MEETING OF THE WOOD VILLAGE CITY COUNCIL
November 9, 2015
MINUTES

PRESENT: Mayor Patricia Smith, Council President Tim Clark, Councilors Scott Harden, and Jimmy Frank, City Attorney Jeff Condit*, City Manager Bill Peterson, Public Works Director Mark Gunter, and interested parties.

ABSENT: Councilor Bruce Nissen, and Finance Director Peggy Minter.

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

CITIZEN COMMENTS
There were none.

PUBLIC SAFETY REPORT
Commander Anderson of the Multnomah County Sheriff's Office presented the report. Anderson stated that for the month of October there were 414 incidents, 252 hours of dedicated service, 84 traffic stops, 37 subject stops, and 13 vehicle crashes. Anderson stated that an incident came to the City from Washington when an 86 year old woman was kidnapped by three juveniles. The suspects stopped at the area Walmart where the woman was able to call for help. Anderson explained that deputies located the suspects the next day, and were arrested.

Anderson stated that communication between the City and assigned deputies has been improved, and as a result several issues have been resolved. Anderson explained that there had been a lot of RV campers along Sandy Blvd. and deputies enforced the City's code. Deputies always try to get people to move voluntarily, instead of using enforcement.

Anderson introduced Kevin Moralley who works in the Planning and Research department of the Sheriff's Office. Anderson stated that Moralley has the skills to track data trends, and help with predictive policing. Moralley stated that he came to the MCSO about 16 months ago, and the unit is focused on providing data to the patrol units to look at data driven decisions. Moralley stated that there are also a lot of special reports about specific locations or concerns that the unit produces.

Smith asked if the monthly reports come from him. Moralley stated that they do, and the format will be revised over the next few months to be more user friendly. Harden asked about missing

addresses in recent reports, and if those could be added back. Anderson explained that the Council can forward any specific requests to him to obtain more information about an incident.

Frank stated that predictive policing can be a powerful tool, and is looking forward to the enhanced reports. Anderson stated that even tracking livability issues can lead to better results for the community. Smith stated that the Deputy at their last neighborhood watch meeting was very good, and asked if he would be at other meetings. Anderson stated that schedules do shift, but a lot of them request to work the same assignments.

The Council thanked Anderson and Moralley for the report and service.

CONSENT CALENDAR:

a. Review of bills paid in October 2015

b. Contracts $2,500 - $50,000
   - Brenntag – Chlorine: $2,500
   - Jeff Miller Construction – Street Light Trenching: $8,985
   - Global Network Support – KIP 7000 Repair: $4,000

c. Council Minutes:
   - October 13, 2015
   - October 27, 2015

Harden asked about the trenching project, and how much of that was for the work on 238th Pl. Peterson stated that the work on 238th Pl. cost $985.

Upon motion by Clark, seconded by Harden and passing 4-0, the Consent Calendar was approved.

PRESENTATION: COUNTY TOBACCO RETAIL LICENSE PROGRAM

Multnomah County Chair Deborah Kafoury presented the report and county ordinance on a retail tobacco license. Kafoury stated that the county has been looking at how to reduce youth access to tobacco products. Kafoury explained that a year ago the county worked to reduce access and regulate e-cigarettes and vaping products. Now the county is looking into a retail licensing program. Kafoury stated that the state looked into the program, but it did not make it through the last session.

Kafoury explained that the county has one of the highest illegal tobacco sales rates in the country, and Oregon is one of only 12 states that does not have a tobacco licensing program.

Kafoury stated that the county is not leading the way in this area, but is using examples from other areas that have worked.

Kafoury stated that Policy Manager Rhys Scholes, and Environmental Health Director Jae Douglas are here to present details of the program. Kafoury stated that the county board passed the first reading of the ordinance, and the final reading is scheduled for this week. There has been overwhelming support from the community on this program.

Scholes stated that most smokers start before they are 18 years old. The brain of an adolescent are not able to fend off addictions like adult brains. Scholes explained that while the county has been working in the schools on tobacco reduction, there has not been a comprehensive retail approach. Scholes stated that this has been an issue for several years in the country, and there is the Synar program at the federal level. Scholes explained that Oregon is one of the lowest complying states in the Synar program with about 32% of youth decoys being able to purchase tobacco products. The youth are able to purchase the products without the use of a fake ID.

