MEETING OF THE WOOD VILLAGE CITY COUNCIL
February 12, 2015
MINUTES

PRESENT: Mayor Patricia Smith, Council President Tim Clark, Councilors Scott Harden, Bruce Nissen and Jimmy Frank, City Attorney Jeff Condit, City Administrator Bill Peterson, Finance Director Peggy Minter, Public Works Director Mark Gunter, and interested parties.

ABSENT: None

MAYOR SMITH CALLED THE MEETING TO ORDER AT 6:00 PM.

CITIZEN COMMENTS

Multnomah County Commissioner Diane McKeel stated that it is a new year, and she wanted to state that she is looking forward to working with the new City Council. The Council thanked McKeel for all her work and partnership with the City.

PUBLIC SAFETY REPORT

Chief Deputy Jason Gates of the Multnomah County Sheriff's Office presented the report. Gates stated that for the month of January there were 413 incidents which resulted in 194 hours of service, 145 traffic stops and 49 suspect stops. Gates explained that there were seven vehicle accidents, but none of them were serious.

Gates stated that there was an incident at the Travel Lodge this morning. An individual at the hotel passed a note to the person at the counter which indicated that there was a hostage situation in one of the rooms. An assessment of the situation was conducted, and a SWAT response team deployed. Gates explained that the building was evacuated, and an outer perimeter was established. Gates stated that the intent was to resolve the situation peacefully.

Gates explained that SWAT attempted to make contact with the suspect by calling the room, but there was no answer. Gates stated that SWAT then attempted to use a camera in the room, but that attempt was unsuccessful. Gates explained that SWAT then used a pole mounted camera outside a window, and found that the room was empty. Gates explained that there was no actual threat, and the person who provided the note was suffering from a drug induced psychosis. Gates stated that it was a well ran operation, and the response was necessary based on the information at the time.

Gates stated that a full monthly report will be emailed shortly, and asked if there were any questions. There were none, and the Council thanked Gates and the MCSO for all their work.

CONSENT CALENDAR:

a. Review of bills paid in January, 2015

b. Urban Renewal Agency Appointments
   - Stanley Dirks- Term Expires 12/31/18
   - Craig Howard - Term Expires 12/31/18
   - David Ulmer – Term Expires 12/31/18

c. Council Personnel Committee Appointment
   - Scott Harden

d. Contracts $2,500 - $50,000
   - CHR Creative – Phone System Support: $3,295
   - Global Network Support – Office 365 Migration: $7,930
   - Multnomah County – Traffic Maintenance: $5,214
   - My Binding – Bill Folding Machine: $2,954

e. Council Minutes:
   - January 6, 2015
   - January 27, 2014

Clark asked about the bill for Copy Tronix. Minter stated that it was for the new copier.

Upon motion by Harden seconded by Nissen, and passing 5-0, the Consent Calendar was approved.

PRESENTATION: YOUTH ACCESS TO TOBACCO AND E-CIGARETTES – MULTNOMAH COUNTY HEALTH DEPARTMENT

Multnomah County Chair Deborah Kafoury stated that she is here to discuss youth access to tobacco and e-cigarettes. Kafoury stated that the County has heard presentations from the Health Department and Sheriff's Office regarding vaping devices and youth access to those devices. Kafoury explained that e-cigarettes were not sold eight years ago, and the lack of education and regulations have caused issues and problems.

Kafoury stated that most people do not know how to respond to the use of vaping products in public places. The County conducted the first reading on an ordinance that treats vaping use and access the same as tobacco products. Kafoury stated that the County heard from several organizations about how kids are vaping at school, and using the products to inhale marijuana. Kafoury explained that the state is looking at potential regulations, but the County is putting together an initiative in case the state laws fail to be adopted.

Dr. Jennifer Vine from the Multnomah County Department of Health stated that she moved into public health to help establish health policies. Vine explained that nicotine is addictive, and it is found in vaping products just as it is found in cigarettes. Vine stated that there are health affects for children and pregnant woman, and there can be long term health issue for nicotine use.

