MEETING OF THE WOOD VILLAGE CITY COUNCIL
January 6, 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.

SWEARING IN OF NEWLY ELECTED COUNCILORS
City Recorder Greg Dirks swore in Councilor Nissen for Council position one, and Councilor Frank for Council position four, and presented Councilors Nissen and Frank with a certificate of election.

APPOINTMENT OF MAYOR
Upon motion by Clark, seconded by Harden and passing 5-0, Patricia Smith was appointed Mayor of Wood Village.

Smith stated that she is honored to be the Mayor, and she appreciates and respects all the members of the Council.

APPOINTMENT OF COUNCIL PRESIDENT
Upon motion by Harden, seconded by Nissen and passing 5-0, Clark was appointed Council President.

PRESENTATION: 2013-14 AUDIT
Dana Zimmer and Tamera Graham of Pauly Rogers and Co presented the 2013-14 Audit Report via Skype. Zimmer thanked Minter for the work that City staff did for the audit. Roy Rogers the Principal Manager of Pauly Rogers stated that the goal of the audit is to review the financial statements for completeness and compliance with the law.

Rogers stated that the audit went as planned, and the City received a clean and unmodified opinion. The state minimum standards were met, and there were no exceptions or comments. Rogers stated there was not a management letter for corrections either. Rogers explained that there were no difficulties in conducting the audit, and there were no misstatements or disagreements with the management team.

Rogers stated that there are new accounting practices, and the City's staff looks to be prepared for the new regulations. Rogers explained that there are some suggestions for improvements in keeping with the best practices, but they are not requirements. Rogers stated that is a summary of the results, and it is all good news. Rogers stated that the clean audit is a testament to the City's staff, and asked if there were any questions.

Smith stated that she appreciates the work done by the auditors, and of City staff. The Council congratulated Minter and the Finance Department for the work on the audit.

CITIZEN COMMENTS
There were none.

PUBLIC SAFETY REPORT
Chief Deputy Jason Gates of the Multnomah County Sheriff's Office presented the report. Gates welcomed the new Councilors, and stated that the December report is not yet ready. Gates explained that the report will be emailed out later in the month.

Gates stated that there was an incident in the Treehill parking lot yesterday. A resident had called about some suspicious people, and a deputy came out to investigate. Gates explained that upon searching the suspects, the deputy was stuck by a hypodermic needle. The deputy is now undergoing treatment because the suspect tested positive for hepatitis.

Gates stated that the MCSO is working with the City on putting together another session of the Youth Police Academy. Gates explained that the MCSO is also partnering with the Sun School program at Clear Creek Middle school to offer programs for kids. Gates stated that he is looking forward to be a part of the new Councilor orientation this Friday.

Smith asked about the recruitment process for the Youth Academy, and if Wood Village Green had been contacted. Gates stated that they have been approached, and there is an outreach program for Latinos in Wood Village Green. Gates explained that the program last year mainly drew from Reynolds and Corbett High Schools.

Smith asked about the suspect that had the needle. Gates stated that the group was made up of transients, and they will not likely be coming back to the City. Clark asked if there would be any additional charges because of the needle stick. Gates stated that there probably would not be, and there is no mandatory testing of suspects. Gates explained that a warrant is needed to test the blood.

Harden stated that he had a ride along with Deputy Jackson, and he wanted to thank Gates and the MCSO for that opportunity. Gates stated that the invitation for a ride along is open to any of the Councilors.

Frank asked about the controversy that many east coast cities are facing when it comes to police officers, and asked if that was having an impact here. Gates stated that the response has mainly been positive for the MCSO. Gates explained that was really evident during their toy drive over the holiday. Gates stated that the issue as a whole is tricky, but there has not been a backlash in this area.

The Council thanked Gates for the report.

CONSENT CALENDAR:

a. Review of bills paid in December, 2014

b. Contracts $2,500 - $50,000
   - Dale Britton Inc. - Water Line Repair: $3,419.65
   - Parkin Electric – City Hall Electrical: $2,775.06

c. Committee Appointments
   - Planning Commission
     - Craig Howard: Term Expires 3/18/2019
     - Stanley Dirks: Term Expires 3/18/2019
   - Parks Commission
     - Charles Crowder: Term Expires 12/31/2016

d. Council Minutes:
   - December 9, 2014

Minter stated that the review of bills paid was not available for this meeting, and will be printed at the next meeting.

