



Mayor
Patricia Smith

Council President
Mark Clark

Councilors
Stanley Dirks

Timothy Clark

Scott Harden

**REGULAR MEETING OF THE
WOOD VILLAGE CITY COUNCIL**

**April 10, 2012
MINUTES**

PRESENT: Mayor Smith, Council President Mark Clark, Councilors Stanley Dirks, Tim Clark, and Scott Harden, City Attorney Condit, City Administrator Peterson, Public Works Director Jones, Finance Director Minter, and interested parties.

ABSENT: None

MAYOR SMITH CALLED THE MEETING TO ORDER AT 6:05 PM.

PLEDGE OF ALLEGIANCE

APPOINTMENT TO THE PLANNING COMMISSION

Upon motion by Harden, seconded by Dirks and passing 5-0, Al Evans was appointed to Planning Commission position 2 effective April 16, 2012 and expiring April 16, 2016.

PUBLIC HEARING: TRANSPORTATION SYSTEM PLAN

Peterson stated that the Transportation System Plan was scheduled and advertised for a hearing tonight, so the hearing must be opened, but it will be continued until May 8th. Peterson explained that was due to the Planning Commission lacking a quorum for recommendation. Any comments made tonight will be brought forward to the may 8th hearing.

Tom Beaman from 1698 SW Cherry Park Road in Troutdale stated that he is the owner of 1700 NE 230th Court. Beaman stated that there is a pedestrian pathway adjacent to his property that runs from 230th to 231st Court. There is a lot of pedestrian movement along that pathway, and Beaman stated that he is supportive of pedestrian activity. Beaman explained that there is also a need for safety not just for the pedestrians, but for the neighboring properties as well. Critical pathways need critical levels of security. Beaman stated that if the pathway were to be improved then cameras, lighting and garbage cans should be added to the project. Beaman explained that he understands the need for pedestrian connectivity, but there should be security measures as well.

Smith stated that there are plans to improve that pathway which includes lighting, but there are no current plans for adding cameras. Beaman stated that he wants pedestrians to use the pathway, but he wants the pedestrians and neighboring properties to be safe as well. Beaman explained that his first choice would be to close the path, but since that cannot be done, the

pathway should be attractive and secure. Smith stated that once the improvements are made, it may change the atmosphere.

Chief Gates with the Multnomah County Sheriff's Office stated that they have been researching cameras and in order to get a camera that is useful to law enforcement the cost about \$10,000 to install, and about \$500 a year for monitoring and recording. Gates stated that cameras are a big deterrent, but effective cameras are expensive. Gates stated that there is also the propensity for cameras to be vandalized as well. Beaman stated that he just wanted to bring that to the Council's attention for their consideration.

Peterson stated that he has been talking with vendors regarding cameras for the purpose of vandalism, and they cost about \$8,000 for a self powered and controlled camera.

The Council thanked Beaman for his input and coming to the meeting.

Peterson stated that his comments will be added to the hearing on May 8th.

Upon motion by Harden, seconded by Tim Clark and passing 5-0, the Transportation System Plan public hearing was continued until may 8th.

CITIZEN COMMENTS

There were none.

PUBLIC SAFETY REPORT

Chief Deputy Jason Gates with the Multnomah County Sheriff's Office presented the report. Gates stated that for the month of March the Multnomah County Sheriff's Office provided 216 hours of dedicated service, 410 calls for service and 52 written reports. Gates stated that there were four injury accidents which is an increase over the previous months. Gates explained that mental health cases are becoming more difficult and there was a subject near Arata who was suicidal and was taken to a hospital for a health evaluation, but was released just four hours later.

Gates stated that Deputy Laizure put together a graffiti removal guide. Laizure has been attending the neighborhood watch meetings and working with the block captains to try and get the graffiti abatement program moving forward. Gates explained that the goal is to try to get the citizens involved with the removal. The City supplied graffiti removal kits should help.

The Council thanked Gates for the report and service to the City.