Scholes stated that the Synar program does not inform the retailers that they have been tested, but the county can be penalized for low compliance rates. Scholes explained that the FDA also conducts inspections, and in Wood Village there was one retailer out of seven that sold to a minor. Overall the percentages in Gresham and Portland are very high.

Scholes stated that Inghan County in Michigan has an annual fee structure with penalties and suspensions for violations. Scholes explained that Ingham County went from a sales rate to minors of over 70% to less than 20% in two years. Their sales rate to minors is now less than 10%. Scholes explained that Olmstead, Minnesota went from a sales rate to minors of 63% to 20% after their licensing program was adopted. There are over 120 jurisdictions in California that have adopted a tobacco licensing program.

*Condit arrived at 6:25pm.

Scholes stated that Santa Clara County has a licensing program, and the ability to revoke the license if there are violations. Scholes explained that some jurisdictions are also limiting sales within school areas, pharmacies, and certain types of advertising. Scholes stated that the highest licensing fee he could find was in Oakland which has a $1,550 annual fee. The lowest fee was in Geneva, Alabama which was $3, but that was used for a database for tax collections.

Douglas stated that the Department of Health would oversee the program in the county. The purpose of the program would be to ensure compliance with state and local laws. Douglas stated that the system the county is looking at adopting includes a licensing fee, and would cover all nicotine products. There would enforcement for violations, but also outreach and education to

retailers. Douglas explained that the licensing fees would cover the costs of the program. Smith asked about the cost of the licensing fee. Douglas stated that they are looking at a fee between $250 and $600 per year.

Smith asked how enforcement would work. Douglas stated that there would be some decoy or sting operations, but there would also be a compliance specialist who would observe the operations to ensure compliance with the law.

Douglas stated that tobacco disproportionately impacts communities. Youth and communities of color are specifically targeted. This licensing system is designed to address the entire system, and they do not want adverse impacts to underrepresented people or small retailers. Douglas explained that the county is looking at incentives for early adoption by smaller retailers.

Douglas presented the proposed staff list and duties for the program. Smith asked what the estimated payroll will be. Douglas stated that it will probably be around $350,000 to $380,000, and the licensing fee will be designed to cover the costs. Douglas stated that the timeline has the rule making in early 2016 with educational outreach this spring. The program will issue liceses starting on July 1st.

Clark asked who will set the actual fees. Douglas stated that the rule making committee will discuss the fees, and the actual fees will be adopted by the County Board.

Harden stated that some jurisdictions had monetary penalties while others would revoke the license for violations, and asked which is a more powerful tool. Scholes stated that he could not find any comparable data, but believes the license revocation is a more powerful tool. Scholes explained that in New York City, they will actually close the entire business if there is a violation.

Frank asked about the equity of the program, and how over 60% of law abiding retailers will now have to pay for a licensing program to combat a few non-law abiding retailers. Scholes stated that we all have to pay taxes for programs that we may never use, but they benefit the whole. Douglas stated that the law abiding retailer is already being harmed by the illegal sales. Putting this system in place will level the playing field.

Harden stated that shutting down the violators almost seems to be the better answer in addressing equity. Douglas stated that there are several smaller retailers who have elected not to sell tobacco products, and they are still in business.

Peterson asked if it is the county's intent to have this apply to all areas inside the cooperate boundaries. Kafoury stated that is the intent, and the county attorney indicated that HB 3100

authorizes the ability for enforcement. Kafoury stated that the overall goal would be to have a state program, and it will be brought up at the next short session. Peterson asked what Portland is doing about the program. Kafoury stated that they have acquiesced, and is not even co-adopting the code. Kafoury stated that the county's role as the health authority grants them this ability. Condit stated that the county is the designated health authority, and there are special powers under that authority.

Harden stated that he is concerned about the smaller retailers, and would like to make sure that there is an appropriate fee structure in place. Harden stated that there are few stores in the City, and does not want our stores to pay for the burden of inspecting Portland stores. Peterson stated that he would be interested in reviewing the legal authority, and is seeking to understand if a co-adoption would be necessary. Kafoury stated that the county is not interested in getting into legal battles, but simply wants to do what is best for the county. Kafoury stated that a member of the Council could be placed on the rulemaking board.