Vine explained that children can legally use vaping products right now, and the use by high school students has tripled since 2011. Vine presented images of vaping products and devices. Vine explained that the liquid comes in many forms and flavors. They are not sold behind the counter, and are often displayed near candy or other products that appeal to children. Vine stated that the containers are often not child proof, and have been accidently ingested by toddlers and other young children. A one-year old in New York died because of accidental ingestion of the liquid.

Dr. Jae Douglas the Director of Environmental Health for Multnomah County stated this is a large issue. Douglas explained that a lot of work had been conducted on preventing youth access to tobacco, but the County still leads the nation in illegal tobacco sales. The County is at a 33% rate for under aged sales which could result in the loss of federal funding for health programs.

Douglas stated that 41 states have enacted retail licensing for tobacco products, but the Oregon is not one of them. Douglas explained that other strategies include limited retail sales near schools, limited advertising, and prohibited sales at pharmacies. Douglas stated that vaping products are being marketed to kids which is not illegal. Douglas explained that by putting the items behind the counter, requiring certain packaging, and restricting flavors could all help reduce youth access to the products.

Douglas explained that we do not want to create a new generation that is addicted to nicotine. Douglas stated that there should be minimum age requirements, and smoke free areas. Douglas explained that most retailers want to do the right thing, but more action is needed on the other retailers.

Clark asked about the second hand smoke of the vaping products, and what is in it. Vine stated that the science about the vaping products is slowly coming out, but general statements cannot be made since there are no standards or regulations for the products. Vine stated that generally the second hand smoke is less toxic than cigarettes, but it is not just water vapor either. There are carcinogens, particulates, and VOC's. Vine explained that there is also third hand exposure of residue, especially in vaping shops.

Clark asked how cigarettes are managed by the state, and what regulations are in place. Kafoury stated that the regulations are mainly done through taxation. Clark asked what advantages are for having local regulations. Kafoury stated that it would help with compliance, and having an

opportunity to help educate retailers. Clark asked if there would be a marijuana vaping equivalent with the passage of the recreational marijuana bill. Kafoury stated that already exists, and it is occurring in the schools.

Peterson stated that he viewed this presentation a view months ago, and asked if the chemical component of the vaping products could be discussed. Kafoury stated that a professor at PSU analyzed the vapor liquid and found several chemical components. Vine explained that manufactures will state that their products are approved and safe, but a lot of the chemicals were approved for eating not inhaling in a vapor form. Kafoury explained that there are no regulations for the liquid, and people often make their own products which could have anything in them.

Clark asked how local licensing regulations would work for retailers. Kafoury stated that the retail licensing would be a tool to help ensure that there is compliance with the laws, and potentially help enforce child safe or resistant packaging. Harden stated that a lot of retailers have tobacco products behind the counter, and asked if that was a law. Kafoury explained that the law states that tobacco products cannot be self-served.

Nissen asked if the child resistant packaging is part of the County's ordinance. Kafoury stated that it is not part of the ordinance, but it could be added as part of a future licensing program. Kafoury explained that they are here to talk with the Council not just to inform, but to get feedback as well. Nissen stated that reducing access for children is a good thing, and child resistant containers could help prevent accidental ingestion. Vine stated that is correct, and there have been a lot of calls to the poison control center regarding accidental ingestion of vaping liquid.

Frank stated that he is surprised that these products can be sold to children. Kafoury stated that the legislature was going to take on this issue last year, but it was held up on a taxation issue and the measure died. Kafoury explained that is another reason for the local measure, and it is something that can be done now to prevent youth access to these products. Frank asked why there is a hold up at the state level. Kafoury stated that big tobacco companies are actively lobbying against any restrictions or licensing for the products.