CONSENT CALENDAR

- a. Review of bills paid in February, 2012
- b. Contracts \$2,500 - \$50,000
 - ESRI Environmental - Arc GIS Software: \$2,700
 - Global Network Support – Computers/Software: \$7,715.11
 - Global Network Support – Switch/cables: \$4,927.17
 - Multnomah County – Catch Basin Cleaning - \$4,100
- c. Council Minutes:
 - February 27, 2012
 - March 13, 2012
 - March 27, 2012

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

ORDINANCE 4-2012: TOBACCO PROHIBITION

Peterson presented the ordinance and stated that this would prohibit tobacco use in all City parks and on City Hall grounds. Peterson explained that this came from the Parks Commission which noticed the secondhand smoke during events, and during the week near the play structures. There was also a lot of tobacco related litter that was notice as well. Peterson stated that there is a ban in Vancouver, and in various parks in Portland, a full ban in Corvallis, but there are no prohibitions in Gresham, Fairview or Troutdale.

Peterson stated that a proposal was taken to the Parks Commission that prohibited tobacco use in areas except as designated. Peterson explained that the Parks Commission wanted a full ban and thought that going to the right of way was close enough, while still keeping the smoke away from the park. Peterson stated that he has received two calls regarding this matter and they were both opposed, and viewed it as a removal of rights to enjoy public lands.

Smith asked if there were any calls in favor of the prohibition. Peterson stated that there were not. Peterson stated that the code identifies that tobacco, weeds, plants and other material, and any consumption chewing, inhalation or burning of the material is prohibited in all parks and at the City Hall property. Petersons stated that the Parks Commission recommended that the provisions be adopted.

Smith opened the floor for public comments

Oliver Kyle from Gresham stated that these laws take away people's rights. People can purchase tobacco products legally, and people should be able to smoke if they want. Kyle stated that it is

the citizen's property not the Council's, and the others cities that ban tobacco do not see it that way. If people want to smoke, they should be able to smoke.

Peterson stated that of the two calls, one was a resident; the other was the owner of the tobacco shop across the street. Mark Clark stated that he used smoke two packs a day, and when the City had the Easter Egg Hunt this past weekend, he was choking on all the cigarette smoke and felt bad for all the children that had to breathe that in as well. Mark Clark stated that there is a responsibility not only to the park and City Hall, but to the safety of others, especially children. Kyle stated that he is tired of people trying to protect him with their regulations. Kyle stated that the government should let people take care of themselves. Tim Clark stated that they are trying to protect those who do not smoke. Kyle stated that he does not smoke, but is against taking away the rights of the people, and a few people smoking in the park will not harm anyone.

Harden asked about the signage, and how this prohibition would it be enforced. Smith stated that it would be difficult, but there would be regulations. Peterson stated that there could be legal action against repeat offenders. Harden stated that he is also concerned with the litter as well as the health issues. Harden stated that there seems to be people who do not consider cigarette waste as litter, but it is. Harden explained that the community college has banned smoking on the campus, so all the smokers moved to the sidewalk in front of the campus which does not look very appealing. Harden asked if the prohibition could be time sensitive and perhaps limited to events.

Mark Clark stated that he was thinking about that same thing. Smith stated that there are smokers in the play area most days of the week. Harden asked if the safety surfaces in the playground area are flammable. Peterson stated that it is a wood surface that can burn. Harden stated that is another reason to consider the prohibition. Smith stated that she has seen small fires along the trails due to carless smokers. Tim Clark stated that he is in favor of the prohibition, and while he feels for those who smoke, he is trying to think of what is best for the community. Dirks stated that tobacco is another legal drug like alcohol, and alcohol is banned in the park for certain reasons, and there are reasons to ban tobacco as well.

Upon motion by Tim Clark, seconded by Dirks and passing 5-0, the first reading by title only of Ordinance 4-2012 prohibiting tobacco and tobacco products on City Property was passed.

Minter gave the first reading by title only of Ordinance 4-2012 prohibiting tobacco and tobacco products on City Property.

Upon motion by Harden, seconded by Tim Clark and passing 5-0, the second reading by title only of Ordinance 4-2012 prohibiting tobacco and tobacco products on City Property was passed.

Minter gave the second reading by title only of Ordinance 4-2012 prohibiting tobacco and tobacco products on City Property.

Upon motion by Mark Clark, seconded by Dirks and passing 5-0, Ordinance 4-2012 prohibiting tobacco and tobacco products on City Property was adopted.