The Council thanked Kafoury and County staff for the presentation.

PRESENTATION: LEAGUE OF OREGON CITIES CONFERENCE RECAP

Peterson stated that the conference was in Bend this year, and it was a great opportunity for the state's city managers to get together. The main focus for the management session was on recruiting for rock star employees. Peterson explained that there were great workshops with a lot of learnings.

Clark stated that there are hundreds of city councilors from around the state at the conference. The first session was on building a great team with the city manager, and about 200 councilors from around the state shared their perspectives. Clark stated that the keynote presentation was very exciting, and was about the torch that one carries as a city councilor. Clark explained that the session highlighted that the will to win has the will to prepare, and great professionals have to prepare.

Clark stated that there was a session on council relations, and the importance of having a council contract. Clark explained that the Council has adopted a similar agreement, and it would be good to review that document. Clark stated that a number of cities have their annual retreat just to work on their council agreement. Clark explained that this Council adopted the agreement in 2008 or 2009, and the Council should at least reaffirm the document. Clark stated that there will be disagreements, and that is okay as long as the Council is working to understand one another.

Clark stated that there was a very good session about property taxes in the state. Clark stated that there was an interesting history provided, and we are now trying to get out of the system that was created in the 1990's. Clark stated that there was a presentation by a futurist which is

someone who thinks about the future in order to make better decisions today. Clark explained that in the next 15-20 years the global economy will double, and businesses will have to specialize to survive.

Clark stated that he went to a session on what to expect with legalized marijuana, and the focus was on recreational marijuana regulations. The OLCC presented information on the different license tpyes, and PGE discussed power consumption and electrical safety issues at grow sites. Clark stated that the conference closed with a session about Tom McCall, and all that he did for the state. Clark explained that true leaders move a community forward to a new reality. Clark encouraged the other Councilors to attend the conference next year which will be in Salem. Peterson stated that the City will pay for the room, and registration fees.

The Council thanked Clark for attending the conference, and for the presentation.

RESOLUTION 39-2015: PARK MASTER PLAN ADOPTION

Peterson presented the resolution and stated that it is for the adoption of the City's Parks Master Plan. Peterson stated that the plan was developed by Conservation Technix, and includes a five-year action plan with a 20 year strategic plan.

Peterson stated that the City has a single park, but this is not a plan for one park. Peterson explained that the plan reviews open spaces, additional parks, and a trail system throughout the community. Peterson stated that the Parks Commission provided guidance on the plan, and presented a set of goals for the development of the plan. The goals included community involvement, acquire and develop diversified system of parks, trails and open space assuring equitable access to facilities, make trails to improve connectivity, make park and open space areas integral to economic development, assure facilities are maintainable and operated within resources, design and develop facilities of high quality, and actively manage and provide community leadership through park system.

Peterson stated that the master plan indicates that the City is young, both in the age of the City, and of the population. There will need to be improvement and enhancement projects to the park facilities to handle the buildout of the City. Peterson explained that the Council has an adopted vision statement that includes the park system. That vision statement states that The City's park is a model of urban environmental management with a diversity of trees, well-maintained trails with good connectivity to the community, well- maintained playing fields, a safe playground for young children, and many opportunities for residents to recreate and become educated about the environment.

Peterson stated that the City had a plan for the Donald Robertson Park, but not a City-wide park facilities plan. Peterson explained that this master plan is not designed around just one park.

The other community parks in the area were also reviewed as part of this plan because public parks are public parks, and people do not care what jurisdiction a park in located.

Peterson stated that the community profile outlines a population of 5,000 people by 2038. Peterson explained that the age distribution is that of a younger population. The population data was taken from various census data points. Peterson explained that there is an average of 3.11 people per household, with an average family size of 3.59 people. The median household income is $41,007 which is well below the county average of $52,511. About 27% of the households live below the poverty line. Peterson stated that we have taken on four different master plans during the last few years, and this master plan includes some of the best work on the community. It was also the least expensive master plan at $25,000.

Peterson stated that there was a community survey as part of this process, and the overall results were positive. There was an indication that there needs to be more park space though. Peterson explained that there are three kinds of parkland classifications. There are community parks which are 10 to 50 acres, neighborhood parks which are three to five acres, and then open spaces and trails.

