

**GLADSTONE CITY COUNCIL
REGULAR MEETING/WORK SESSION
CITY HALL COUNCIL CHAMBERS
July 28th, 2015 – 6:30 PM
*Amended July 23, 2015***

REGULAR MEETING – CITY COUNCIL

**CALL TO ORDER
ROLL CALL
FLAG SALUTE**

AGENDA ADDITIONS OR CORRECTIONS

BUSINESS FROM THE AUDIENCE

Visitors: Presentations not scheduled on the Agenda are limited to three (3) minutes. Longer presentations should be submitted to the Assistant City Administrator two weeks prior to the Tuesday City Council meeting. Cards are available in the back of the room for anyone who wishes to comment on an item on the Regular Agenda.

CONSENT AGENDA –

- 1. Approval of Minutes from July 14, 2015**
 - 1.1 *Approval of Final Payment to Jeff Kersey Construction – ADA Ramp at Cross Park***
 - 1.2 *Approval of Temporary Liquor License – Dukes Country Barr and Grill***

CORRESPONDENCE - None

REGULAR AGENDA

Citizens will be allowed to address City Council regarding any item listed below for up to three (3) minutes. The Mayor will have discretion to further limit testimony in order to ensure all items on the agenda are addressed during the meeting.

- 2. Resolution 1058 – Earth Crusaders**
- 3. Resolution 1061 – Approval of Ballot title and caption authorizing the City to begin a project over \$1,000,000. (Documents to be handed out at time of meeting)**
- 4. Resolution 1063 – Tri-City Governance**

DISCUSSION ITEMS

**Lake Oswego / Tigard Water Line
Water System and Storm Water Master Plans**

BUSINESS CARRIED FORWARD - Update

- a. Flow Numbers for Sisul Engineering**
- b. Update of Council Goals**

BUSINESS FROM THE AUDIENCE – This is the second opportunity for the Audience to address Council on any item not on the Agenda.

BUSINESS FROM THE COUNCIL

ADJOURN

City of Gladstone Staff Report

Report Date: July 23, 2015, 2015
Meeting Date: July 28, 2015
To: Gladstone City Council
From: Ross Schultz – Interim CM

AGENDA ITEM – Liquor License

Application for temporary Liquor License; Duke's Country Bar and Grill

History/Background

On August 15th, Dukes Bar and Grill would like to serve Beer at an event held by Latus Motors, 870 E. Berkeley. This request has been reviewed by Gladstone Police Department with no comments.

Proposal

Recommend the OLCC grant the requests

Options

Council may acknowledge or deny the request.

Cost Impact

None

Recommended Staff Action

Staff recommends **council acknowledge the requests without comment.**

Department Head

Signature _____

Date _____

City Administrator

Signature _____

Date _____

July 15, 2015

Hello City of Gladstone,

We are hoping to get your approval for OLCC temporary Beer service permit for Latus Motors. They will be having a event on Saturday August 15th 2015 from 12pm to 5pm. They will food truck selling Chicken dishes as well as BBQ Hot Dogs and Hamburgers. If you have any questions please feel free to contact me with any questions you may have.

Thank You,

A handwritten signature in black ink, appearing to read "Jeff Plew". The signature is fluid and cursive, with the first name "Jeff" being larger and more prominent than the last name "Plew".

Jeff Plew
Duke's country Bar & Grill
PO Box 3027 | Portland, Oregon 97208
C: 503-516-5361
jeffp@venturehre.com

1.1-2

19. Describe your plan to prevent minors from gaining access to alcoholic beverages and from gaining access to any portion of the licensed premises prohibited to minors.

One OLCC licensed employee will have a current OLCC service permit and I DPSST licensed employee will check ID of people

20. Describe your plan to manage alcohol consumption by adults.

One OLCC licensed employee will have a current OLCC service permit and I DPSST licensed employee will check ID of people

21. List name(s) and service permit number(s) of alcohol manager(s) on-duty and in the licensed area:

Jeff Plew 400276

LIQUOR LIABILITY INSURANCE: If the licensed area is open to the public and expected attendance is 301 or more per day in the licensed area, you must have at least \$300,000 of liquor liability insurance coverage (ORS 471.168).

