

GLADSTONE CITY COUNCIL MEETING MINUTES of June 9, 2020

Meeting was called to order at 6:30 PM. – (Via Telephone Conference Call)

ROLL CALL:

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

ABSENT:

None

STAFF:

Jacque Betz, City Administrator; Tami Bannick, City Recorder; Jim Whynot, Public Works Director; John Schmerber, Chief of Police; David Doughman, City Attorney

Mayor Stempel called the meeting to order. She explained that per the Governor’s executive order 20-16 regarding compliance with Oregon Public Meetings Law this meeting is being held electronically by telephone. She went over the call-in number and access codes. She went over the meeting agenda.

AGENDA ADDITIONS OR CORRECTIONS:

None.

PROCLAMATION:

Mayor Stempel said she doesn’t usually make proclamations. She said this has been a historical year. She said with all of the craziness going on this incredible group of kids were able to step up and embrace this “new normal” and reach an incredible milestone in their lives – high school graduation. She wants to make sure that they know that we recognize all that they have done and thank them for being the class that brought our city together in celebration of their achievements.

She read the proclamation: “Today the City of Gladstone is making the following proclamation: Whereas in March 2020 our country was faced with an unprecedented Corona Virus pandemic that eliminated the possibility of our amazing seniors to participate in a traditional graduation milestone. And whereas June is high school graduation month and an excellent opportunity to come together as a community and give our 2020 seniors extra recognition on their accomplishment. And whereas it is an opportunity for acknowledging the adverse situation being presented to graduating seniors and paving the way toward improving the quality of life for young people with a graduation diploma. And whereas the pandemic has temporarily disrupted their educations and plans for the future, families, friends, neighbors, and educators should encourage everyone to focus on the abilities of our young people and honor their hard work. And whereas we encourage all citizens to support opportunities for graduating seniors in our community that include higher education, housing, employment, and recreational activities. And whereas the most effective way to honor graduating seniors is through everyone’s active participation in community activities and the openness to learn and acknowledge each individual’s abilities, talents, and contribution and the importance of education. Now, therefore, I, Tammy Stempel, Mayor of Gladstone, on behalf of the Gladstone City Council and citizens of Gladstone, specifically the graduating seniors, acknowledge the new uncertainties introduced by the pandemic and hereby proclaim the week of June 8th through the 12th, 2020 as Gladstone High School Senior Recognition Week within the City of Gladstone. We encourage all citizens to take time to get to know a graduating senior, recognize their aspirations and contributions, and honor them in their journey of education. No one will ever be able to replace this special graduating class.” The Mayor and Council read off the names of the graduating class.

CONSENT AGENDA:

1. Approval of March 10, 2020 and May 12, 2020 Regular Meeting Minutes
2. Approval of April Bank Balances
3. Budget Report for Periods ending 04-30-2020
4. Approval of April Check Register
5. Legal Costs on Projects
6. Department Head Monthly Report for May 2020
7. Appointment of Michael Milch to the Housing Advisory Committee
8. Approval of Resolution 1177 – Increase in 2019-2021 Biennial Budget for 2019-2020 Fiscal Year to Facilitate the Completion of the Senior Center Roofing Project

Councilors Todd made a motion to approve the Consent Agenda. Motion was seconded by Councilor Neace. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

CORRESPONDENCE:

None.

Mayor Stempel said for those members of the public who wished to speak the deadline for accepting comments was noon today. They allow three minutes for public comment unless there are special circumstances and additional time has been approved beforehand by staff. She said having public comments at the end of the meeting was a recommendation from the League of Oregon Cities and it is becoming the standard of many cities. This is the Council's business meeting and when their business is complete they are more than happy to hear the business from the audience.

She said a few words about the role of the City Council. She feels it is important for everyone to understand their limitations: they represent the citizens of Gladstone and not their own personal agendas and beliefs. There have been many times when a decision being made doesn't align with what they would like personally, but have made a decision based on what is based on the City as a whole. That doesn't mean that their beliefs have changed; just that they listened and acted accordingly. There are laws and rules they have to use as the basis of their decisions. They do not have the luxury of randomly making decisions, but instead have to be consistent and take the path that is defensible. They appreciate everyone's time in participating in this process. Her goal is to keep the meeting respectful and engaging and she hopes everyone will help her do that.

