

GLADSTONE CITY COUNCIL MEETING MINUTES of March 10, 2020

Meeting was called to order at 6:30 PM.

ROLL CALL:

Mayor Tammy Stempel, Councilor Ripley, Councilor Tracy, Councilor Reisner, Councilor Mersereau

ABSENT:

Councilor Neace, Councilor Todd

STAFF:

Jacque Betz, City Administrator; Hayley Kratz, Office Assistant; Joy Fields, Senior Planner; John Schmerber, Police Chief; Chad Jacobs, City Attorney

Mayor Stempel called the meeting to order and went over the meeting agenda.

AGENDA ADDITIONS OR CORRECTIONS:

Ms. Betz said there was a correction on Item #16 – under “Audit Committee” – Jeremy Riddle has withdrawn his application.

PRESENTATION – SWEARING IN OF NEW POLICE OFFICER:

Police Chief Schmerber introduced Officer Daniel Winters Jr. and gave some background information. Officer Winters was sworn in by City Attorney Chad Jacobs.

PRESENTATION – CITIZEN LIFESAVING AWARD:

The Citizen Lifesaving Award was presented to Faith Holloway by the Gladstone Fire Department. On November 10th of 2019 Mrs. Holloway, along with a number of first responders, provided assistance to Roger Holloway during his cardiac arrest that allowed him to make a full recovery. Mrs. Holloway performed CPR on her husband, with coaching from Dispatcher Schultz, until the Police and Fire Departments arrived.

The following first responders received certificates of commendation: CCOM Dispatcher Victoria Schultz, Gladstone Fire Department Engine 391 Crew: Captain Patrick Brost, Firefighter/EMT Jesse Person, and Firefighter Austin Krieger; Gladstone Squad 390: Captain Richard Newton and Firefighter/EMT Jared Sturzenegger; the AMR ambulance crew: Paramedic Al Bacon and EMT Brian Malden; and Police Officers Mark Herkamp and Andy Hutchinson.

STATE OF THE CITIES ADDRESS:

Mayor Stempel said the City has a new Fire Chief and a new Police Chief, along with new Department leadership and a K-9 core. The Senior Center has returned to full operation, continuing as the community hub, and will be getting an exterior makeover this year. They will be expanding the generational programs and partnership with the school district.

The City Council has made communicating with the public a priority. They are spreading the news to every home and business via the City newsletter, newspaper coverage, public open houses, social media, and other communications channels.

The citizens are involved in City business like never before. Decisions today are not being made in a vacuum – they want everyone to be part of the respectful discussion.

There are many projects underway right now. The first one is the new Gladstone Civic Center, which will be completed in April. This will house City Hall and the Police Department; replacing the existing building. This project is the City's first to be constructed using the streamline progressive design build approach. Funding for this project is through the Gladstone Urban Renewal Agency, along with full faith and credit notes and cash reserves. No additional property tax dollars are required. The total project cost is \$13,000,000. This project was voted on and approved by the citizens of Gladstone. The building is constructed to current seismic standards and that extra margin of safety is critical for our Police force and emergency command when a disaster strikes. The building is the first step in the need for community preparedness.

Gladstone's elected officials are committed to fixing the antiquated and failing infrastructure. Water, sewer, and storm water systems are in poor to desperate condition due to long deferred maintenance and lack of timely replacement. They recently approved a phased in approach to utility rates needed to begin fixing the failing pipes, pump stations, and storage tanks. These investments are needed to maintain reliable water and sewer services. Gladstone received grant funds (CDBG) to completely reconstruct street and utility work along a two-block section of E. Clarendon. The work included demolition and construction of streets, sidewalks, ramps, and driveways. The utility work included installation of new sanitary sewer, storm drain, and water system improvements.

The City also executed an agreement with the Department of Environmental Quality (DEQ) allowing the City to make thoughtful and incremental capital improvements to correct deficiencies and protect the environment.

