



Mayor
Patricia Smith

Council President
Mark Clark

Councilors
Stanley Dirks

Timothy Clark

Scott Harden

**REGULAR MEETING OF THE
WOOD VILLAGE CITY COUNCIL
January 22, 2013
MINUTES**

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

ABSENT: None.

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

CITIZEN COMMENTS

There were none.

REPORT: METRO UPDATE

Metro Councilor Shirley Craddick presented the report. Craddick stated that part of her job is to inform cities and elected officials of regional issues and pertinent discussion items, and she appreciates being able to meet with the council a few times a year. Craddick explained that the first big item is the newly elected Metro Council members. Craddick stated that the new Metro Councilors are Bob Stacey, Craig Dirksen and Sam Chase. They were all elected at the last general election in November. Craddick explained that along with the new councilors, the district boundary lines were also adjusted. Each district has 258,000 people, and a lot of growth came towards the outer edges of the Metro boundaries.

Craddick stated that the voters in the Metro region have twice voted for bond funds to purchase and improve natural areas. Craddick explained that Metro now has roughly 16,000 acres of natural land, with about 3,500 of them in East County. Craddick stated that while there was money to purchase the land, there are not funds to maintain all the land. The Metro Council unanimously approved putting a five year levy on the May ballot to pay for the maintenance of Metro lands. Craddick explained that the levy is 9.6 cents per assessed \$1,000 in value, or about \$20 for the average home. Craddick stated that the levy does not impact compression, and this levy will drop off in areas where this is compression.

Craddick stated that one of her goals as a Metro Councilor is to bring more jobs to the region. There are more houses than jobs in the region which creates an imbalance. Craddick explained that when Metro inventoried large lot industrial lands, of the 56 that were over 25 acres, only

nine were found to be buildable in six months. The other lots had obstacles to development such as brownfield contamination, site assembly requirements, transportation constraints, or wetland mitigation issues. Craddick stated that the next step is to address those factors, and the Oregon Business Alliance has become a partner with Metro on that project.

Craddick explained that there is a capital grant program through their Nature in Neighborhoods program. Craddick stated that the grant is for land purchases or capital improvements with a life of 20 years or more. Craddick explained that the East Metro Connections Plan is going through the funding process to receive funding for several projects. Craddick stated that the projects on the top of the list include 238th/242nd, Sandy Blvd, and the Troutdale Interchange.

Craddick stated that Metro is also working on an initiative called Climate Smart Communities which is a legislative mandated effort. Craddick explained that the goal is to reduce vehicle emissions by 20% in 2035. Metro is looking at investments that will reduce carbon emissions. Craddick explained that not only includes using vehicles less, but building communities that enhance and support other forms of transportation.

Craddick explained that there is another grant opportunity for land use planning. The funding source is from the construction excise tax collected on all building permits. Craddick stated that those funds had been tied up in litigation, but they are now available for cities to apply for. Craddick explained that Metro also has several legislative goals with the highest priority being the new I-5 bridge. Craddick stated that additional funds in the amount of \$450 million are needed to complete the project. Other priorities include the Oregon Convention Center Hotel, industrial site readiness, brownfield assistance, local revenue authority, and affordable housing reforms.

Craddick stated that highlights from 2012 include the birth of a new elephant at the zoo. The zoo also completed their new veterinary center. The East Metro Connections Plan was completed, and a new management company was selected to take over operations at Glendoveer. Craddick explained that Metro's bond ratings were reaffirmed at the AAA level.

Craddick asked if the Council had any questions. Mark Clark asked where all the money to fund the various grant programs comes from. Craddick stated that they come from a variety of sources. Some come from bond programs that were approved on a regional level, and others come from excise taxes. Craddick explained that a lot of the transportation funding comes from federal dollars that Metro receives because it is the management plan organization for the region.

Tim Clark asked about the 2006 bond measure that was approved to purchase additional land, and if there was any forethought on how that land would be maintained. Craddick stated that Metro is not allowed to use the original bond money for maintenance. That is why a separate

levy for maintenance and other improvements is needed. Harden asked about the timing of the levy, and why it will be brought forward this May. Craddick stated that Metro thought it was the right time, and it would not have to compete against other bond measures.