REGULAR AGENDA

9. APPROVAL OF CONTRACT FOR MELDRUM BAR PARK DREDGING PROJECT:

Mr. Whynot said this is a public improvement contract for the dredging of the Meldrum Bar boat launch and lagoon. This is the third and final step in a series of grant improvements that have been done over the last four years. First was a sediment analysis two years ago and then the replacement of the boat dock last year. He thanked Marna Barnes for putting this together. They received two bids – from Marine Industrial Construction (\$554,140) and Ross Island Sand and Gravel (\$161,075). The grant was originally for \$350,000 so this came in at under 50% less so the savings will be distributed proportionately between the entities of the grants and the City. The City is expecting a savings of about \$10,000 - \$15,000. The original grant included a match of \$30,000 from Park Improvement – this is where the savings will be seen. \$25,000 was out of the Business Development Community Promotions line item. These are in-kind and matches that the City put together for this grant. Once the contract is signed they will put out the notice to proceed, there will be some pre-planning and pre-dredging meetings, and notices and they expect to get

started on the dredging in July and it will take approximately two weeks to complete. The total project will take approximately 3-4 weeks to complete.

Mayor Stempel asked if staff was confident that they are getting an accurate bid for this project since there is such a difference in the bid amounts – Mr. Whynot said they are.

Councilor Mersereau made a motion to confirm that the proper Public Works bidding processes were followed in the bidding of this project and that the City of Gladstone, Oregon Public Works Director be authorized to sign a contract with the Ross Island Sand and Gravel Company in the amount of \$161,075.00 for the construction of the dredging project at Meldrum Bar Park, Willamette River – Mile 24.2, for the City of Gladstone, Oregon. Motion was seconded by Councilor Tracy. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

10. ORDINANCE 1500 – AMENDING CHAPTER 12.18 OF GLADSTONE MUNICIPAL CODE (GMC) AMENDING TITLE AND ADDING LANGUAGE PROHIBITING ROLLER SKATING, SKATEBOARDING, AND SMOKING IN PUBLIC BUILDINGS OR FACILITIES:

Chief Schmerber said the Police Department is recommending the change of the code to read “public buildings and facilities” and adding the language of “no roller skating, skateboarding, or smoking in the parking lot or sidewalks of the Civic Center, Public Works, Fire Departments, and County Library, once developed”. The whole purpose is strictly for safety.

Councilor Ripley supports this but said that every time something gets closed for smoking you end up with a pile of cigarette butts. Councilor Reisner said he is glad they are reducing the penalty of this violation from a Class C infraction to a Class D infraction.

Councilor Reisner made a motion to approve Ordinance 1500, an Ordinance Amending Chapter 12.18 of the Gladstone Municipal Code amending Title and adding language pertaining to roller skating, skateboarding, or smoking in public buildings or public facilities and reaffirming all remaining provisions of the Gladstone Municipal Code. Motion was seconded by Councilors Ripley and Mersereau. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

Mayor Stempel said since there was a unanimous vote they can do the second reading now.

Councilor Reisner made a motion to approve Ordinance 1500, an Ordinance Amending Chapter 12.18 of the Gladstone Municipal Code amending Title and adding language pertaining to roller skating, skateboarding, or smoking in public buildings or public facilities and reaffirming all remaining provisions of the Gladstone Municipal Code. Motion was seconded by Councilors Neace and Tracy. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

11. ORDINANCE 1501 – AMENDING TITLE 13 OF THE GLADSTONE MUNICIPAL CODE (GMC) BY REMOVING WATER, SEWER, AND STORM WATER UTILITY RATE DISCOUNTS AND INCORPORATING DISCOUNT REFERENCES INTO THE MASTER FEE SCHEDULE:

Ms. Betz said this item is the first in a series of actions so if the Council does not approve both readings of the ordinance tonight then it will be scheduled for a future meeting and Item #12 will also need to be removed for the next meeting. At the last meeting they discussed the structure of the low income utility billing assistance programs and the Council gave direction to go ahead and make the recommended changes. This ordinance removes the details of the utility rate discounts from the City Municipal Code and instead they will insert them into the City's Master Fee Schedule so they can update the Master Fee Schedule annually, just like they do with other utility rates.