Their 2020 vision also shows the importance of Gladstone's connections to our neighboring communities. Clackamas County and the City of Gladstone have agreed on a plan to bring a new library to our community. The employees have been transferred to the County and a Library Planning Task Force is involved with the design and programming phase for a 6,000 square foot library to be constructed where the current City Hall sits. The current building will be torn down.

They are updating the IGA's with Water and Environmental Services and Oak Lodge Water to make sure the utility customers get the best, most economical service. WES also established a Tri-City Good Neighbor fund that will help complete projects both in Gladstone and Oregon City that will advance environmental restoration, economic development, and community improvement opportunities in a defined area known as the Tri-City Waste Water Recovery Region. The Parks and Recreation Board are actively looking at projects that would comply with their requirements. The outcome of this partnership is to build a greater community together through strategically agreed upon projects that support our economy, ecology, and the community as a whole.

They have projects on the horizon that will have a positive and significant impact on our citizens. A replacement for the historic Trolley Trail Bridge, allowing pedestrians and bicyclists the opportunity to directly connect to our neighbor, Oregon City. This project will be paid for with Regional Transportation funds. An affordable housing project, which is the first in Clackamas County that is tied to Metro's \$650 million dollar affordable housing bond, is being built in Gladstone. The mission for this fund is to house people who might otherwise be homeless. Gladstone's project will be for senior citizens with a priority given to Gladstone residents. They will continue to finalize the Housing Needs Analysis and create a community engagement strategy to find thoughtful solutions for affordable housing. They have received a \$350,000 grant that will enable them to dredge the boat launch at Meldrum Bar Park where sand bars have made the channel impassable.

They have dreams such as promoting trails and wildlife viewing areas at the Rinearson Creek restoration area, Gladstone Nature Park, and along the rivers, revitalizing the downtown core and providing support to

the existing businesses, enhancing the emergency management roles and engaging the community with its preparedness, completing a tourism and branding strategy for Gladstone, and launching a grass roots core of community volunteers. Gladstone's vision for 2020 and beyond are safe, thriving, healthy, highly qualified, engaged, accountable, livable, financially stable, vibrant, and continually improving.

Mayor Stempel feels that 2020 will be remarkable and our best ever. She is passionate about the progress we are making and committed to seeing that progress continue. She is speaking on behalf of the City Council and City staff. They are a team and that team also includes in the citizens of Gladstone.

CONSENT AGENDA:

1. Approval of February 11, 2020 Regular Meeting Minutes
2. Approval of January Bank Balances
3. Budget Report for Period ending 1-31-20
4. Approval of January Check Register
5. Legal Costs on Projects
6. Department Head Monthly Reports for February 2020
7. Approval of Intergovernmental Agreement (IGA) between Clackamas County and the City of Gladstone relating to Planning Services
8. Approval of the Gladstone Senior Center Transportation Service Area, formally expanding service outside of the City of Gladstone City limits to include the unincorporated parts of Clackamas County
9. Approval of an IGA between the City of Lake Oswego and the City of Gladstone for Warrant Confirmation Services
10. Approval of an IGA between Clackamas County and the City of Gladstone for Fiber Optic Service

Councilor Reisner asked to pull #9 for a question.

Councilor Tracy made a motion to approve Consent Agenda items #1 - #8 and #10. Motion was seconded by Councilor Mersereau. Motion passed unanimously.

Councilor Reisner asked about page 9-2, paragraph 1, description of services to be provided, the first bullet point about an "exhibit A" isn't included. Chief Schmerber said this is a generic IGA that Lake Oswego did for almost every jurisdiction in Clackamas County. It is talking about confirming warrants for them – it doesn't include entering property/vehicles/persons into LEDS (Law Enforcement Data System). Ms. Betz recommended striking the last part of that sentence when they approve it and take out "as outlined on the attached exhibit A".

Councilor Reisner made a motion to approve Consent Agenda Item #9, striking out the last part of the sentence under paragraph 1, "as outlined on the attached exhibit A" and the next bullet point after "as set forth in exhibit A". Motion was seconded by Councilor Mersereau.

