

GLADSTONE CITY COUNCIL REGULAR MEETING MINUTES of September 22, 2015

Meeting was called to order at 6:30 PM.

ROLL CALL:

Councilor Sieckmann, Councilor Mersereau, Councilor Johnson (arrived at 6:39 due to his attendance at the North Clackamas Water Providers meeting), Councilor Turner, Councilor McMahon, Councilor Reisner, and Mayor Jacobellis.

ABSENT:

None.

STAFF:

Ross Schultz, Interim City Administrator; Jolene Morishita, Assistant City Administrator; David Doughman, City Attorney.

AGENDA ADDITIONS OR CORRECTIONS:

Interim City Administrator Schultz added a second Executive Session, according to ORS 192.660(2)(h), to consult with Council concerning the legal rights and duties of a public body pertaining to current litigation or litigation likely to be filed.

Councilor Reisner asked to pull #4, Ordinance 1458, because he hasn't had a chance to discuss it. It was decided to keep it in the agenda and address any questions during the discussion.

BUSINESS FROM THE AUDIENCE:

None.

CONSENT AGENDA:

1. Approval of Minutes from August 18, 2015 and September 8, 2015 Council Meetings
2. Approval of Temporary Use of Annual OLCC Liquor License – Latus Motors
3. Monthly Report for August 2015

Councilor Mersereau made a motion to accept the Consent Agenda. Motion was seconded by Councilor Sieckmann. There was no discussion. Motion passed unanimously.

CORRESPONDENCE:

None.

REGULAR AGENDA:

4. Ordinance 1458 – Allow the City Administrator to Adopt and Amend Administrative Policies and Rules.
Interim City Administrator Schultz said that Councilor Reisner felt the Council should have an appeal process. Councilor Reisner hopes that any new policies or changes be included in the weekly updates from the City Administrator. Mayor Jacobellis disagreed. Mr. Schultz said that the policy is a public document – and Council can be made aware of any changes. There was further discussion regarding the process of adopting policies and the seven bullet points. Assistant City Administrator Morishita gave the first reading of the ordinance. Mr. Schultz suggested that he get together with the City Attorney and clean up the wording/format of this ordinance and bring it back before the Council.

Councilor McMahon made a motion to approve the first reading of Ordinance 1458. Motion was seconded by Councilor Johnson. Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes,

Councilor McMahon – yes, Councilor Reisner – yes, Mayor Jacobellis – yes. Motion passed unanimously.

Assistant City Administrator Morishita gave the second reading of the ordinance. There was no further discussion.

Councilor Sieckmann made a motion to approve the second reading of Ordinance 1458. Motion was seconded by Councilor Johnson. Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes, Councilor McMahon – yes, Councilor Reisner – yes, Mayor Jacobellis – yes. Motion passed unanimously.

5. Public Hearing – Ordinance 1459 – Amending Title 17 of the GMC to Repeal Chapter 17.61 and Adopt a New Chapter 17.61 – Wireless Communications Facilities.

City Attorney Doughman explained that this is an amendment to the Development Code. He asked if any Councilors had a conflict of interest in this matter. None did. Mr. Doughman gave some history/information on the ordinance.

Public Testimony: None.

Mr. Doughman answered questions from the Council regarding restrictions, tower height, Life Flight, “mixed use” buildings, definition of “substantially”, back-up power, residential areas, third party reviews, etc. He will bring it back to the next meeting for review/adoption. Public testimony was closed.

6. Ordinance 1460 – Water Curtailment Plan.

Assistant City Administrator Morishita gave the first reading of the ordinance.

Councilor Sieckmann made a motion to approve the first reading of Ordinance 1460. Motion was seconded by Councilor McMahon.

Discussion: Councilor Reisner had shared some observations from citizens regarding water usage during drought times – Interim City Administrator Schultz had forwarded those to the public works director. Councilor asked what the differences were between Ordinance 1460 and 1461. Assistant City Administrator Morishita explained that according to City Attorney Shane Abma the plan and prohibitions needed to be done separately. Councilor Mersereau had a question pertaining to consistency in regards to watering lawns. Councilor Johnson had questions regarding watering gardens.

Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes, Councilor McMahon – yes, Councilor Reisner – yes, Mayor Jacobellis – yes. Motion passed unanimously.

Assistant City Administrator Morishita gave the second reading of the ordinance.

Councilor McMahon made a motion to adopt Ordinance 1460 – Water Curtailment Plan. Motion was seconded by Councilor Mersereau. Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes, Councilor McMahon – yes, Councilor Reisner – yes, Mayor Jacobellis – yes. Motion passed unanimously.

7. Ordinance 1461 – Water Curtailment Regulations.

Assistant City Administrator Morishita gave the first reading of the ordinance.