POSITION RECLASSIFICATION

Peterson presented the item and stated that he would like to talk about the Public Works Director position, and recommend some revisions. Peterson stated that first he would like to recognize Randy Jones who is the current Public Works Director who is retiring June 1st. Peterson stated the major projects that Jones has accomplished in his five years with the City, and thanked him for his services.

Peterson stated that the Council has the right to establish positions and the compensation range for each position. The City Administrator has the right to appoint and manage the employees. Peterson stated that he sees an opportunity to backfill the gap left by Jones while maximizing the potential of current employees. Peterson explained that there is a 2% a year revenue increase projection, and a 4% a year expenditure projection. That is a structural deficit and he is trying to find long term ways to get to the breakeven point.

Peterson explained that under the proposed reclassification the Building Department and Planning would be under the oversight of the City Administrator, and Code Enforcement oversight would be provided by the HR Specialist. Peterson stated that the new position would be a Public Works Manager with a pay grade of 24. The Public Works Director is currently at grade 26. The daily operations of the department, and the utility system operation would be done by the Public Works Manager. Peterson stated that the current City Administrator has extensive Public Works knowledge which would make this reclassification possible. Peterson explained that he would like to give this reclassification a try and see how it goes. Peterson explained that a similar reclassification was made about a year ago, and it has been proving successful and saves the City about \$105,000 a year. The recommendation is to approve the motion to create the Public Works Manager at pay grade 24.

Smith asked if there was anyone in mind for the position. Peterson stated that he has been thinking about filling the role, but if it does not work out, he would recruit for the position. Harden asked if the Council does not approve the reclassification would the Public Works Director position be filled. Peterson stated that it might. Harden stated that he does not agree with the reclassification and is concerned about the long term if other employees retire or leave. Peterson stated that is a legitimate concern, and most people who would replace him would not have that same capacity to fill the role.

Smith stated that she is concerned about staff burn out. Dirks agreed, and asked what the worst case scenario would be if Peterson left. Peterson stated that you could look for specific Public Works skills in a candidate, or the City could go back to a Public Works Director position and recruit for that at the same time as the City Administrator, or the positions could be combined. Peterson stated that there are several options.

Tim Clark asked if Peterson has the capacity to handle the Public Works Department. Peterson stated that he finds the PW area fun, and likes learning from those who have knowledge in an area. Mark Clark stated that Peterson is diamond and applauded Peterson for the idea, but stated that he is concerned regarding the connectivity with the department. Mark Clark stated that there is connectivity in Finance because of the separate director and monthly report, and he likes the current connectivity with the Public Works Department. Peterson stated that Public Works Manager would still provide monthly reports to the Council.

Smith stated that the Council took a chance to trust Peterson to make the right choices, and asked why this would be any different. Peterson stated that if the finances were different, he would be recruiting for a director, but right now he feels that is not the right choice. That may change in a few years if the economy improves. Tim Clark stated that the savings would only be about \$35,000 a year, and he feels that we should still have a Public Works Director. Harden stated that the City is lucky to have highly skilled people, and he does not want to risk overloading staff.

Smith asked what exactly would change. Peterson stated that the reclassification takes away the highest levels of the director position. The position would still remain responsible for the system, but would not include building, planning or code enforcement. Dirks stated that he agrees with the rest of the Council about overloading staff, but he understands the revenue issues and while \$35,000 does not sound like a lot, it can add up. Dirks stated that he is hesitant, but is willing to give it a go. Peterson stated that he would like to give it a try and see how it works. Tim Clark stated that it could cost more money in the end if it does not go as planned.

Harden stated that he also does not want to downgrade the position, and feels the City should have a Public Works Director. Smith asked what the other cities have. Peterson stated that Fairview and Troutdale have Public Works Directors, and Gresham has Directors at various levels. Peterson stated that the Public Works Manager position would still have supervision roles and would be exempt.

Harden asked if it would be easier or harder to fill this position. Peterson stated that he has talked to an individual who is interested and feels that he can fulfill the role. Peterson stated that if the Public Works Director needs to be filled, it would take some time and we would recruit for that position.

Tim Clark asked what Jones thinks of the proposal. Jones stated that it is tough because what Peterson is proposing may work, but the management team has discussed the same concerns that the Council has addressed. Jones stated that it is difficult to comment on because he is leaving the organization. Tim Clark asked if the City needs a Public Works Director. Jones stated that the City needs the capacity to get the things done that this manager and Peterson could do. Jones stated that he does support Peterson in the proposal.