Discussion: Councilor Reisner asked if the City Attorney had reviewed this IGA – they had.

Motion passed unanimously.

CORRESPONDENCE:

11. Anonymous letter questioning voting history of elected official.

Mayor Stempel wanted everyone to understand that in order for their correspondence to be considered in the current Council packet it must be received no later than the Tuesday before the meeting. Anything after that will not be considered this month, but will be included in the next month's packet. They want to be

sure to have enough time to consider all the documents supplied and receiving them at the last minute doesn't allow them to do that.

Mayor Stempel read the letter aloud:

“Gladstone Council,

I was watching video of the council meetings and saw that mayor Stempel is not voting. In October a second vote was held because a first vote had been unanimous. Was it really unanimous if the mayor didn't vote? We're concerned about this because we think the mayor and councilmembers should be voting or else they're not representing us. I've noticed that the mayor sometimes looks down at her papers during a vote so that she can't be seen not voting. My husband and I want to be anonymous because the mayor's large men friends are known to show up uninvited at peoples houses to argue which is scary. We don't want those kinds of problems at our home.”

Mayor Stempel wanted to comment on the letter. She said she is not going to change the way she runs the meetings because of an anonymous letter. When she votes no she makes a point of doing a roll call vote most of the time so that it's clear how everyone voted. If she didn't vote yes on something when the minutes came out at the next meeting she would be the first one to ask for a correction. She looks at her papers in order to stay on top of things during the meetings so she is not being sneaky.

Councilor Ripley asked the City Attorney what constitutes a vote – does not saying anything count as a yes? Mr. Jacobs said typically speaking you need to make an affirmative action to vote yes on something or a negative reaction to say no on something. If you want to abstain you would typically state that. When you are doing a voice vote any type of acknowledgement constitutes the affirmative vote. When the Mayor asked for “opposed” and there is no response that clarifies for the most part that everyone was presumed to be in favor. If someone is truly not voting and staying silent all the time then that is an issue that the Council could address but he hasn't noticed that going on here. Councilor Tracy said he has heard the Mayor vote, but sometimes you get sidetracked and you may not say “yes” as loud or as quickly as possible. He doesn't see this as a concern and feels they have spent way too much time on this. Councilor Mersereau said as being a Mayor or a Chair in the past for quite a few meetings, one thing he didn't like about being Mayor was that he couldn't participate in the meeting as much as he would have liked – he was more worried about facilitating the meeting. Ms. Betz said that some cities only have the Mayor vote in a tie situation.

REGULAR AGENDA

12. PUBLIC HEARING: ORDINANCE 1499 – AMENDING CHAPTERS 17.10 AND 17.12 (R-5 AND R-7.2 ZONING TEXT AMENDMENTS) OF THE GLADSTONE MUNICIPAL CODE (GMC) – ACCESSORY DWELLING UNITS (ADU'S) – TO BECOME COMPLIANT PER HOUSE BILL (HB) 2001:

Ms. Betz introduced Joy Fields. Ms. Fields went over the staff report. The GMC has provisions in the residential zoning districts for allowing accessory dwelling units for primary residences to have a smaller detached or attached accessory dwelling unit on the same parcel of land. In 2017 Senate Bill 1051 was adopted by the State Legislature and it required that municipalities within urban growth boundaries allow ADU's for every primary dwelling that is there and that regulations pertaining to housing were clear and objective or have a clear and objective pathway. Senate Bill 1051 allowed local jurisdictions to have reasonable regulations pertaining to ADU's. In 2019 HB 2001 passed and it determined that requiring an additional parking space for ADU's and requiring owner occupancy for either the primary dwelling or the ADU were not reasonable regulations, therefore they are not allowed by local jurisdictions. This came into effect in January. The Planning Commission reviewed Chapters 17.10 and 17.12 related to residential zoning districts