Peterson stated that the park inventory for the City includes the Donald Robertson Park, a private HOA park, and some open spaces. In all there are about 23 acres of park land in the City. Peterson explained that based on a best practice parks metric there should be six acres per 1,000 residents. To get to that number the City would need to add about 1.6 acres, but more would need to be added with future growth. Peterson stated that both Gresham and Troutdale are below that standard, but Fairview is above the standard.

Peterson stated that the master plan identifies several new trails. One of the trails would connect Glisan to Arata behind the Town Center development. Peterson explained that it would be relatively easy to get a public access easement through that area. There is also a potential for a combination open space and trail project at an existing wetlands in the park. Peterson stated that it could be a joint project between the City and the new owners of the dog track facility.

Peterson stated that there is an improvement plan for the Donald Robertson Park. Improvements include trail expansions, playground area expansion, multipurpose sport fields, vehicle circulation and parking improvements, Gorge hub, architectural improvements, and pathway signage and wayfinding projects. Peterson explained that the survey results indicated that people wanted more trails and a splash pad at the park. Peterson stated that a splash pad is included in the capital plan, but it is about 15 years out. Peterson explained that while splash pads are not too expensive to build, they are expensive to maintain. Clark asked if even operating the pad for a few months would be expensive. Peterson stated that would be on the current tax base, but it would be feasible if there were about $100 million more in overall community development.

Peterson stated that the master plan identifies issues and opportunities for the Donald Robertson Park as well. Peterson explained that there are some real opportunities for the park including parking changes to improve the internal traffic flow. The sports fields could also be irrigated, and there are several opportunities for the vacant area adjacent to Treehill.

Peterson stated that this is a great plan. Clark asked about the potential to light the pathway and trail systems. Peterson explained that is not in the plan, but it is possible. Peterson stated that it could be done with LED luminaires, and would cost less than street lights.

Clark asked why the sport field is no longer irrigated. Peterson stated that the City chose to stop watering the fields when the domestic water demands could not be met. The City has since built a new well, but the irrigation system fell into disrepair beyond use.

Peterson presented the capital facilities plan which has about $3.5 million in improvements over the next 20 years. The five-year plan has about $900,000 in investments in the park system. Peterson explained that the five-year improvements include the new parking areas, upgrades to the restrooms, and trail projects. Peterson stated that those types of projects are included in the urban renewal plan, and could help be a funding source.

Peterson presented a map of proposed park, plaza, and open space locations in the City. Peterson stated that implementation strategies include using volunteers and other partnerships in the community to maintain some of the parks and trails. Peterson explained that funding options were also reviewed which included debt financing, a dedicated levy, and a parks system development charge. Peterson stated that this community does not have a lot of resource, and the SDC and urban renewal agency could be the main financing sources.

Clark asked if there has been a shift in thinking from having large parks to having less parks because of ongoing maintenance costs. Peterson stated that there is a large demand for parks and open spaces, and all four recent parks measures passed at the last election.

Peterson stated that is the summary of the plan which includes a specific set of action for the next five years, and an overall plan for the next 20 years. Peterson explained that the plan has been in front of the Parks Commission twice, and there was a recommendation by the members present at the last meeting to adopt the plan.

Upon motion by Clark, seconded by Harden and passing 4-0, Resolution 39-2015 adopting the Parks Master Plan was approved.

RESOLUTION 40-2015: CONTRACT APPROVAL FOR VALLEY WEST LANDSCAPING FOR 238TH TRAFFIC ISLAND REHAB PROJECT

Gunter presented the resolution and stated that it is for the rehabilitation of the 238th traffic islands. Gunter explained that the project was discussed at the last Council retreat, and $75,000 was put into the budget for the project. Gunter stated that the contracted amount with Valley West is for $74,991.

Smith asked when the project would begin. Gunter stated that the project would get underway in late winter or the early spring. Clark stated that he did not see any line item in the contract for sign improvements. Peterson stated that it is included as a potential alternative project.

Frank asked if a concept plan has been developed. Gunter stated that a landscaping plan has not yet been developed. Once a draft plan is created, it will be presented to the Parks Commission for review. Frank asked if the concrete barriers would be improved. Peterson stated that is also a potential alternative project. Frank stated that it seems like a lot of money will be spent without the area looking too different. Sloan stated that there could be a rock or stone façade on the barriers, but the barriers would remain. The overall landscaping will make a dramatic difference.