Peterson stated that the directors function as a management team, and he would not have brought this forward if it was not supported by the team. Mark Clark asked what the Public Works staff has thought of the proposal. Peterson stated that he has not discussed that with them. Harden asked who would represent the City at regional meetings. Peterson stated that some would be attended by the manager and some by him.

Upon motion by Dirks, seconded by Smith and with a vote of Dirks and Smith yea, and Mark Clark, Tim Clark and Harden nay, the Public Works Manager reclassification was not approved.

DISCUSSION: 24TH ANNUAL EASTER EGG HUNT

Records Manager/HR Specialist Greg Dirks presented the item. Greg Dirks stated that the Easter Egg Hunt took place on Saturday, April 7th and it was the largest hunt yet. Greg Dirks explained that there were over 15,000 Easter Eggs, 2,000 pounds of candy, and over 700 prizes. The attendance was estimated at around 2,000 people, which is less than last year's hunt but still a good turnout. There were also about 40 volunteers the day of the hunt, and about 20 volunteers helped stuff eggs before the hunt day.

Greg Dirks stated that Wal-Mart was the main sponsor with a donation of 15,000 eggs and 2,000 pounds of candy. Other sponsors included Advanced Metal and Wire, Brasher's Auto Body, Wood Village 76 Station, Beanarino's, and the Chapel. Greg Dirks explained that there was \$1,300 in donations, and the estimated hard costs of the event were just over \$1,500. Greg Dirks stated that the emcee did a great job informing and interacting with the crowd, and the extra egg idea worked very well. Greg Dirks thanked the Council for all their ideas and support of the event.

The Council thanked Greg Dirks for the report and work on the event.

ANNUAL PERFORMANCE PLAN PROJECT PRIORITIZATION

Peterson presented the draft Annual Performance Plan, and stated that the current draft has too many items, and there are several items that did not make it into the draft plan. Peterson stated that the purpose of the APP is to stretch the organization and to move the organization to get to the goals that are the most important for the community. Peterson reiterated the seven City goals. Peterson stated that equally important to the APP is what is not in the plan which includes the day to day operations of the City and accomplishing the things that allows the City to

function. Those items are not in the plan, and the plan is the increment to get at the seven City goals.

Peterson explained that The APP is a critical roadmap, and while it is a stretch, it cannot bury the organization and prevent the core mission of the City from happening. Peterson stated that staff took what the Council had rated for projects, and placed them into a draft plan. Peterson presented the items for goal one which included a City sponsored house clean up/renovation, community banners, promote graffiti kits and the 230/231 sidewalk project. Peterson presented the items for goal two which included evaluate fire service delivery alternatives, police academy for teens, emphasize/promote emergency management, and investigate the feasibility of online permit process.

Peterson presented the items for goal three and stated that it has the largest set of items. The items included an arboretum in the Park, scheduled City events/redefine Fall event, kids summer activities, youth programs, monthly utility billing completion/implement, evaluate earthquake valves on water storage facilities, Halsey to Arata water and sewer lines, and a hydrant replacement program. Peterson stated that only one of the next two items can be accomplished in the next year. Those items are a utility billing system rate study, or an accounting software evaluation and potential upgrade. Peterson explained that both have financial impacts and a software upgrade could cost around \$50,000-\$60,000, and a rate study could cost around \$30,000. Peterson stated that the cost of the rate study could be reduced if the City had a more flexible accounting software program. Peterson explained that staff does not have the capacity to accomplish both tasks, and it would be more logical to upgrade the software first. Peterson stated that if the Council wanted to do both items, the APP would have to be significantly revised and reduced.

Peterson presented the items for goal four which included the meet or beat promotions, economic development, implement the street utility, potential consolidations or cooperation with other cities, economic development/redevelopment plan, and have staff that knows properties. Peterson presented the items for goal five which included targeted safety training twice annually, staff team building once annually, benchmark services/best practices for safety, and encourage re-engineering projects. Mark Clark asked if there have been any recent re-engineering projects. Peterson that there was a recent proposal, but it did not qualify. Peterson explained that re-engineering can be difficult with a happy and productive staff because if things are going well, staff does not see the need to change or re-engineer things.