and they considered a lot of options. Ms. Fields went over those options. They determined that an in-depth review of the code would be necessary and that it would be beneficial to have public engagement, model code, and thorough/comprehensive look at housing if any further changes were going to be made to these sections. On February 18th, 2020 they recommended removing the requirement that ADU's have an additional parking space and have an owner occupancy deed restriction on the books unless they are used as vacation rentals. This was added to the end of the section of Chapter 17.10 and 17.12 related to ADU's. Staff would be looking at site plans and determining if the ADU's have the additional parking space and deed restriction of owner occupancy at the time they are being used as vacation rentals. Since February 18th the City Attorney provided comments that it appeared to be appropriate, but "vacation rentals" was not defined. City Council will need to discuss whether a definition for vacation rentals would be something they would want to look at tonight or if it would be something they would like the Planning Commission to consider and bring back later.

Staff recommends that City Council accepts the recommendation from the Planning Commission that is focused on the amendments related to parking and owner occupancy for ADU's in the R-5 and R-7.2 residential zoning districts. There is also a slight change to a title: The code currently has the building code as the "Uniform Building Code" – that title is no longer what is used for the building code requirements for residential units. Now it is the "Oregon Residential Specialty Code" that is used when the Building Department reviews any changes to a residential structure. She wanted the Council to know there are changes that are needed in addition to these and they will see those changes to the code related to housing and ADU's.

Ms. Betz said they are recommending doing these proposed changes now to get us current with HB 2001. They are working on the Housing Needs Analysis and the code audit and the DLCDC will have a model code out at the end of this year so the Planning Commission can go through the comprehensive review.

Councilor Tracy asked for clarification on changing the code. Ms. Betz said tonight they can approve the ordinance and they can deal with the definition as they do a comprehensive review. Mayor Stempel opened the public hearing at 7:25 p.m.

PUBLIC COMMENTS:

None.

Councilor Tracy made a motion to close the public hearing. Motion was seconded by Councilor Reisner. Motion passed unanimously.

Councilor Mersereau said he attended the Planning Commission meeting and they had many questions regarding what they were looking at. He recommends approving the changes. Councilor Ripley asked what happens if you build a little house on your property and then a year later decide you don't want a vacation rental and want to turn it into a rental house. Ms. Betz said on a vacation rental the owner has to have a business license and they can collect the transient lodging tax. The purpose of this law is to allow more affordable housing opportunities. Mr. Jacobs added that if you had a long-term rental you do not have the restrictions you have with vacation rentals (deed restriction and off-street parking requirement).

Councilor Tracy made a motion to approve Ordinance 1499, an Ordinance amending Chapter 17.10 and 17.12 of the Gladstone Municipal Code removing owner occupancy and parking requirements for accessory dwelling units (ADU's) as required by House Bill (HB) 2001. Motion was seconded by Councilor Reisner. Ms. Kratz took a roll call vote: Councilor Ripley – yes.

Councilor Tracy – yes. Councilor Reisner – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

Second Reading:

Councilor Reisner made a motion to approve Ordinance 1499, an Ordinance amending Chapter 17.10 and 17.12 of the Gladstone Municipal Code removing owner occupancy and parking requirements for accessory dwelling units (ADU's) as required by House Bill (HB) 2001. Motion was seconded by Councilor Tracy. Ms. Kratz took a roll call vote: Councilor Ripley – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

13. RESOLUTION 1174 – DESIGNATING TRUCK ROUTES FOR GLADSTONE:

Police Chief Schmerber said this is to amend Resolution 718, designating truck routes within the City of Gladstone. They are focusing on preventing through truck traffic also. This was a 2019 goal of the Traffic and Safety Advisory Board. They are asking to maintain I-205 from 82nd Drive down to 99E/McLoughlin Blvd. within the City limits as a truck route and also designate 99E/McLoughlin Blvd. a truck route from the north City limits to the south City limits and prevent through truck traffic throughout the middle of the City with the exception of local deliveries only. He sees this as a safety concern and doesn't believe that tractor trailers need to come through the City from I-205 to 99E/McLoughlin as a short cut unless there is a reason for them to get there. They have stopped several trucks recently after receiving complaints that they have been using Arlington Street very early in the mornings. There will need to be signage posted before they can enforce this. He is recommending Option 3, which authorizes the designation of both I-205 and 99E/McLoughlin to include no through traffic within the City except for local deliveries. ODOT's definition of a truck is a vehicle with gross vehicle weight of 10,000 pounds or more that is required to have a commercial driver's license or vehicle markings by ODOT. Chief Schmerber said they are looking at tractor trailers and typically not box trucks.