Councilor Tracy made a motion to approve Ordinance 1501 removing the details of utility rate discounts from Title 13 of the Municipal Code and instead referring to those utility rate discounts by reference to the Master Fee Schedule. Motion was seconded by Councilor Todd. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

Mayor Stempel said since there was a unanimous vote they can do the second reading now.

Councilor Tracy made a motion to approve Ordinance 1501 removing the details of utility rate discounts from Title 13 of the Municipal Code and instead referring to those utility rate discounts by reference to the Master Fee Schedule. Motion was seconded by Councilor Todd. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

12. RESOLUTION 1178 – ADOPTING A REVISED MASTER FEE SCHEDULE AND REPEALING RESOLUTION 1172:

Mr. Doughman said since there is an increase in one of the fees they need to allow for public comments. Mayor Stempel said they published the agenda/documents and gave people a deadline of noon today to make comments and she asked if that qualified for public comments. Mr. Doughman said it technically should also be allowed during the hearing.

Ms. Betz said historically Gladstone has updated their Master Fee Schedule at the last business meeting of June, which is today. She went through the changes in the Master Fee Schedule, which are available on the City's website. Mayor Stempel asked when the \$5 increase for Fire and EMS Incident Report would come into play and was that increase to come into line with what other jurisdictions are charging. Ms. Betz said in the past when they have compiled these reports it had taken them more time than they expected and the hourly rate better reflects how much time is put in for that and the comparison used was with Clackamas Fire. The fee is usually charged to insurance companies for copies of a report. Ms. Betz said that any money coming in from the Master Fee Schedule related to general fund goes in as revenue to the general fund.

PUBLIC COMMENTS:

Bill Osburn asked if this was going to be increased what is above and beyond what was projected when they adopted the two utility rate increases and, if so, how much is that going to be. Mr. Whynot said the Oak Lodge Water Services, WES, and the North Clackamas County Water Commission are all pass-through charges and they typically raise their rates on July 1st and that's what these are. The SDC's were implemented in July of 2017 and in that resolution it was stated that they were raised based on the consumer cost index every year on July 1st - so over the last year that increased by 1%.

Councilor Tracy made a motion to approve Resolution No. 1178, a resolution repealing the Master Fee Schedule adopted under Resolution No. 1172 and adopting a new Master Fee Schedule. Motion was seconded by Councilors Neace and Mersereau. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

13. POSSIBLE TEXT AMENDMENT TO TITLE 17:

Ms. Betz said she and Mr. Doughman would like to discuss off street parking requirements for the new Library. The architect would like to have a better understanding of what the parking requirements are going to be. The size of the site is approximately 9,100 sq. ft. which offers little opportunity to provide any off street parking spaces.

Mr. Doughman went over his memo regarding a possible text amendment. He said they are asking to begin a process that would start a potential text amendment to the code to address a consideration of off street parking in the C-2 zone. The recommendation is that instead of Clackamas County applying for a variance or asking for an interpretation of the code; amend text in the Comprehensive Plan to mirror the standard that currently exists in GMC 17.18.070(1) and allow institutional or civic uses to be substituted in the C-2 zone without providing additional off street parking requirements. This issue will go before the Planning Commission in July and then to Council in August.

Mayor Stempel asked the Councilors for a consensus vote – all of the Councilors were in support of the plan.

14. DISCUSSION OF APPOINTMENTS TO BOARDS, COMMITTEES, AND COMMISSIONS:

Mayor Stempel said that there are two vacant positions on the Audit Committee, three vacant positions on the Budget Committee, two vacant positions on the Library Advisory Board, one vacant position on the Senior Center Advisory Board, and two vacant positions on the Traffic Safety Advisory Board. Ms. Betz said that staff needs to know if they want to fill these positions for the remainder of 2020, have a different process and interview applicants, or if they are okay with continuing through the end of the year with those that we have and start recruiting for 2021 in the late fall. Mayor Stempel said she and Ms. Betz suggested appointing people in November so they are ready to hit the ground running in December so they have full committees, boards, and commissions in January so they can start working on their work plans. Mayor Stempel said she is comfortable leaving things the way they are for the rest of the year. She asked the Councilors for their opinions. The Councilors all agreed. Councilor Tracy asked if this would be problematic for the budget committee – Ms. Betz said no because they won't reconvene until February/March of 2021. Mayor Stempel suggested having a discussion regarding the process – it will be put on the agenda for August.