22. Insurance Company: First Insurance funding 23. Policy #: 810000011945 24. Expiration Date: 7/1/2016

25. Name of insurance agent: Fourier Group 26. Agent's phone number: 503-251-2255

FOOD SERVICE: See the attached sheet for an explanation of this requirement.

27. If you will **NOT** provide distilled spirits, name at least two different substantial food items that you will provide:

① Fried Chicken ② BBQ Hamburgers / Hot Dogs

28. If you are a Full On-Premises Sales Licensee and will provide distilled spirits, name at least five different substantial food items that you will provide:

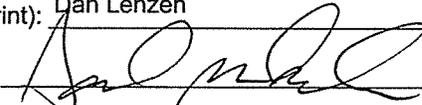
① _____ ② _____ ③ _____ ④ _____ ⑤ _____

GOVERNMENT RECOMMENDATION: You must obtain a recommendation from the local city or county named in #29 below before submitting this application to the OLCC.

29. Name the city if the event address is within a city's limits or name the county if the event address is outside the city's limits: Gladstone

I affirm that I am authorized to sign this application on behalf of the applicant.

30. Licensee Name (please print): Dan Lenzen

31. LICENSEE SIGNATURE:  32. Date: 7/15/2015

CITY OR COUNTY USE ONLY

The city/county named in #29 above recommends:

Grant Acknowledge Deny (attach written explanation of deny recommendation)

City/County Signature: _____ Date: _____

FORM TO OLCC: This license is valid only when signed by an OLCC representative. Submit this form to the OLCC office regulating the county in which your special event will happen.

OLCC USE ONLY

License is: Approved Denied

OLCC Signature: _____ Date: _____

1.1-4

FOOD REQUIREMENTS FOR TEMPORARY USE OF AN ANNUAL LICENSE

WHAT AMOUNT OF FOOD MUST I PROVIDE?

- **Two different food items:** A Full On-Premises Sales Licensee **NOT** providing distilled spirits at the event and a Limited On-Premises Sales Licensee must provide at all times and in all areas where alcohol service is available at least two different substantial food items.
- **Five different substantial food items:** A Full On-Premises Sales Licensee providing distilled spirits at the event must provide at all times and in all areas where alcohol service is available at least five different substantial food items.

WHAT IS A SUBSTANTIAL FOOD ITEM?

This is a food item that is typically served as a main course or entrée. Some examples are fish, steak, chicken, pasta, pizza, and sandwiches. Side dishes, appetizer items, dessert items, and snack items such as popcorn, peanuts, chips and crackers do not qualify as substantial food items.

WHAT DOES DIFFERENT MEAN?

Different means substantial food items that the OLCC determines differ in their primary ingredients or method of preparation. For example, a turkey sandwich differs from a salami sandwich, a beef burger differs from a turkey burger, and fried chicken differs from baked chicken. Different sizes of the same item are not considered different.

IS THERE AN EXCEPTION TO PROVIDING THE TWO OR FIVE DIFFERENT SUBSTANTIAL FOOD ITEMS?

The OLCC must determine that the clearly dominant emphasis is food service at all times in the area where alcohol service is available in order for you to provide only one substantial food item if you are **not** providing distilled spirits or one to four different substantial food items if you are a Full On-Premises Sales Licensee providing distilled spirits. The OLCC will work with you to make this determination prior to approving your application.

WHAT DOES IT MEAN TO PROVIDE FOOD SERVICE AT ALL TIMES AND IN ALL AREAS WHERE ALCOHOL SERVICE IS AVAILABLE?

Patrons must be able to obtain food service inside the special event licensed area. You may use either of the following two methods to provide food service:

- Within all areas where alcohol service is available, have the minimum required food items available for patrons at all times; or
- Within all areas where alcohol service is available, have a menu of the minimum required food items (plus any other items you may choose to include) available for patrons at all times and be able to provide the food items in the area if a patron chooses to order food. The food items could be kept at a location other than the area where the alcohol is served; however, you must be able to provide the food items to the patron in the area where alcohol service is available.