There was discussion regarding mapping apps that indicate truck routes.

Councilor Reisner made a motion to approve Resolution No. 1774, a resolution amending Resolution No. 718, to designate a portion of Interstate 205 between the interchanges of Gladstone/82nd Drive, and Oregon City/McLoughlin Boulevard and McLoughlin Boulevard from the south City limits to the North City limits as the designated truck route for the City of Gladstone and prohibiting through truck traffic within the City with the exception of local deliveries. Motion was seconded by Councilor Ripley. Motion passed unanimously.

14. REGIONAL WASTEWATER SYSTEM COOPERATIVE AGREEMENT:

Mayor Stempel said this was the first thing she started doing when she became Mayor because the wastewater agreement was falling apart. This agreement allows an elected official from Gladstone to serve on an advisory body and to participate in the discussions. There is no cost impact. It will be reviewed in a year.

PUBLIC COMMENTS:

Steve Johnson said this IGA does nothing and changes nothing. He said the City of Gladstone will have no more say in the rates of the WES service area or the cost of expansion than it does right now through existing advisory committees. The sewer district is governed by the Clackamas County Commission and with one possible exception none of the Commissioners live in the WES service area. Their final decisions do not effect them personally. He feels this is wrong. The Clackamas County Commission previously merged our sewer district with one that serves Happy

Valley and Milwaukie without our consent. He said the merger diluted and minimized our financial investment in the processing plant in Oregon City. It has also resulted in a larger processing plant that emits more odors, specifically the ammoniated odors that occasionally waft over Gladstone. The only way to change this and to make final decisions as part of an actual governing body is to change state law. He is disappointed that our City has not lobbied our state representatives in this regard. He knows firsthand that they are open to discussing this issue with Gladstone. He would like to ask that the Council not approve this IGA until it is clearly stated that all final decisions related to the governance of the WES service district are made by the Clackamas County Commission. This fact is nowhere to be found in the IGA that is before the Council. He said there is absolutely no reason to hide it.

Councilor Reisner made a motion to approve the Intergovernmental Agreement (IGA) between Water Environmental Services (WES) and the City of Gladstone related to the Regional Wastewater System Cooperative Agreement. Motion was seconded by Councilor Tracy.

Discussion: Councilor Mersereau said in relation to WES that it appears that all of the information is not given out. He believes that if you have people in the discussion you can improve things and this could be a start to asking questions. Councilor Reisner agreed and feels they should approve this and maybe we can get things changed in the future. Mayor Stempel said that now Gladstone is represented at the table, along with all of the cities that are in the Tri-City Sewer District.

Motion passed unanimously.

15. APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS:

a) Audit Committee:

One application received for two vacant terms. The applicant has withdrawn his application.

b) Library Advisory Board:

One application received for two one-year terms.

c) Traffic Safety Advisory Board:

One application received for two vacant terms.

Councilor Ripley feels they should have a better evaluation process on people who are applying. He feels that if you know someone on the Council you have a chance to get appointed, but if you didn't know a Councilor you wouldn't have a chance. Councilor Reisner said that previously the Library Board did interview prospective applicants but it was discussed and revamped two years ago. He said they have been struggling with getting people to volunteer at all. Mayor Stempel said she would like to see an interview process. Councilor Tracy agreed with Councilors Reisner and Ripley. He feels the process needs to be slowed down a little bit. He likes the idea of vetting people. He feels they should put together another process for the future. Councilor Mersereau said they could call and interview applicants if they desire.

Councilor Ripley made a motion to hold this over and come up with a more defined process. Motion was seconded by Councilor Tracy.

