

**MEETING OF THE
WOOD VILLAGE CITY COUNCIL
June 9, 2015
MINUTES**

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

ABSENT: None.

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

CITIZEN COMMENTS

There were none.

PUBLIC SAFETY REPORT

Chief Deputy Jason Gates of the Multnomah County Sheriff's Office presented the report and stated that for the month of May there were 413 incidents, 228 hours of service, and 49 written reports. Gates explained that the full report is not yet ready, but there were some incidents of note to share. Gates stated that some employees at a local store noticed a person sleeping in their car. The employees thought the person had a gun on their lap, so they called for the police. The person did not have a weapon, but was wanted on outstanding warrants and was taken into custody. Gates stated that another incident occurred on Shannon Street and involved a suspicious person. The unknown person persisted on knocking at a door for over 20 minutes until the neighbors told the person to leave. The person came back later in the day, but left again. Gates explained that no crimes have occurred, but the MCSO is conducting extra patrols in that area. Gates stated that there was welfare check on the I-84 overpass, but the person was drunk and not suicidal. The person was taken into detox.

Gates stated that he wanted to follow up on the measures being taken in response to the gang violence that occurred in Fairview. Gates explained that the East County Gang Team is conducting saturated patrols in targeted areas. Those patrol will provide deputies with updated information about potential gang activity, members in the area, and at risk youth. Gates stated that the at risk youths will be provided with information and resources to help keep them from joining gangs. Gates explained that deputies will also be monitoring social media traffic for gang related activities.

Gates stated that all the main parties involved in the gang incident have been identified, and the main suspect has been arrested. Gates explained that out of the five individuals directly involved in the confrontation, four of them were juveniles. Frank asked if this type of activity is normal as the heat increase. Gates stated that crime does increase as the weather gets better. Gates explained that gang activity tends to increase in the summer months, but there have already been a lot of gang related incidents in the County this year. Gates stated that the gang issues in East County are being addressed on a collaborative and multi-disciplinary level.

Nissen asked what can be done to help prevent or deter kids from joining a gang. Gates stated that gangs are successful because of the allure and comradery. Gates explained that a good first contact is with the parents, and informing parents of the issues and of their parental rights. Harden asked if there is some community outreach that the City could do to help educate residents of the potential issues. Gates stated that it would be good to have more outreach for the general public especially for suspected gang activity.

Smith asked about the City's curfew law, and if that applies inside of Treehill. Gates stated that is private property and not open to the general public. Smith asked if the police can be called when there are unsupervised children running around the complex. Gates stated that the police could be called if the kids are in danger, but not for just running around.

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

CONSENT CALENDAR:

- Review of bills paid in May, 2015

- Contracts \$2,500 - \$50,000

- AllWood Recyclers – Wood Chips for Park: \$6,544.00

- Council Minutes:
 - May 12, 2015
 - May 28, 2015

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

PRESENTATION: OUR OREGON – REYNA LOPEZ

Diego Hernandez provided the presentation, and stated that he grew up in East County, went to the Reynolds School District, and now lives in East County. Hernandez stated that he volunteers his time with the Better Oregon Campaign. Hernandez explained that teachers, parents, and small business owners have gotten together to address budget cuts in education. Hernandez stated that Oregon's economy has improved, but it has been improving more for corporations than families. The Better Oregon Campaign is working to help families in Oregon.

Hernandez stated that the average family in Oregon has lost \$1,000 in earnings over the past ten years, while the wealthiest people have had an increase of over \$200,000 during that same time period. Hernandez stated that we need to invest in better schools if we want to change that trend. Hernandez stated that the state has lost 3,400 teachers and Educational Assistants since 2007, and the state has some of the largest class sizes in the country. Hernandez stated that Oregon has the lowest minimum corporate tax of just \$150, and 393 corporations did not pay any tax in 2012 because of loopholes in the law. Hernandez stated that we cannot invest in the in the system when corporations do not pay their fair share.

Hernandez stated that his mom worked three minimum wage jobs just to get by. Hernandez explained that he was able to go to school and break that generational poverty. Hernandez stated that there is an increased need for social services, but less money to pay for those services. Hernandez stated that we want to have schools and services that families deserve. Hernandez stated that the corporate minimum tax can be increased, and their proposed ballot measure would only increase the tax for those businesses that make more than \$25 million a year. Hernandez stated that based on their estimate, there would be about \$2 billion more for schools and services with this change.

Hernandez stated that they are testing several ballot measures, and their goal is to create a ballot measure that meets that goals that were discussed. Hernandez stated that it is about helping people have a better education. Hernandez stated that the economy and education work together, and are needed for a better Oregon.

Smith asked if they have spoken with representatives from larger corporations, because there can be a lot of push back on these types of measures. Lopez stated that is why they are starting their work now, and their target is the 2016 General Election. Lopez stated that \$25 million in sales seems to be an acceptable threshold. Lopez explained that they are starting with medium and large businesses in the Portland area, and then will be spreading out. Lopez stated that they know they have to work with the local chambers, Portland Business Alliance, and OAI to help reduce push back on the measure.