IS PROVIDING TASTINGS OF ALCOHOL CONSIDERED PROVIDING ALCOHOL SERVICE?

Yes, providing tastings of alcohol is considered providing alcohol service; therefore, the food requirements must be met.

CAN I USE FOOD PROVIDED BY A CONTRACTOR OR CONTRACTORS TO MEET THE FOOD REQUIREMENT?

Yes, the food service may be provided by someone other than you; however, even if food service is provided by a contractor, you are fully responsible for compliance with the food requirements. You may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.

WHO CAN THE CONTRACT FOR THE FOOD SERVICE BE WITH?

The contract can be between:

- You (the OLCC licensee) and the food service contractor; or
- The organizer of the event and the food service contractor.

DOES THE FOOD SERVICE CONTRACT NEED TO BE IN WRITING?

No, the food service contract does not need to be in writing; however, you may sell or serve alcohol only when food service that meets the requirement is provided to patrons at all times and in all areas where alcohol service is available.



14601 SE Division St.
Portland, Oregon 97236
503-760-1400

Subject Plan to manage the special event for August 15th 2015

#17 Describe your plan to prevent problems and violations

- Beer Garden area will be enclosed with a 4ft temporary fencing/barrier with one entrance. One DPSST cert security employee check all ID 30 years and younger. Two OLCC service permitted bartender/servers will be working and serving and monitoring all customers in area. No minors will be permitted inside the Beer Garden and No Beverages will be permitted outside Beer Garden area.

#18 Describe your plan to prevent minors gaining access to alcoholic beverages and gaining access to any portion of the licensed premises prohibited to minors

- Beer Garden area will be enclosed with a 4ft temporary with one entrance with a one DPSST cert security employee check all ID 30 years and younger. No minors will be permitted inside the Beer Garden
- The types of identification that will be accepted these types of identification must include the person's name, address, date of birth, photo, physical description, and signature, or they are not acceptable on their own.
- The five acceptable kinds of proof of age identification are:
 - A valid USA state-issued DRIVERS LICENSE, with a photo.
 - A valid OREGON D.M.V. IDENTIFICATION card, with a photo.
 - A valid state-issued IDENTIFICATION (ID) CARD*
 - A valid U.S. MILITARY IDENTIFICATION (ID) card*with address.
 - A valid PASSPORT

#19 Describe your plan to manage alcohol consumption by adults.

- One OLCC service permitted bartender/server will be serving and monitoring all customers in area. They will follow the cut off law, remove any alcoholic beverages, and have food and beverage for visibility intoxicated quest. We will provide cab service if needed. Can Beer of different colors will be used for Beer and Cider.

Please let me know if you have or need anymore information

Thank You,

Jeff

Cell 503-516-5361

Email jeffp@ceghospitality.com

1.1-6



OREGON LIQUOR CONTROL COMMISSION IDENTIFYING A SPECIAL EVENT LICENSED AREA

The OLCC is prohibited from licensing an area that does not have defined boundaries.

Please complete items 1 – 5 and then use the box below to draw the licensed area.