Douglas explained that a few people use the vaping products to relieve their traditional tobacco use, but most are just supplementing their tobacco use when they cannot smoke. Clark asked if vaping has the same effect as smoking. Vine explained that it is a similar effect because of the nicotine content.

Peterson stated that he understands that a County ordinance would apply to the unincorporated areas of the county, and asked if the next step would be for cities to adopt similar regulations. Kafoury stated that each community is a bit different, but the City of Portland will allow the

County ordinance to take effect. Kafoury explained that the County is okay with each community adopting their own regulations, but asked that they at least be similar to the County's.

Smith stated that she was a smoker for 35 years, but was able to quite. Smith stated that she is in favor of efforts made to restrict access for kids, and the Council has put together a letter of support for the County's ordinance. Smith stated that she appreciates the County's work to restrict access to this type of product.

RESOLUTION 4-2015: REVISING THE CITY'S MISSION STATEMENT

HR/Records Manager Greg Dirks presented the resolution, and stated that it is based on the recent City Council retreat. Dirks explained that the Council had reviewed the City's Mission Statement as part of the retreat, and the Council had discussed revising the language. The revised language would replace the words while promoting to which promotes in reference to economic development.

Dirks stated that the resolution would adopt that revision, and the City would update documents if approved. Dirks explained that the large banner in the Council Chambers would have to be replaced as well. Clark asked if the banner could be replaced with painted text or another method other than a banner. Dirks stated that he can research options and present them to the Council.

Upon motion by Harden, seconded by Nissen and passing 5-0, Resolution 4-2015 amending the City's Mission Statement was approved.

DISCUSSION: 27TH ANNUAL EASTER EGG HUNT EVENT

Dirks presented the discussion, and stated that the event is scheduled for April 4th this year. Staff is proposing to have 15,000 eggs for the event, which is a few thousand more than there were last year. The City had 15,000 eggs three years ago, and it worked out well for the event and for the volunteers who stuffed the eggs. Dirks stated that he is proposing 600 prizes, which is about the same number as last year.

Dirks explained that he is proposing the same age categories and hunt areas, but is concerned about the 3-4 year old field. Dirks stated that parents rush the field every year, and other hunts around the county have stopped holding their event because of the parents. Dirks explained that he is proposing to add fencing around the perimeter of the field to keep parents out of the hunt area, but is concerned that could cause other issues if parents try to rush the field. Nissen stated that dividing the hunt area into four quadrants in addition to the perimeter fencing may help reduce issues including lost children. The Council agreed and requested that the 3-4 year old hunt area be divided into four quadrants.

Dirks stated that the Easter Bunny will still arrive by helicopter, but proposed that it be 30 minutes earlier then in previous years. The additional time will help in case the helicopter gets lost, and it will provide something for the kids to do while they wait for the hunt to start. Dirks stated that he is planning on being the emcee for the event, but will solicit for Spanish speaking support. Dirks explained that he has already contacted the MCSO for Reserve Deputies, and other organizations for volunteer support. Dirks stated that the budget for the event is $3,500, and he has received verbal support agreements from several area businesses.

Dirks asked if there were any questions. Clark asked if the Councilors could get marked vests that indicate that they are members of the City Council. Clark stated that he feels it is important that the public know that the Council participates in the community events. The Council agreed. Dirks stated that he will order vests for the Councilors.

DISCUSSION: COMPENSATION ANALYSIS

- **RESOLUTION 5-2015: POSITION RECLASSIFICATION**

Dirks presented the discussion and stated that City Council Policy VI outlines a series of tasks and the schedule for when they are to be completed. A wage analysis is identified as needing to be completed every three years, and the last wage review was presented in March of 2011. Dirks explained that the 2014-15 Annual Performance Plan outlined that a compensation analysis be conducted by the end of January 2015.

Dirks stated that a compensation analysis attempts to match similar positions in different organizations to help determine if the rate of compensation and benefits is appropriate. Dirks explained that similar positions are based on the following factors: the skills, knowledge and abilities required for the position, the level of education required for the position, the level of supervision exercised and received, and the job functions and tasks. Dirks stated that while no two jobs are alike, a match of at least 70% of the above items is considered a match for the analysis.