Peterson stated that there was a citizen initiative about five years ago regarding a new corporate tax that had a lot of opposition but did pass. Lopez stated that measure still had Oregon having the lowest corporate tax in the country. That measure increased the minimum from \$10 to \$150.

Frank stated that he likes the approach that the group is taking, and appreciated the presentation. Hernandez stated that corporations have a place in our society, but they also have a stake in the state. This is an investment in the future.

The Council thanked Hernandez and Lopez for the presentation.

PUBLIC HEARING: FY 2015-2016 Budget, State Revenue Sharing, Property Tax Levy

Smith opened the floor for the Public Hearing.

Peterson presented the budget and stated that all the information from the Budget Committee has been put together for the Council for the final adoption. Peterson explained that he felt the end of the Budget Committee may have been a bit rushed, and thought there may not have been enough time to discuss the discretionary budget items. Peterson stated that the budget can be decreased by any amount, and increased by 10% of the budget which would be around \$800,000.

Peterson stated that staff took a look at open capital project to see if any will roll into the next fiscal year. Peterson explained that there are a few projects that will need to roll into the next budget year. The projects include the flood-dar for Bridge Street, the completion of the Sewer Master Plan, the Shea Lift Station power and motor control upgrade, and SCADA upgrades for the water system. Peterson stated that it will be an overall net zero transaction as the beginning fund balance will increase by \$53,500.

Peterson stated that overall the budget is flat with declining General Fund operating costs. Peterson explained that there is a substantial one-time reduction in public safety costs because of the new fire service contract with Gresham. Clark asked if Gresham has voted on the new contract. Peterson stated that Gresham adopted the contract on May 19th with no discussion or issues.

Peterson stated that there is a resolution to adopt the tax rate which is set at \$3.1262 per \$1,000 of assessed value. Overall property tax revenues are estimated at \$770,486. Peterson explained that all property classifications have increased to the point where there are no properties in compression. All property taxes will increase by at least 3%. Harden asked about the centrally assessed utilities, and the impacts of the new senate bill. Peterson stated that there will be large impacts around the state because of the new senate bill.

Peterson presented the operating budgets, and stated that they are static or reduced from this current year except of the Parks Budget. Peterson explained that the Parks Budget increased because of a different level of service in the park system. Peterson stated that the General Fund has an operating margin of about \$150,000 which is needed to make investments throughout the City. Peterson explained that the fire contract will go up by \$35,000 next year which will have an impact on the figures.

Peterson presented the Street Fund and stated that the budget includes \$200,000 in reserves for a future overlay project. Peterson explained that there will not be an actual street project this year, but staff is planning on an overlay project for next year.

Peterson stated that the Water Fund is in great shape, and does include a 2% rate adjustment. Peterson explained that the beginning fund balance is about \$750,000. There is a large project scheduled for the upcoming year, and that is to bring Treehill into the upper pressure zone. Peterson stated that will be about a \$162,000 project. Peterson stated that even after the project there will still be about \$500,000 remaining in the Water Fund.

Peterson stated that while there is a positive margin in the Sewer Fund of about \$110,000, there are expensive capital projects that need to be completed. Peterson explained that staff will be trying to renegotiate the Sewer Agreement to remove the I&I investment requirement which would relieve the Sewer Fund by about \$100,000 a year. Peterson stated that there is a \$600,000 sewer project scheduled for the upcoming year, and \$80,000 of that project will be from a loan from the General Fund. Peterson explained that while the project deals with I&I, the capacity of the line will also be increased which will qualify for a partial SDC reimbursement. Peterson stated that the proceeds from the SDC's will be used to pay back the General Fund loan.

Peterson presented the capital appropriations, and stated that the recommended projects come from either the Annual Performance Plan, or one of the Master Plans. Peterson stated that he wanted to discuss the discretionary capital items. Peterson explained that the other cities have not funded the additional support for the Chamber of Commerce, but there are discretionary items that can be used for that item. Peterson stated that the other cities have appropriated for the Halsey corridor plan.

Frank asked about refurbishing the entry feature and asked if the concrete barrier was going to stay. Frank stated that the concrete wall detracts from the overall look. Peterson explained that the concrete barrier is not necessary, but was installed to help elevate the entry sign. Peterson stated that the refurbishment project would not change that section, but would add new soil, plants, landscaping, and irrigation. Frank asked if the concrete could be treated in order to look better. Peterson stated that could be an option.

Clark stated that he is not in favor of the fire service study, and does not see a reason for it. Clark stated that Gresham has been a good service provider, and does not see the need for additional options at this time. Harden agreed, and stated that the alternatives were already reviewed which provided some leverage with the negotiations with Gresham. Harden stated that most of the alternative options had additional costs for service compared to Gresham. Smith asked what the study would review. Peterson stated that essentially the study would evaluate building two new fire stations, and utilizing fire station 10. There would be 16 fire personnel, new equipment and support personnel. Peterson explained that the study would not include an analysis of when the approach could be taken, but there are several councilors in Troutdale who want to send a cancellation notice to Gresham on July 1st.