1. Applicant Name (please print): DUKES HOMETOWN BAR & GRILL

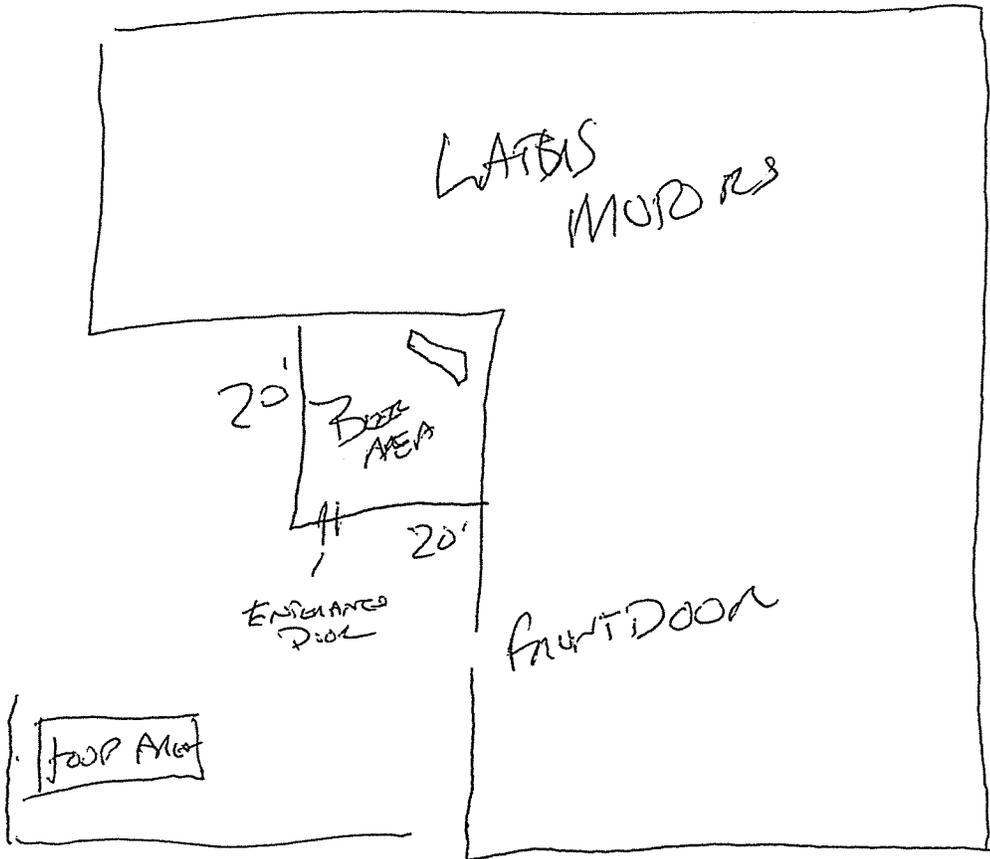
2. Event Street Address: 870 E. BEAKELY

3. City/County: BLANSTONE / CLATSOP COUNTY

4. Date(s) of Event: _____

5. Please list and describe what barrier(s) will be used to define the boundaries of the licensed area. For example: "A 6 foot high wooden fence." 3ft temporary fencing with one entrance

USE THIS BOX TO DRAW THE LICENSED AREA



City of Gladstone Staff Report

Report Date: July 21, 2015
Meeting Date: July 28, 2015
To: Gladstone City Council
From: Ross Schultz – Interim CM

AGENDA ITEM -

A resolution requesting approval for final pay for Cross Park ADA Sidewalk

History/Background

In the summer of 2013 a project was started by the City to improve ADA access to Cross Park. The contractor on the project was Jeff Kersey Construction. At this time all construction is complete and the project engineer (Sisul Engineering) is requesting final payment and release of retention in the amount of \$22,982.81.

Proposal

Council approval of final distribution for Cross Park ADA ramp construction.

Cost Impact

Contract payment of \$22,982.81.

Recommended Staff Action

Staff Recommends a **Motion for Council Approval of the Final Payment to Jeff Kersey Construction for work performed at Cross Park in the amount of \$22,982.81.**

Department Head

Signature _____

Date _____

City Administrator

Signature _____

Date _____

SISUL ENGINEERING

A Division of Sisul Enterprises, Inc.

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

July 7, 2015

City of Gladstone
525 Portland Avenue
Gladstone, OR 97027

ATTN: Scott Tabor, Public Works Supervisor

RE: Cross Park sidewalk, J.O. SGL13-025

Scott:

We have received Pay Request #4 for the Cross Park sidewalk improvement submitted by Jeff Kersey Construction, Inc.

Kersey Construction is requesting payment under items contained in the original contract and payment for one change order this pay period. Change Order 6 was for time spent by Kersey's handrail subcontractor preparing revised shop drawings for the handrails to match the as-constructed sidewalk and for additional galvanizing and labor associated with modifications required to some of the fabricated handrails.