Smith stated that she loves the outdoors, but questioned the reasoning of purchasing land without the resources to keep it maintained. Smith explained that years ago there was a warning that the regional parks would have to close unless there was additional funding. Maybe the threshold of land acquisition has been met. Smith stated that even though the increase may only be \$20 a year, that can be a lot of money for some people. Craddick explained that Metro planned well, but the bond measure cannot be used for maintenance, and a maintenance levy cannot be used for land acquisition. Craddick stated that it is a two part process, and this is the second part. Craddick explained that the majority of the land that Metro has purchased would not have been developable, and they are working to restore and protect sensitive habitats.

Smith asked what kind of work is being done to protect sensitive areas. Craddick stated that there are several projects to increase water quality as well as the removal of invasive species. Craddick explained that Metro is looking for a long term solution to maintenance needs that would not only be used for Metro lands, but would include a local share for cities as well.

Tim Clark asked if Metro staff has thought of any other avenues for funding except for the levy or taxes. Tim Clark stated that perhaps corporations would be willing to sponsor some of the parks or green spaces. Craddick stated that probably would not yield enough resources for the work that needs to be done, but would pass the idea along.

The Council thanked Craddick for the report.

DISCUSSION: WASTE MANAGEMENT LICENSING AGREEMENT

Peterson presented the discussion and stated that the municipal code provides the licensing requirements for a provider. Peterson explained that the license is granted through an ordinance, and the details of the license are covered in the municipal code. Peterson stated that before a license can be granted or renewed; there must be a public hearing.

Peterson explained that Waste Management current has an exclusive license in the City. That license expires at the end of February. Peterson stated that the relationship with Waste Management has been excellent. Waste Management has asked for some revisions to the agreement if the City decides renew the license. Peterson stated that the first issue is the term of the license. Peterson explained that the current term is for five years which is unusual. Typical terms range from seven to ten years because that is how long it takes to depreciate a piece of equipment. Peterson stated that Waste Management would also like to mandate cart

standardization which they would pay for and put into their rate structure. Peterson explained that the City would like to have the cost of the cleanup day event built into the rate structure as well.

Peterson stated that there are several alternatives which include taking a harder look at the licensing agreement, or reviewing other service providers. Peterson explained that there are seven other service providers in the area, and few of them would have any interest going up against Waste Management. If the City placed an RFP there would maybe be two responders, one of which would be Waste Management. Peterson stated that if the Council wanted to conduct an RFP, an extension of the current license would be needed. Peterson explained that the other alternatives include renewing the current agreement for five years, or staff could negotiate a different agreement, and bring it back to the Council in February.

Peterson stated that Dean kampfer from Waste Management is here to discuss their side of the renewal. Kampfer stated that the only item Waste Management is interested in revising is the length of the term. Kampfer explained that Waste Management is a different company than it was 20 years ago. Waste Management just used to be a landfill management company, and now it is an environmental services company. In 2011, Waste Management generated enough energy to power 1.1 million homes. Kampfer stated that they are able to do that because 131 of their engineered landfills can capture methane gas and put that energy back into the grid.

Kampfer explained that Waste Management provides full service to both residential and commercial customers in the City. Residential customers receive solid waste, recycling and yard debris service. Commercial customers have solid waste, recycling and food waste recycling. Kampfer stated that Waste Management has partnered with the City on the annual cleanup day, as well as other City sponsored events.

Kampfer explained that the licensing agreement is beneficial because it provides for uniformity of service, controls the rule making process, makes the service provider accountable to the City, and it complies with state requirements. Kampfer stated that the agreement is also a source of revenue for the City, with approximately \$26,000 a year paid to the City from Waste Management.

Kampfer presented the rate structure for the past ten years. Kampfer explained that in those ten years, there were only two rate increases. The rate structure is still below the rate of inflation for that time period. Kampfer stated that disposal costs are their main expense taking up about 60% of their general operating costs, and have been increasing about \$5 a ton every year. Even though less waste is being sent to the landfill, it costs more to send it there.