Peterson stated that he is not asking the Council to adopt the APP tonight, but just to have a discussion about the draft APP. Tim Clark asked how the budget process works in relationship to the APP. Peterson stated that all the key items in the APP end up in the budget for consideration. While the draft budget is complete, there is still room for items to be added or removed.

Peterson presented the items for goal six which included attending the four cities manager's meetings, active staff participation in support of elected officials at regional meetings, attend the Multnomah County Coordinating Committee, and link Wood Village's website to City businesses. Peterson presented the items for goal seven which included installing animal waste disposal stations in the park, research E-billing options, and tree planting throughout the City.

Peterson stated that the Council thought of other ideas that did not get into this draft plan. Those items included a historical designations for the Original Village, turn Well #1 into a park, fluoridation of the water supply, install a graffiti hotline, implement bike patrols, ID County vehicles with a Wood Village logo, purchase a valve exercise machine, use the Park for baseball and soccer, connect park paths to McMenamins', implement Urban Renewal bonding, require businesses to ID as Wood Village, find grant resources for utility upgrades and finance software, consolidate the transportation plans, incentives for car pooling, implement a City RV Park, have gold mining demonstrations, and install a fish ladder in the Park.

Tim Clark asked why the graffiti hotline was not included in the APP. Peterson stated that staff thought the promotion of the graffiti removal kits would get to the goal of eradicating graffiti more effectively than a hotline. Peterson explained that his experience with a hotline and payment for the successful prosecution is more of a false statement since it is very difficult to successfully prosecute a graffiti case. Tim Clark stated that his idea is to prevent graffiti so it does not have to be removed.

Peterson stated that the Council can add or remove items, but there still needs to be a decision regarding the accounting software or the rate study. The final plan will be brought back at the next meeting for adoption.

Mark Clark stated that it has been a long time since the utility rates have been analyzed, but rates have been increasing so there is not a big need to do that right away, and the software may help with the rate study later. Tim Clark agreed. Smith stated that she is leaning towards the software because that seems like the bigger need over the rates which would need the software anyway. Tim Clark asked which item Minter would like to be accomplished first. Minter stated that the City's software is older, and it will need to be updated within the next year or two. The utility billing has issues that should be looked at because there are residents who only use a portion of their allocation, and are essentially subsidizing those people who use more water. Peterson stated that there is also an equity issue in the industrial water that makes it difficult for business recruitment.

Dirks asked if both the software and rate study could be accomplished if other items were removed. Peterson stated that it possible, but there would be some substantial reductions. Tim Clark stated that he likes the idea of the software first, than the rate study, Harden agreed and

asked about the evaluation and if it would lead to a full consumption rate, or if it would still have a base rate. Peterson stated that the rate systems he is familiar with still have a base rate, but there are several tiers of consumption rates based on usage.

The Council decided to move forward with the software upgrade for the APP. Peterson stated that he will bring back the APP for adoption at the next meeting.

EXECUTIVE SESSION PER ORS 192.660(2) (d)

The Council entered into Executive Session at 8:05pm to conduct deliberations with persons designated by the governing body to carry on labor negotiations.

THE COUNCIL CONVENED INTO REGULAR SESSION AT 8:15PM.

Smith stated that she would like the Council to review the state of the City address and pick a section and to speak about it during the state of the City address. Dirks asked when it was going to be. Smith stated that it could be at the next meeting, or the first meeting in May.

Dirks about the stormwater plan and if there was going to be any funding into it this year for the Cedar Lane project. Peterson stated that would be the first major project, but it is not in the budget for the next year. Dirks stated that he is not in favor of the Cedar Lane project because he has not seen or heard of any flooding in that line. Peterson stated that the current line cannot be maintained due to the location, and it is losing capacity due to root intrusion. There will need to be solution overtime to that line. While it may not have flooded in the past, it may in the future due to the lost capacity. Condit stated that having a master plan can limit the liability as you are not expected to spend the money all at once, but if there is a plan and there is damage, you are covered under discretionary immunity.

ADJOURN

With no further business coming before the Council, and upon motion by Mark Clark, seconded by Dirks and passing 5-0, the Council adjourned at 8:28pm.



Patricia Smith
Mayor

5-8-2012
Date

ATTEST:



Greg Dirks
City Recorder