Dirks explained that another factor in conducting a compensation analysis are the other organizations that are considered to be the comparators. Public agencies typically use the standard that has been set by the Public Employers Collective bargaining Act (PECBA). Dirks stated that the standard is that cities with the next five highest and lowest population will be used as the comparators. In some cases, it is also acceptable to bring in regional cities as well. Dirks stated that in the City's case, we used Troutdale and Fairview in the analysis because we are in a metro region.

Dirks stated that this analysis is organized by position, and consists of three focus points per position. Dirks explained that the first point is the Overall Wages which are based on gross

monthly wages as reported by the respective organizations. The next section is the Adjusted Gross Yearly Wages which are based on the gross monthly wages less employee contributions to healthcare. The final focus point is the Annual Cost of Employment. This figure is based on the monthly wages, plus the employer's cost of healthcare, any contributions to an HSA/VEBA, contributions to a retirement account such as the 6% PERS pickup, and paid time off benefits. Dirks explained that the family rate for healthcare was used in all cases because that is the maximum benefit and potential costs for the employee and employer.

Dirks stated that overall the City's compensation is in line with the comparators. Dirks explained that while the take home wages may be lower in some cases, the overall compensation is near the top in all cases. Dirks stated that is driven by the health insurance plan which is a very generous plan. While there are no recommendations for revisions to wages or benefits, there is a substantial cost to the City for the healthcare plan and that may need to be visited sometime in the future.

Dirks asked if there were any questions about the compensation analysis. There were none.

Dirks stated that there is a separate, but related request to reclassify the Finance Assistant position. Dirks explained that the position is currently in the Office Specialist II category at range 12, and the request is to retile the position to Accountant I, and reclassify the position to range 13 which is the Administrative Assistant level. Dirks stated that it would result in a 5% increase in wages.

Dirks explained that the request came from the Finance Department where the person holding the Finance Assistant has an MBA. Dirks stated that the skills brought to the team by someone with a degree has allowed the Finance Department to function at a much higher level. Dirks explained that instead of the Finance Director reviewing the reports for accuracy and completeness, the Director has been able to use that time for higher level analysis of the data. Dirks stated that person is leaving the City, and the positon will be vacant which allows for an opportunity to reclassify the position and adjust the job description. Dirks explained that the new job requirements will be to have a Bachelor's Degree or an Associate's Degree and at least four years of experience. Additional higher level tasks will also be assigned to the position. Dirks asked if there were any questions about the reclassification request.

Smith stated that she feels that the staff knows the employment needs of the City better than they do, and is okay with the request.

Upon motion by Nissen, seconded by Clark and passing 5-0, Resolution 5-2015 accepting the Compensation Analysis and approving the Office Specialist II reclassification to an Account I was approved.

EXECUTIVE SESSION PER ORS 192.660(2) (D) TO CONDUCT DELIBERATIONS WITH PERSONS DESIGNATED BY THE GOVERNING BODY TO CARRY ON LABOR NEGOTIATIONS

The City Council entered into Executive Session at 7:48pm

The Council reconvened into Regular Session at 8:35pm.

CITY COUNCIL COMMENTS

Clark stated that the vote for the Regional Transportation Options funds was conducted, and the West Columbia Gorge Chamber project was selected even though it ranked low on the list. Clark explained that the Gresham Chamber project was also selected, and it too ranked low on the list. Clark stated that while he is pleased that our project was selected, there could be some backlash from Gresham which had high ranking projects, but were not selected in this round.

ADJOURN

With no further business coming before the Council, and upon motion by Harden, seconded by Clark and passing 5-0, the Council adjourned at 8:40pm.

Patricia Smith
Mayor

3-10-15
Date

ATTEST:

Greg Dirks