PUBLIC COMMENTS:

Michael Milch said that in recent years they have had fewer applicants than vacant positions and that was often the reason given for postponing the appointments. He said in December they had a sitting member of the Library Board whose term was to end in December of 2019 who applied to renew his term but when the Council decided to postpone appointments to the Library Board that person's application was not considered at that time. He said there was a similar situation with the Audit Committee. He wants to be sure that if they give an extension to these applications

that they have some understanding of whether citizens who applied are still under consideration or if their applications are deemed to be no longer valid. He favors acting on the two applications tonight.

There was discussion regarding the application from Dr. Bryce Colson.

Motion passed unanimously.

It was agreed to discuss this at next month's meeting.

16. DISCUSS CITY BANKING SERVICES:

Councilor Reisner said for many years they had at least two banks in town that the City used for their banking. Currently there is only one commercial bank in town. He said there are credit unions close by (CFCU and OnPoint). He belongs to both and he knows the good things they do for the community. He feels that the credit unions answer to the membership and monies go back into membership whereas U.S. Bank is a commercial bank. He would like to ask staff to look into switching to a credit union that is more community based.

Mayor Stempel said if the Council agrees this would have to go out for an RFP process. Ms. Betz said she put together some procurement of banking services requirements because they can't just choose a bank - it's a comprehensive process that takes approximately six months. She said that staff agrees with him that the City has not gone out and done a request for qualifications in a very long time. Councilor Mersereau said this is not just a staff thing – it can effect all or half of the City's employees. He recommends that they look at this next year as part of the strategic planning meeting.

Ms. Betz suggested having the Audit Committee or Budget Committee assist them with this. Councilor Tracy asked if we would be able to call for a local investment portfolio for each of these banks – Ms. Betz said they could consider that as part of the RFQ or RFP. She said this is one of her reasons that she will be coming to the Council as to why they need to hire a Finance Director – so they have someone with that level of expertise to help do this kind of work for the City. It was agreed to hold this over until the strategic planning meeting in January.

17. REVIEW DRAFT PROCESS FOR PROCESSING CORRESPONDENCE MATERIALS AND COMPLAINTS ON ELECTED OFFICIALS:

Correspondence:

Ms. Betz said they are attempting to formalize a process so that at each Council meeting they are not trying to figure out what to do with correspondence. She is asking for guidance regarding the handling of correspondence and to have a different formalized process for handling complaints that come with elected officials. According to City Council Rules correspondence is included in the meeting agendas. She is asking if the Council still wants to have correspondence on the agenda. Currently, when they receive correspondence (mail or email) they are able to get it to the Council quickly via email (it would be available to the public). Councilor Tracy wanted to clarify that there will still be Public Comments on the agenda and anyone can send correspondence to the City. Ms. Betz said that if someone sends correspondence regarding an agenda item that would be put in the packet under that agenda item.

There was discussion and it was agreed that the Council Rules should be amended and correspondence will not be included in the meeting agendas.

PUBLIC COMMENTS:

Bill Osburn said he hopes this will do away with a lot of squabbling and a lot of the stuff that results in anonymous letters. He agrees that if the correspondence has to do with an agenda item then maybe it's worth reading into the record. He feels that the anonymous letters don't do anybody any good. Regarding complaints he hopes that as elected officials if there are complaints that could either be done in the open or using a third party investigator. He feels that if there is a complaint it should be looked at seriously and impartially and if there is an issue there it is addressed and then we move on. He appreciates the Council doing this – he has been asking for it for a while.