Discussion: Councilor Sieckmann pointed out a language consistency issue pertaining to “City supplied water” in subsection 1 under 13.22.010. It was agreed to amend the wording.

Councilor McMahon made a motion to adopt Ordinance 1461, ordinance adding a new chapter 13.22 to the Gladstone Municipal Code. Motion was seconded by Councilor Sieckmann. Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes, Councilor McMahon – yes, Councilor Reisner – yes, Mayor Jacobellis – yes. Motion passed unanimously.

Assistant City Administrator Morishita gave the second reading of the ordinance. There was no further discussion.

Councilor Reisner made a motion to approve the second reading of Ordinance 1461. Motion was seconded by Councilor Turner. Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes, Councilor McMahon – yes, Councilor Reisner – yes, Mayor Jacobellis – yes. Motion passed unanimously.

8. Public Hearing – Ordinance 1462 – Adding Chapter 9.10 to the Gladstone Municipal Code Prohibiting the Establishment of Marijuana Facilities.

City Attorney Doughman gave some background information on this topic.

Public Testimony: None. Public Testimony was closed.

Assistant City Administrator Morishita gave the first reading of the ordinance.

Discussion: Councilor Johnson asked questions regarding tax revenues and timeline issues. Councilor Sieckmann said that Clackamas County Elections Office said that the three precincts reporting in Gladstone voted 54% to approve Measure 91. Councilor Reisner said he was concerned about the emergency clause. Councilor Mersereau said he supports the ban.

Councilor McMahon made a motion to approve Ordinance 1462. Motion was seconded by Councilor Mersereau. Assistant City Administrator Morishita took a roll call vote: Councilor Sieckmann – yes, Councilor Mersereau – yes, Councilor Johnson – yes, Councilor Turner – yes, Councilor McMahon – yes, Councilor Reisner – no, Mayor Jacobellis – yes.

There was discussion regarding when to address this again. It was decided to hold it until the next Council meeting in two weeks.

9. Authorize Staff to Contract with Prothman for the Recruitment of a new Fire Chief.

Interim City Administrator Schultz said that he may or may not have business dealings with Prothman in the future. The review committee has recommended Prothman.

Councilor Johnson made a motion to direct staff to contract with Prothman for the recruitment of a Fire Chief. Motion was seconded by Councilor McMahon.

Discussion: Councilor Reisner asked why they didn't receive this information in a timelier manner. Mr. Schultz explained that the committee didn't meet until this morning.

Motion passed unanimously.

DISCUSSION ITEMS:

Town Hall for October 22nd - there was a discussion regarding advertising, the topics to be covered, election laws, presentations, dress rehearsal for City staff, etc.

BUSINESS CARRIED FORWARD – UPDATE:

- a. Update of Council Goals - There were no updates.

BUSINESS FROM THE AUDIENCE:

None.

BUSINESS FROM THE COUNCIL:

Councilor McMahan:

He just started working on the Rinearson project.

Councilor Reisner:

He will be going to League of Oregon Cities training on Friday & Saturday – if there are any sessions you'd like him to attend, let him know. He will be attending the Clackamas Water Shed tour on October 3rd.

Councilor Johnson:

He went on a tour of the Rinearson project areas – it was very interesting. He asked if all liquor license applications need to come before the Council. Interim City Administrator Schultz said that he could put a policy together. He attended the last North Clackamas Water Providers meeting – they are going to rewrite the letter of request regarding the abandoned Lake Oswego pipe.

Councilor Sieckmann:

He wants to make sure that the Planning Commission is made aware of the third party review that was discussed earlier pertaining to communication towers. He would like to share the Gladstone Community Profile – there's a lot of good information in it. He received information from Tammy Stempel regarding the Transportation System Plan – she asked him to be the liaison. Mayor Jacobellis appointed Councilor Sieckmann as the Transportation System Plan liaison and the Council approved the appointment.

Mayor Jacobellis:

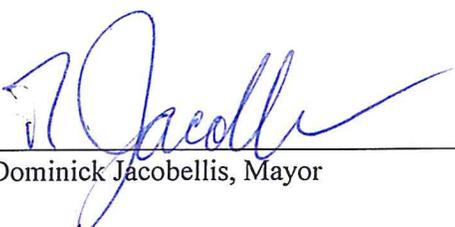
He went to the school opening for their staff members – he would like to have them more involved in the City government job shadowing/mentoring program.

ADJOURN:

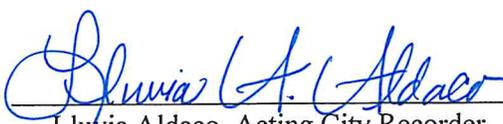
Meeting adjourned.

Approved by the Mayor this 13 day of October, 2015.

ATTEST:



Dominick Jacobellis, Mayor



Lluvia Aldaco, Acting City Recorder