistant City Administrator