Process to Address Complaints Against Elected Officials:

Ms. Betz went over what they have currently in the City Council Rules under Section G, "Council Member Conduct". She said they have had complaints but the Council has not made a decision on whether or not they wanted to use this section. She gathered information from other jurisdictions regarding their rules/process. She is asking if the Council wants to continue with what is currently in the City Council Rules and use them or if they want to adopt something separate, like Exhibit A in her staff report. She went over Exhibit A. Any complaint to be investigated has to be in the form of a written and authored complaint. She is asking if they want the City Administrator or another elected official not affiliated with the alleged violation to be part of it. Mayor Stempel thinks this is a great idea – that way they are not in the middle of it and it's not on their shoulders to make these decisions because it's an uncomfortable place to be to censor one of their own. Councilor Tracy would like to table this – there is some language he would like to discuss and get more information on. He thinks it's a good direction. Ms. Betz clarified that tonight they are only having a conversation and she would bring something back at a later date for the Council to adopt. She needs direction to move forward on the highlighted areas of her staff report. It was agreed to table this and put it on the agenda for the May Council meeting. Councilors will provide feedback to Ms. Betz prior to the May Council meeting.

PUBLIC COMMENTS:

Natalie Smith said if they are doing policies for Council Rules she thinks it's important to consider that there should be some guidelines for people who get up and address the City Council because as observers and audience members they should speak to them with respect and any criticism should be done in an appropriate manner. She hopes that when they look at setting policy that it is important to look at how elected officials are spoken to.

BUSINESS CARRIED FORWARD:

Mayor Stempel said the intersections at the end of Max Patterson Park on Cornell/Exeter/Fairfield are currently two-way stops. Four-way stops were recommended by both the Traffic Safety Advisory Board and the Parks & Recreation Board and approved by the City Council but they were told they needed a traffic study in order to add the additional stop signs. She has an issue with that because there are no sidewalks in that area, cars are parked along all the streets and pedestrians are walking in the middle of the street. There are three times during school hours where the intersections are incredibly busy. In the summer it's also very busy because of the park. She feels that traffic has to be slowed down and this is the simplest and easiest way to do that. She could not find any federal rules preventing this. Councilor Reisner said the stop signs at E. Clarendon/Chicago have not been replaced. Ms. Betz said they will look into this further to see what other steps they could take.

Mayor Stempel said some business owners have talked with her and Councilor Tracy about the two-hour versus four-hour parking signs on Portland Avenue. The question is why there is a four-hour zone in the business district. The business owners want a two-hour zone so they can have the stop and go business

trade that they need. Ms. Betz said this is a good time to look at this issue and parking enforcement in that area. There are also recommendations in the Downtown Revitalization Plan about parking.

PUBLIC COMMENTS:

Lisa Westapher lives on Clarendon – she said they have been waiting for the stop sign to go back on Chicago after the construction and it has not. She said cars are speeding down the street now because there is fresh blacktop and no stop signs. She is hoping to get the stop sign back.

BUSINESS FROM THE AUDIENCE:

Les Poole has had concerns about the Webster Road property in the past: its legal status and conflicting resolutions. He expressed some of those concerns again when the IGA was approved with the County for the library. He recently discovered some anomalies and questions arose. He came across a letter that talks about ORS Chapter 35 and what you do if for some reason you want to disperse property that you've condemned. He said there are a lot of restrictions on the use of that property. He believes we have some legal exposure in this community because of the vagueness of interpretation of a stipulated judgement and some of the designations that property has received. It is currently four tax lots. By resolution it's all a library site. That resolution circumvented the 2007 resolution that established the nature park in the spirit of the taking and the resolution of necessity. When property is taken there's a resolution of necessity – that means you're taking it for that and that only. He is very concerned about what's going to happen in the future and if we are going to face legal ramifications for moving the library downtown and continuing to resolve that that property there is all a park. He said the letter is very specific in how you treat property that is taken. His question is: If a member of the gentleman's family were to show up in downtown Gladstone three or four years from now and there was a library here and that person asked if they took that property for parks and a library what is the library doing downtown? He asked an attorney for his opinion and he said obviously the first thing that former property owner would do would be to contact an attorney. He hopes they all go back and look at the 2007 Gladstone Nature Park resolution which refers to 1.27 acres for a water tower. He would like a response to some of his concerns and he will be emailing them tomorrow. Councilor Reisner asked what he wants the City to do. Mr. Poole said he wants them to clarify the legal status of the property. He would like to see a purchase and sale agreement, which is a requirement in the State of Oregon. He has requested it over and over and has never seen one. Ms. Betz said she has sent that twice, it's the Oberson Report, and she has copied the City Council.