Smith stated that the islands will be more welcoming then they are now. Peterson stated that it will be a dramatic improvement. Sloan stated that the intent is to have people remember the beauty of the islands as they come through the area.

Clark asked what the size the advertising signs would be for the landscape company. Sloan stated that the signs would be around 11x17 inches. Harden stated that he does not like the idea of having an advertisement on the newly refurbished islands. Clark agreed. The Council requested that the advertising sign for Valley West be removed from the plan. Peterson stated that the project budget will be adjusted to compensate for that change.

Upon motion by Clark, seconded by Harden and passing 4-0, Resolution 40-2015 authorizing the City Manager to sign a contract with Valley West Landscaping for the rehabilitation of the 238th traffic islands was approved.

DISCUSSION: ANNUAL CITY COUNCIL RETREAT

Peterson stated that the annual retreat summary is in the Council packet. Peterson explained that the retreat date has been set for Saturday, January 23rd, but the location and facilitator have yet to be finalized. Peterson stated that Sam Imperati is available as a facilitator, and Edgefield has a room available, but no reservations have been made.

Peterson asked for direction on the facilitator. Clark asked if there needs to be a facilitator because the last few retreats have gone really well. Clark stated that it did not seem like the facilitator did a lot last year. Peterson stated the facilitator did a training, and some session follow up. Harden stated that we probably do not need a training, but the benefit of having a facilitator is they have the right prompts to illicit additional thoughts or questions. Harden stated that he is in favor of having a facilitator, and likes Sam's energy.

Peterson asked about the location. Harden asked if the retreat could be at the Baptist Church. Peterson stated that could be possible. Harden stated that the church has a great space, and is very welcoming. Peterson stated that there are a few other locations that could work, and lunch would be brought in. Clark stated that other than the room at Edgefield getting hot, it is a great location. Smith stated that she likes the feel of that room. Peterson stated that the cost last year was $450 which is a great deal.

The Council selected Sam Imperati as the facilitator, and Edgefield for the location.

Peterson stated that the topics need to be reviewed.

Clark stated that none of the items stood out to him, but would not be a roadblock for any of the subjects. Harden stated that that his list includes an update on the urban renewal agency, community promotions and branding, a competitive analysis, TGM and Town Center Grant status, affordable housing and homelessness, marijuana taxation, the five-year financial projection, the sale of City Hall, and finally the parks SDC. Harden stated that he did not give a rank to the other items, and thought that some could be handled in a regular Council meeting.

Clark stated that he would like to have a review of the current Council polices. Peterson stated that it would be good to have a Councilor or two present that information. There are only two Councilors left who were around when the initial policy was adopted. Smith stated that she feels that the Council is very cordial, and an agreement can change things. Smith stated that she understands where Clark is coming from, but people cannot be forced out of conversations or thoughts. Smith stated that she would be open to adding the item to the retreat though. Harden agreed.

Peterson stated that the Council policies will be added to the top of the retreat agenda. The remainder of the items can be rated by the Council. Smith stated that she is interested in affordable housing and homelessness. Clark stated that he could see looking into community branding and promotions.

Peterson stated that it would be good to have the ratings from the Council by the end of next week. Harden stated that he is not interested in discussing the mission statement or goals this

year. The fire service has been discussed several times already. Peterson stated that while Troutdale is still moving forward on the study, Fairview is now holding off for a year. Peterson stated that the format of the retreat could be two to three topics in the morning, and two topics in the afternoon with additional time for the Council to just talk.

CITY MANAGER COMMENTS

Peterson stated that the City has been taking action on area businesses that have sign code violations. Some of the contacts have been less than positive, and the Council may get some feedback from business representatives. Clark asked about the sign violations. Peterson stated that it is predominantly about temporary banners, yard signs, and flashing signs.

ADJOURN

With no further business coming before the Council, and upon motion by Harden, seconded by Clark and passing 4-0, the Council adjourned at 8:43pm.

Patricia Smith
Mayor

12-9-15
Date

ATTEST:

Greg Dirks
Recorder