Tim Clark asked if Waste Management's hard costs have stabilized or decreased because of the less waste going to the landfill. Kampfer stated that while the overall disposal costs for Waste Management have been less, other items such as fuel have increased. Recyclable items that typically generate revenue are in the commodities market and have dropped in value over the recent years.

Carlton Palmier the route manager for Waste Management stated that Waste Management is committed to reducing carbon emissions, and are working on replacing their diesel fleet with CNG vehicles. Palmier explained that while the CNG trucks cost more, there is less fuel consumption, and they are safer for the operator and environment. Kampfer stated that each vehicle that is replaced with CNG saves over 8,000 gallons of diesel a year. 22 CNG vehicles were purchased last year and ten more are planned for this year. Kampfer explained that their goal is to have 80-90% of their fleet powered by CNG.

Tim Clark asked how many trucks come through the City on collection day. Kampfer stated that it takes four separate trucks to service the residents of the City. There is a truck for solid waste, recycling, yard debris and glass. Tim Clark asked if there was any way to reduce the number of trucks that are used. Kampfer stated that they like to have only one material per truck. That is because of the way the waste and recycling is processed.

Palmier stated that all their vehicles also have onboard cameras that help increase safety. Waste Management utilizes a third party vendor called Safety Drive Cam which captures unsafe events, and allows management to coach safer driving practices. Palmier explained that they have been using the system since November, and it has had a real impact. Palmier stated that Waste Management also has a program called Waste Watch which acts like a neighborhood watch program. Drivers are instructed to report suspicious activity or emergency situations.

Kampfer stated that Waste Management is requesting a ten year term, and there are several options for renewals and reviews of service. Kampfer explained that Waste Management would like the longer term because it aligns better with the depreciation of their trucks. That will help reduce rate spikes because the costs are spread over a longer period of time. Kampfer stated that Waste Management is also willing to work with the City on the cleanup day event.

Tim Clark asked if Waste Management has any plans for cart standardization. Kampfer stated that this is not really on their radar, and Waste Management likes to be flexible. Tim Clark asked if the standardization would increase efficiency. Kampfer stated that it does, and there are several cart options to choose from.

Mark Clark stated that he likes the idea of a rolling seven year license, but asked if reviews could be included. Peterson explained that if a rolling license were issued, it would have to come back

to the Council every year for a review and renewal. Tim Clark stated that he would like to avoid large spike increases in the rates. Peterson stated that even though the last increase was 12%, it is still a good value for everyone.

Dirks asked about the term options and what the motion should be. Peterson stated that it is appropriate to request a longer term, and include standardized carts and participation in the annual cleanup event. Tim Clark asked if there would be any difficulties asking for a seven year term versus a ten year term. Kampfner stated that either option would work for Waste Management.

Upon motion by Dirks, seconded by Tim Clark and passing 5-0, the Council directed staff to negotiate with Waste Management for an eight year rolling license with cart standardization, and an annual \$4,000 credit for the City's cleanup event.

DISCUSSION: REVISED WATER SYSTEM DEVELOPMENT CHARGES

Peterson requested that this item be moved to the first meeting because of time constraints. Smith stated that she is okay moving the item. Harden stated that he feels the Council has a duty to conduct the business of the City, and if the meeting has to go longer than that is what needs to happen.

The Council postponed the water system development charges until the first meeting in February.

DISCUSSION: 25TH ANNUAL EASTER EGG HUNT

Records Manager/HR Specialist presented the discussion. Greg Dirks explained that he based the draft plans off of the feedback from last year's event. Greg Dirks stated that the age groups are the same as last year with hunt areas for children ages 3-4, 5-6, 7-9 and special needs. Since this is the 25th year of the Easter Egg Hunt, staff is planning to have 25,000 eggs. Greg Dirks explained that with current donations the City already has 15,000 eggs. Volunteer recruitment efforts should produce enough volunteers to help stuff and distribute the eggs.