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

ORDINANCE 1-2015 ACCEPTING FOR THE CITY OF WOOD VILLAGE REVENUE SHARING PROGRAM OF THE STATE OF OREGON

Dirks presented the ordinance, and stated that it is an annual ordinance for the City to accept state shared revenues. These revenues come from areas such as statewide liquor and cigarette taxes, and amount to about $38,000 a year for the City. Dirks explained that this starts to kick off the overall budgetary process which will begin around April. Dirks asked if there were any questions.

There were none.

Smith asked if there were any questions or comments.

There were none.

Upon motion by Harden, seconded by Clark and passing 5-0, the first reading by title only of Ordinance 1-2015 accepting state shared revenues for fiscal year 2015-16 was approved.

Minter gave the first reading by title only of Ordinance 1-2015 accepting state shared revenues for fiscal year 2015-16.

Upon motion by Clark, seconded by Harden and passing 5-0, the second reading by title only of Ordinance 1-2015 accepting state shared revenues for fiscal year 2015-16 was approved.

Minter gave the second reading by title only of Ordinance 1-2015 accepting state shared revenues for fiscal year 2015-16.

Upon motion by Harden, seconded by Nissen and passing 5-0, Ordinance 1-2015 accepting state shared revenues for fiscal year 2015-16 was adopted.

RESOLUTION 1-2015: 2014 SYSTEM DEVELOPMENT CHARGES REPORT

Minter presented the report and stated that there are certain revenues from new development in the City. These revenues are called system development charges, and it is to buy into the City's utility system. Minter explained that these funds can only be used to either expand the capacity of the utility system, or to reimburse the City for expansion projects that have already been completed. Minter stated that SDC's are heavily regulated by the state, and an annual summary report is provided to the Council. Minter explained that the total SDC's collected for water is $15,176 and $18,732 in sewer.

Upon motion by Harden, seconded by Nissen and passing 5-0, Resolution 1-2015 accepting the 2014 System Development Charge Report was approved.

RESOLUTION 2-2015: MPAC APPOINTMENT

Peterson presented the resolution and stated that MPAC stands for the Metro Policy Advisory Committee. Peterson explained that Metro originally started out as a service district, and then turned into a consolidated intergovernmental agency in the 1970's. In 1978 the voters approved Metro to become a super entity acknowledged by the state. Peterson stated that Metro is the only planning organization in the country that is made up an openly elected body. Metro acts as a separate governmental agency, and handles all federal transportation funds. Peterson explained that the state has granted Metro all planning authority except for appeals, and they also operate the zoo, convention center, expo center, cemeteries, solid waste centers, and several parks and trail systems.

Peterson stated that Metro has its own charter, and that charter forms two group and MPAC is one of them. Peterson explained that MPAC can be thought of like a planning commission that works on growth plans, regional transportation plans, and the urban growth boundary. Peterson stated that

MPAC has 21 separate voting members from the area counties, cities and special districts. Peterson stated that Councilor Clark is the vice-chair, and is slated for the chair in one year.

Peterson explained that the cities of Troutdale, Fairview, Maywood Park, and Wood Village all share one seat on MPAC. Peterson stated that typically the position rotates between the cities, but Clark was put in line for the chair position when he was appointed two years ago. Peterson stated that he spoke with the other cities, and they are okay with Clark serving another term.

Peterson explained that an alternate has to be named, but the other cities have not come up with an alternate as of yet. The alternate will most likely be from Fairview. Peterson stated that the staff recommendation is to approve the resolution appointing Councilor Clark to MPAC.

Upon motion by Nissen, seconded by Harden and passing 5-0, Resolution 2-2015 appointing Councilor Clark to MPAC was approved.

Peterson stated that another appointment that is needed to the East Multnomah County Transportation Committee or EMCTC. Peterson explained that this group has transportation planning responsibilities, and Councilor Clark has been the City's representative for the past two years. Peterson stated that the appointment has to occur in January in order for the City to have a vote on projects. Peterson explained that an alternate is also needed, and Gunter has been the alternate. Peterson stated that having a staff member as the alternate has raised some concerns from the group. Smith stated that she would be willing to serve as the alternate.