BUSINESS FROM THE COUNCIL:

Councilor Reisner:

He asked why agenda item #13 was pulled. Ms. Betz said she thought she was making an appropriate interpretation with the parking and after discussing it with the City Attorney she did not have the authority to make that interpretation. She has the authority to initiate the Planning Commission to make an interpretation so they removed it from the agenda and they are going to work with Clackamas County and the Planning Commission for them to handle the parking.

Mayor Stempel:

Councilor Mersereau said he would like to attend the Willamette Falls Locks Commission meetings. Mayor Stempel said they are open to the public. She pointed out that we do not hold a seat at the Commission – we are just a non-participatory audience member. She said this is a structural impediment that is owned and operated by the U.S. Army Corps and they are trying to transfer ownership to a public corporate entity to take it over so there is a lot of legalese involved. They sent a \$7 million request to the State for funding to repair the locks – it went all the way through, almost to a second reading, and our legislative session abruptly stopped. If it does not go through during an executive session or a special session it will have to wait until the next session. Councilor Mersereau said that when he said he wanted someone to be involved

in the meetings he meant at the table. Mayor Stempel said she gets the agenda and minutes from the meetings. She said this is going to be an amazing project that's going to really impact Gladstone.

Council activity detail report – she stressed that this was not created by her alone; other cities are heading this direction and it's for accountability and transparency. It started because she talked to Ms. Betz and she was not in the loop as far as what the Councilors were all working on individually so she needs to be informed. Councilor Tracy agreed that they all to be kept in the loop on the things they are working on. Citizens were wondering what they were doing and that's where it all came from. She feels that it's important that they all understand what they are personally involved with in regard to the City and what they are participating in.

She said there seem to be a lot of first amendment rights being thrown around lately and the misconceptions have her concerned. She said just because they are elected officials, board members, or committee members, that they still retain their first amendment rights. Mr. Jacobs confirmed that in their personal capacity, that is correct. Mayor Stempel said they don't leave those rights at the door; they still have their first amendment rights so when they are threatened and intimidated and accused of things they can respond. She said that her home and the homes of all the Councilors and volunteers are *their* homes; they are not owned or operated by the City or for the City. Her home is the place she goes to be that wife, mother, daughter, sister; it's not where she goes to be the Mayor. She received a threatening letter at her home and she received a call from her family asking if they were being sued. She said this is not acceptable and the line has been crossed. She doesn't know why it was done. She spoke with the attorney and it was the address that they were given. She said it was inappropriate and that is off the table.

Tolling of I-205 – at last week's C-4 meeting the ODOT consultants managing the I-5 Rose Quarter and the I-205 Abernethy Bridge Tolling Projects gave a presentation. She said it was not received very well at all. She said that everyone at the table agreed that this is not right – we are held hostage because that is our only way across the river other than going through Oregon City, which is not acceptable. She said we were not represented when House Bill 2017 was approved but our Clackamas County Caucus has been formed and they are going to fight it as much as they can. Locally they are going to create a subcommittee of C-4 where the mayors and elected officials that want to participate will work on making this right. ODOT's take on it is that this is what the legislation told them to do so they are not going to change it until they tell them otherwise. She will be keeping everyone updated.

Metro Helping Together Homeless Wraparound Services Bond – it's \$250 million/year for ten years. If you're a single person making \$125,000 or a couple making \$200,000 that is where the tax will come into play. Today some legal challenges were filed so it is not a done deal.

She attended the last SERT meeting where the topic was pandemics; specifically, on the COVID-19. She recommends the class for everyone. They were informed and did not leave panic stricken. There are updates on COVID-19 provided on the City's website and the County's website instead of relying on the media.

ADJOURN:

Meeting was adjourned at approximately 8:58 P.M.

Approved by the Mayor this 9th day of JUNE, 2020.



Tamara Stempel, Mayor

ATTEST:


Tami Bannick, City Recorder