Greg Dirks stated that he is also planning to have 1,000 prizes with 25 of them being grand prizes. Mark Clark asked if all the grand prizes were necessary, and what the financial impact of that would be. Greg Dirks explained that most of the grand prizes are already assembled from donations from last year's event, but it is not necessary to have 25 grand prizes. Greg Dirks presented the breakdown of eggs for each group, and explained that there would still be egg left over to pass out to children who did not get anything.

Greg Dirks stated that the Easter Bunny will still arrive by helicopter at 9:30am, and the hunts would start at 10am. Greg Dirks explained that he is working on getting an emcee as well as a Spanish speaker. Additional parking adjacent to the school is also being pursued. Greg Dirks

presented a draft flyer for the event. The Council requested that the banner be less busy this year. Greg Dirks stated that he will focus on the critical information for the banner.

Upon by Mark Clark seconded by Tim Clark and passing 5-0, the 25th annual Easter Egg Hunt was approved as presented.

DISCUSSION: PERSONNEL MANUAL UPDATES

The Council moved this item until the February 26th Council meeting.

ORDINANCE 4-2013: SLEEPING IN VEHICLES

Peterson presented the ordinance and stated several businesses have complained about people sleeping and living in vehicles near their businesses. Peterson stated that Sergeant Lichatowich from the Multnomah County Sheriff's Office provided information at the last Council meeting regarding this issue. According to the MCSO these people are choosing a lifestyle choice, and it is not families down on their luck. Peterson explained that the MCSO was also able to loosely tie increased vandalism and crime to the areas where these people are living. Peterson stated that the MCSO requested this provision to aid as an additional tool to address the situation.

Peterson stated that there are several alternatives including deciding not to adopt the ordinance, or adopt the ordinance but only in a specific area. The Council could request additional information about the character of the people living in vehicles, or the Council can act on the staff recommendation to adopt the ordinance.

Mark Clark stated that he thought a lot about this item, but it comes down to limiting activities just on public streets. Mark Clark explained that in theory a person could still sleep in a parking lot somewhere if they needed to. Harden asked if it could be possible to get additional information about the people who are living in their vehicles. Peterson stated that staff could monitor where people are sleeping, and the MCSO could follow up on their circumstances. Peterson explained that the City has not collected any data, and just received reports from the MCSO that there are no families, and it is primarily people who are choosing that lifestyle.

Harden asked if it would be possible for the people living in their vehicles to obtain an RV permit which would allow them to sleep on the streets for a number of days. Peterson explained that someone could come to City Hall and apply for that permit, but the permit requires the permission of the adjacent property owner. Peterson stated that he doubts many of the property owners would consent to that though. Harden asked if a partnership with the church could be formed where they could share in the permit fee. Tim Clark stated that his church looked into that, and there is a lot of increased liability.

Smith stated that the MCSO has already informed the City that these are not families, but transients who are choosing that lifestyle. Smith explained that it could be more of the broken widows theory, and establishing a permit for them will attract more of them. Peterson stated that both Chief Deputy Gates and Sergeant Lichatowich stated that these are transients who are selecting that lifestyle. Harden asked how the MCSO would enforce the code. Peterson explained that would act as another tool for the MCSO to use. The MCSO would most likely not issue a citation, but they would make contact with the individuals and provide resources if necessary.

Upon motion by Mark Clark, seconded by Tim Clark and passing 5-0, the first reading by title only of Ordinance 4-2013 prohibiting sleeping in vehicles was approved.

Minter gave the first reading by title only of Ordinance 4-2013 prohibiting sleeping in vehicles.

Upon motion by Tim Clark, seconded by Harden and passing 5-0, the second reading by title only of Ordinance 4-2013 prohibiting sleeping in vehicles was approved.

Minter gave the second reading by title only of Ordinance 4-2013 prohibiting sleeping in vehicles.

Upon motion by Mark Clark, seconded by Tim Clark and passing 5-0, Ordinance 4-2013 prohibiting sleeping in vehicles was adopted.