BUSINESS CARRIED FORWARD:

Ms. Betz had none.

Councilor Reisner said in regard to legal counsel services that last year when they were discussing going out for a request for qualifications a decision was made to readdress that topic this summer. He would like to have that on the July agenda. All the councilors agreed.

BUSINESS FROM THE AUDIENCE:

Ben Hildner said he spoke to Chief Schmerber yesterday regarding the death of George Floyd – he agreed that it was senseless. Mr. Hildner said that Gladstone Police is well liked and supported by Gladstone residents. Mayor Stempel and Councilor Tracy participated in the Max Patterson march on Friday. He said the monthly reports are transparent and easy to find and police training includes de-escalation techniques. Three years ago Mayor Stempel agreed to a commitment to reject extremism, white supremacy, and all forms of bigotry and also to promoting law enforcement training on responding to and reporting hate incidents, hate crimes, and domestic terrorism. Also supporting targeted communities and bringing together civic and community leaders to build trust. So far he has seen no statement from any City agency regarding white supremacy. He believes there is a place for healthy conflict – he thinks we can argue about policies and history; not identities and intentions. We can agree to focus on race. We can get uncomfortable. We can stay engaged and we can speak our personal truths. He has three requests: 1) we need to work on improving messaging – denounce all white supremacy and embrace anti-racism, 2) we need anti-bias training for all City staff and a zero tolerance policy for white supremacy as we have a zero tolerance policy for domestic violence, 3) policy updates: require de-escalation (not just training), require warning before shooting.

Janice Saban thanked Mayor Stempel for updating the citizens of Gladstone periodically regarding the Covid-19. She also thanked the City for their continued support for the Community Cat Rescue, allowing them to publish in the Gladstone newsletter and to place their donation bin in City Hall in the spring. She said it has been her observation, as well as many others, that Councilor Todd and Councilor Tracy's significant other, Candy Carlson, have been engaging in several bullying comments on social media. Councilor Todd has also admitted to other community members that she and her friends report various citizens to corporate on a social media app stating her goal is to get them banned, also stating that she could not care less what others find inappropriate about her social media activity. Councilor Todd is also the administrator to the Gladstone Community Parade on Facebook. The Community Cat Rescue participated in this event and many of their supporters were there cheering them on. She, a few members, and a family member tried to post a picture on that Facebook page but could not because Councilor Todd banned them from the page. Councilor Todd has a Facebook page called Tracy Todd, the Glad in Gladstone. In Janis's opinion this is hypocrisy in its finest form because there is nothing glad about censoring, hate speech, or bullying on social media or in person. She said that Candy Carlson, who is the significant other to Councilor Tracy, is the administrator for Meanwhile in Gladstone News on Facebook and has also allowed bullying and hate speech conversations to happen on her page against community members. Some of these community members are known for having documented disabilities. Mayor Stempel once told Janis that social media is a dangerous place and she is wondering what is our fair City's policy regarding this sort of bullying, hate speech, and censoring of the community members by City officials – they're City volunteers representing our City of Gladstone. Our surrounding cities have strict policies in place and she is asking that this be reviewed and she would like to submit the documents she has showing this behavior on social media between Councilor Todd and Candy Carlson.

BUSINESS FROM THE COUNCIL:

Councilor Ripley:

He said he is still working on his fundraiser for Parks and Rec and Traffic Safety.

He said he was a little disappointed when he went to Meldrum Bar Park three days after it was reopened and found there was garbage everywhere. He thanked the fishermen and people using the gardens for picking up the messes.

Councilor Neace:

She thanked Public Works for their work at Meldrum Bar Park – they are doing road work and all the trash has been picked up.