Upon motion by Frank, seconded by Harden and passing 5-0, Clark was appointed to EMCTC, and Smith was elected as the alternate.

REPORT: TREE LIGHTING EVENT

Dirks presented the report, and stated that this was the fifth year for the event. Dirks explained that this year the event was held on a Saturday, and it was well attended. Dirks stated that the budget for the event was $5,000, and the City spent just over $4,700. Dirks explained that the main cost of the event is to light the trees and City Hall. Dirks stated that there were $300 in donations, which just about covered the actual cost of holding the event. The event costs included the choir, Santa suite rental, and refreshments.

Dirks stated that while the event itself went really well, the wind storm on December 11th ruined the lights on the large tree. Dirks explained that the wind has ruined the lights in the past, and a new approach may be needed in the future. Dirks stated that the large fir tree that is lit is not the best type of tree for this application, but it is in a great location. The Council asked what other lighting options are available. Dirks explained that more durable lights can be installed using a different method, but

the cost does increase. The Council requested that other options be reviewed, and presented at the budget hearings. The Council thanked Dirks for his work on the event.

FINANCE DIRECTOR'S REPORT

Minter presented the report and stated that all the finances are on track. Minter stated that the investments are at about $5.6 million, but that is mainly due to the incoming property tax revenue. Minter explained that the audit and CAFR have been completed, and the final pieces of the Tyler financial software are almost finished. Minter stated that she will be going over the budget, and monthly finance reports with the new Councilors this Friday during their orientation.

Harden asked how the decrease in gas prices is affecting the gas tax revenue. Peterson stated that revenues increase as gas prices drop because the tax is a flat rate.

CITY ADMINISTRATOR'S REPORT

Peterson stated that both former Councilors have agreed to volunteer with the City. Former Councilor Mark Clark has agreed to volunteer on the Budget Committee, and former Councilor Stanly Dirks has agreed to volunteer on the Planning Commission. Peterson explained that there is still a vacancy on the Planning Commission, and he plans on advertising to help fill the position. Harden stated that he would not mind stepping down from the Planning Commission if multiple people were interested on volunteering.

Peterson stated that he would like to engage the members of the Planning Commission at the next meeting to discuss the code and land use issues regarding marijuana. Peterson explained that the moratorium expires at the end of April, and the state language kicks in unless the City acts before that time. Peterson stated that he thought a combined session would help get a general direction on where to go with the revisions.

Smith asked what the thought is on how to regulate marijuana. Peterson explained that the statute enables outlets in commercial and industrial zones. Peterson stated that the discussion centers on the neighborhood commercial zone, and commercial/industrial zone. Peterson explained that the outlets cannot be zoned out of the City, but there are some options.

The Council approved a combined meeting with the Planning Commission for January 27th.

Condit explained that people are actively looking for locations for their outlets, and the sooner the Council makes a decision the better off the City will be. Condit stated that having regulations in place can also help grandfather them in if there are legislative revisions.

Tim Clark asked about the potential for an outright prohibition. Condit stated that the law enables an outright prohibition of retail outlets if there is a vote of the people at the next general election. Condit

explained that the next general election is not until November of 2016, but there might be an option to have a local referral to hold the election earlier than that. Condit stated that there could be grounds for litigation though. Peterson stated that there is a lot of money around this issue, and a lot of actions could be litigated. Harden stated that he understood that based on the City's zoning, there might just be two locations for an outlet. Peterson stated that is correct.

Frank asked about the taxing potential. Condit stated that the City's Charter contains a provision that prohibits a new tax or increase in tax without a vote of the people. Condit explained that the City was unable to place a tax measure on the ballot prior to the vote on legal marijuana. Other cities around the state did enact a local tax, but that issue may be taken up on litigation.

Smith stated that she spoke with County Chair Kafoury about e-cigarettes and enacting law to treat them as regular cigarettes. Smith explained that there is no age restriction on e-cigarettes, and anyone can buy them. Peterson stated that there will be a presentation on that subject by the County Health Department in March.

ADJOURN

With no further business coming before the Council, and upon motion by Clark, seconded by Harden and passing 5-0, the Council adjourned at 7:25pm.

Patricia Smith
Mayor

2-12-15
Date

ATTEST:

Greg Dirks