The pay request totals \$17,511.11 and we recommend as follows:

Work Completed to date under Original Contract	\$102,647.00
<u>Change Order Extra Work Completed</u>	<u>\$ 6,786.85</u>
Total Work Completed	\$109,433.85
Less Retainage (5%)	\$ 5,471.70
<u>Less Previous Payments</u>	<u>\$ 86,451.04</u>
Current Payment	\$ 17,511.11

With their invoice, Kersey Construction is also requesting release of the project Retention. As the project has been approved, we feel that it is appropriate to release the project retention. The amount of retention held is \$5,471.70.

Total payment, including retention would be $\$17,511.11 + \$5,471.70 = \underline{\$22,982.81}$

Please feel free to contact me if you have any questions concerning this pay request.

Sincerely,



Patrick A. Sisul, P.E.

Enc.

1.2-2

SISUL ENGINEERING

A Division of Sisul Enterprises, Inc.

July 7, 2015

375 PORTLAND AVENUE, GLADSTONE, OREGON 97027

(503) 657-0188

FAX (503) 657-5779

City of Gladstone
525 Portland Avenue
Gladstone, OR 97027

ATTN: Scott Tabor, Public Works Supervisor

RE: Cross Park Sidewalk, J.O. SGL13-025

Scott:

Per your request, below is a timeline of events with the Cross Park sidewalk project.

Timeline of Events:

Date	Event
Summer 2013	Project began
August, 2013	Land Use Application submitted to Clackamas County
September, 2013	Land Use Approval from Clackamas County
June, 2014	Request for Quotation 1 sent to six contractors
June 24, 2014	Bid Opening for Request for Quotation 1, no bids submitted
July, 2014	Request for Quotation 2 sent to four contractors
August 5, 2014	Bid Opening for Request for Quotation 2, two bids submitted Jeff Kersey Construction, Inc. \$78,440.00 Jim Smith Excavating, Inc. \$97,977.00
August 12, 2014	City Council awards project to Kersey Construction
August 18, 2014	Contract mailed and emailed to Kersey Construction
September 4, 2014	Kersey delivers bonds to City, has not yet returned signed contract
September 9, 2014	City signed contract and returned copy to Kersey Construction
September 15, 2014	Kersey requests construction staking. Surveyor has family health emergency
September 23, 2014	Project is construction staked.
September 25, 2014	Construction begins. Scott Tabor, Pat Sisul and Jeff Kersey meet onsite. Jeff informed that per the contract, work is to be completed by October 14, which is rapidly approaching. Jeff commented that he wasn't aware of the deadline and it would be difficult getting the project completed by the deadline. An extension could be granted due to the health emergency slowing down the ability of the surveyor to stake the improvements.
October 1, 2014	Site grading and retaining walls significantly completed.

1.2-3

October 23, 2014	Kersey Construction receives quote from handrail fabrication subcontractor & authorizes shop drawing preparation.
October 27, 2014	Rough drawing of handrails provided by handrail subcontractor.
November 1, 2014	Sidewalk and retaining wall construction significantly complete.
November 14, 2014	Handrail fabrication subcontractor emails Kersey Construction that they are working on the drawings and that "they hope to have them wrapped up today."
November 25, 2014	Handrail fabricator subcontractor tells Kersey Construction that they cannot build the rails & Kersey will have to find another fabricator.
December 4, 2014	Handrail fabricator back on the job. Meeting at the site to measure out post locations.
December 22, 2014	Initial shop drawings prepared by handrail fabricator.
January 12, 2015	Shop drawings approved following modifications.
February 18, 2015	Handrail fabricator emails Kersey Construction, "Handrails are at galvanizers, should be ready next week."
March 13, 2015	Handrail fabricator emails Kersey Construction, "Handrails are done, working to schedule shipment to the site."
March 25, 2015	Handrails delivered to the site. Kersey Construction begins installation. Several fabrication problems are discovered.
Early April, 2015	Problem handrails are taken back to the shop by the handrail fabricator.
May 27, 2015	Repaired handrails are delivered to the site. Kersey Construction begins installation. Additional fabrication problem found.
May 29, 2015	Last handrail section at handrail fabricator.
June 1, 2015	Last handrail section on way to galvanizer.
June 4, 2015	The last handrail section is shipped to the site. Kersey Construction begins installation.
June 16, 2015	Project completed.

Sincerely,



Patrick A. Sisul, P.E.