She said the Kiwanis Oak Grove group put a congratulations sign up for the seniors – they appreciate how much they’ve done and what they’ve gone through and wish them the best.

Councilor Tracy:

He said he was heartened by joining the citizens on Friday evening. He was heartsick to hear some of the stories. He believes there is an opportunity in Gladstone to get together with City staff, Police, school staff, and have a town hall and have people speak to them regarding their experiences.

He agreed that there should be boundaries and limitations regarding social media. He said he does not have a political page himself. He wants to make it clear that people share screen shots with him that he would consider bullying in their nature. He said we need to be very careful about our accusations. His significant other is not his spouse and she operates in a very independent paradigm. He is not going to be necessarily culpable for somebody else’s actions. He said maybe a conversation needs to happen.

Councilor Reisner:

He said in regard to the turmoil surrounding race/racism he would like the Council to make a statement to our citizens that we do support our police officers. And especially the fact that we have a school resource officer program and that the program is going to continue and it is a vital part of the community; a great link between the City and the School District being that the citizens of both are the same. He would like staff to come up with a statement to show our support for our police officers. Councilor Tracy said he and Councilor Reisner had a thought provoking conversation today – he supports what he is asking for and would work together with him to come up with something they can all agree on.

Councilor Reisner wanted to announce that he will not be seeking a third term - to give those that are interested in running time to plan, strategize, and organize a campaign. He said it’s been a pleasure serving you and he looks forward to completing his term.

Councilor Todd:

She said she feels she needs to address Janice Saban. She has asked her not to contact her via her personal and business social media pages or other social media platforms on several separate occasions well before being elected and also since taking the position. She recently said the same thing to Janice’s sister. She has never met either of them. She would like to reiterate that if Janice would like to contact her about City business she has the City email address or through Ms. Betz. She said otherwise they do not have to have any reason to have any communication with each other, except for City business. She hopes she has finally made her herself clear on this matter.

Councilor Mersereau:

He wanted to make a positive statement regarding the Department Heads; from Chief Schmerber, Chief Huffman, Public Works Director Whynot, Senior Center Manager Colin Black for the monthly Council reports that they have all been improving on and showing what they’re really doing for the City to make it better. He appreciates their help in doing so.

Mayor Stempel:

She said the Food Pantry volunteers are working really hard getting all the food boxes and produce bags out to their regular customers. They are now expanding the homebound senior deliveries significantly – they’ve got some wonderful volunteers to help deliver them and give the seniors an extra day of contact. Some of the volunteers put in easily twenty hours per week. They are going to try to go back to a shopping model with some minor modifications starting the last week of the month. It should reduce their work significantly. They still need volunteers.

She wanted to thank the volunteers that are coming out in droves to help others.

She has noticed that people think that Covid no longer exists. She wanted to tell them that it does and it's going to control how you live your life, run your business, and how you participate in your job for a long time to come. We are lucky that Clackamas County is now in Phase 1, which loosens up the restrictions a little bit, but that does not mean that it's business as usual and that there are no longer required protocol. She has been disappointed seeing people without masks and completely ignoring social distancing. The only way we are going to get into Phase 2 is if our positive number increase is 5% or less. Last week the increase was 37% and this week the increase was 44%. If this continues we may have to go back to Phase 0 or, even worse, we may have to close everything down again. She needs help getting this message out. She would like people to look at the Phase 1 requirements and follow the recommendations.

Councilor Tracy made a motion to adjourn the meeting. Councilor Reisner seconded the motion. Ms. Bannick took a roll call vote: Councilor Ripley – yes. Councilor Neace – yes. Councilor Tracy – yes. Councilor Reisner – yes. Councilor Todd – yes. Councilor Mersereau – yes. Mayor Stempel – yes. Motion passed unanimously.

ADJOURN:

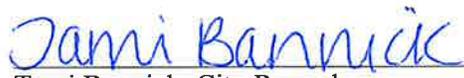
Meeting was adjourned at approximately 8:06 P.M.

Approved by the Mayor this 14TH day of JULY, 2020.

ATTEST:



Tamara Stempel, Mayor



Tami Bannick, City Recorder