RESOLUTION 2-2013: JPACT APPOINTMENTS

Peterson stated that this item has been discussed a few times, and while Councilor Tim Clark had been willing to be the alternate, it was discovered that it was Fairview's turn to select an alternate. Peterson explained that the resolution would appoint Gresham's Mayor Shane Bemis as the representative, and Fairview's Councilor Lisa Barton-Mullins as the alternate.

Upon motion by Tim Clark, seconded by Mark Clark and passing 5-0, Resolution 2-2013 selecting the JPACT representatives was approved.

RESOLUTION 3-2013 EMCTC APPOINTMENT

Peterson stated that Councilor Tim Clark reported at the last meeting that the EMCTC had concerns regarding a staff member being appointed as the alternate. Peterson explained that even though the EMCTC bylaws permit a staff person as the alternate, EMCTC Chair and Multnomah County Commissioner Diane McKeel requested that the City select an elected official as the alternate. Peterson stated that the resolution appoints Councilor Tim Clark as the representative, and Mayor Smith as the alternate.

Upon motion by Harden, seconded by Dirks and passing 5-0, Resolution 3-2013 selecting the EMCTC representatives for the City was approved.

CITY ADMINISTRATOR'S REVIEW

Peterson stated that the Personnel Committee requested that this item be moved to the first meeting in February.

PUBLIC WORKS DIRECTOR'S REPORT

Gunter presented the report and stated that the 230th/231st sidewalk project was presented to the Parks Commission last week. Gunter explained that the draft landscape plans were presented in order to elicit feedback before the concept plans were presented to that neighborhood. Peterson stated that it is important to note that when the plans are presented, it is a question of what features do those residents want, not whether or not to construct the project. Smith stated that she would like to attend that meeting when it is scheduled.

Gunter stated that the bid process for the Arata to Halsey water and sewer line project has started, and there appears to be good interest from contractors. Gunter explained that the only meters left to replace are larger more difficult meters. Those meters will be replaced over time. Gunter stated that staff has decided to contract out the majority of the hydrant replacement project. Staff discovered that many of the hydrants had difficulties, and will only be replacing two without the assistance of a contractor.

Gunter explained that water consumption reports have been sent to the state. Staff is also working on budget planning. Smith asked when Famous Dave's will be moving in. Peterson stated that the permits have been paid for, and the plans have been approved.

The Council thanked Gunter for the report.

FINANCE DIRECTOR'S REPORT

Minter stated that the revenues are on track, and expenditures are under budget. Minter explained that the audit firm has started their review, and will present to the Council at the first meeting in February. Minter stated that this firm had a different style of handling things, and did not provide much staff support. Peterson stated that he feels there were different expectations between our staff and theirs. Peterson explained that while the actual audit went well, the communication and preparation of the final documents did not go as well. Peterson stated that Minter handled the issues very well. Minter explained that some of the difficulties came because the firm switched the project manager mid-year, and the expectations were not communicated.

The Council thanked Miner for all her work.

CITY ADMINISTRATOR'S REPORT

Peterson stated that the Council Calendar is in their packet as well as the APP update. Peterson stated that a full report on the APP will be provided at the retreat on February 2nd.

COUNCIL REPORTS

Mark Clark stated that the PDX Noise Advisory Committee met, and discussed the NextGen flight system as well as engine improvements that will reduce noise and fuel consumption. Mark Clark stated that there also appears to be a worldwide trend to reduce nighttime flights which has the freight industry concerned.

Tim Clark stated that Craddick explained most of the updates regarding EMCTC. Tim Clark explained that there are a lot of improvements being constructed on the Historic Highway to improve access.

Smith stated that she held a neighborhood watch meeting last week. There was also a Parks Commission meeting last week that went over the 230th/231st pathway, an arboretum in the park, and the Community Pride awards. Greg Dirks explained that staff will be looking at ways to increase participation and interest in the program.

ADJOURN

With no further business coming before the Council, and upon motion by Harden, seconded by Tim Clark and passing 5-0, the Council adjourned at 8:56pm.



Patricia Smith
Mayor

2-12-2013

Date

ATTEST:



Greg Dirks
City Recorder