Smith stated that it does not hurt to have options. Harden stated that the City just paid for a study that provided options. Smith stated that Gresham could pull out of the agreement as well. Peterson stated that Gresham does have a marginal rate of return under the contract. Clark stated that this option is going in the opposite direction of combining services. Harden stated that there are savings under the new contract, and this idea would just take those savings away. Clark stated that there was already an agreement that the other alternatives were not viable except for the mega fire district. Peterson stated that Gresham was also interested in the possibility of a mega fire district.

Peterson stated that this is the time to either leave the appropriation in, or to take it out. Nissen stated that he would vote to take it out of the budget. Nissen stated that governments are working together and combining services to save money, and this does the opposite of that. Nissen stated that it would be different if there were issues with Gresham down the road, but that is not the case. Peterson stated that Gresham is also looking at putting together a quick response vehicle to reduce response times on medical calls. Frank stated that he will defer to the majority of the Council. Smith stated that it looks to be 4-1, so the item can be removed. Peterson stated that it was only included because of the request from Troutdale.

Clark asked about the three-city economic development position. Peterson stated that there are no appropriations in place, but the area Mayors are interested in trying to develop East County. Peterson explained that EMEA is

not doing well, and the Gresham Economic Development Office is polite and courteous, but they are not directing inquiries to this area. Clark asked if the \$20,000 would be a good investment for the City. Smith stated that hiring a professional is at least \$100,000. Clark asked if the funds would be a good investment. Peterson stated that in his professional experience, an economic development professional is good to have when the economy is hot or bad.

Peterson stated that a good economic development professional is essential in developing materials to get properties in the marketplace. Peterson explained that there is a lot of development potential, but there is not enough staff capacity to get all that work accomplished. Harden stated that the City is not on the radar of larger companies, and we do not get a lot of assistance for outside sources. Harden stated that unless we do something different, we will be left out. Peterson stated that an economic development professional may not fill buildings, but it gives you an opportunity.

Clark stated that we need an opportunity to get our share of development in East County. Peterson stated that Troutdale does not view the City as an active competitor, but Fairview does. Clark asked what action the other cities have taken. Peterson stated that the Mayor in Troutdale likes the idea, and was included in their state of the city address. Peterson explained that Fairview has named a part-time economic developer, but they will probably have a hard time keeping up with all the duties. Peterson stated that the Townsend Farms development is getting ready for the next phase of development. Harden asked if the City's budget could be increased to hire our own person. Peterson stated that would be difficult, but the City could hire a firm to represent the City.

Nissen asked what would occur if the City allocated the funds, but the other cities did not. Peterson stated that the funds would just sit unless directed by the Council. Peterson explained that funds in the operating budget will be spent, but the discretionary capital items will not be spent without action from the Council.

Clark asked about the event truck or trailer, and what the final outcome was. HR/Records Manager Greg Dirks stated that a truck or trailer would be purchased to house and transport event items. Dirks stated that a truck was rented for the Easter Egg Hunt, and the process worked really well. Additional time can be saved if all the event items were kept on a truck. Harden stated that he is in favor of the truck.

Clark asked about the summer lunch program, and ensuring that the program is ran well and is successful. Clark stated that he understands that getting food is not necessarily the issue. Smith stated that the Wood Village Baptist Church will be operating a summer lunch program. Clark asked if the funds could be removed. Peterson stated that some funds should be left in to have the potential to support a program. Nissen stated that we could always spend less.

Clark asked about the street flowers, and asked if that could be paid for by the Urban Renewal Agency. Peterson explained that the brackets and supporting elements could be funded by the Urban Renewal Agency, but the flowers could not.

Clark stated that he likes how the gravel pathway is in the Street Fund. Harden asked if the financial support for the chamber could be left in the budget, but not spent without Council authorization. Peterson stated that is what he would recommend at this point. The chamber works hard to support the City.

Peterson stated that he understands that the fire service study will be removed, and all other discretionary capital items will remain with the caveat that they will not be spent without Council authorization.

Smith closed the public hearing.

RESOLUTION 19-2015 ADOPTING FISCAL YEAR 2015-16 WOOD VILLAGE BUDGET AND MAKING APPROPRIATIONS

Upon motion by Harden, seconded by Clark and passing 4-1 with Clark, Harden, Nissen and Frank Yea, and Smith Nay, Resolution 19-2015 adopting the 2015-16 Budget as amended with removing the fire service study

allocation was approved.

RESOLUTION 20-2015 LEVYING AND CATEGORIZING AD VALOREM TAXES FOR FISCAL YEAR 2015-16

Upon motion Harden, seconded by Nissen and passing 5-0, Resolution 20-2015 levying and categorizing the ad valorem taxes was approved.

RESOLUTION 21-2015 FOR RECEIPT OF STATE SHARED REVENUE

Upon motion by Nissen, seconded by Harden and passing 5-0, Resolution 21-2015 accepting state shared revenues was approved.

RESOLUTION 22-2015 STREET LIGHT STANDARDS

Peterson presented the resolution and stated that this was discussed at the last Council meeting. Peterson explained that a resolution has been drafted which captures the key issues that were discussed at the last meeting. Peterson stated that the recommendation is to adopt the ANSI lighting standard, but there was not final decision on the notification process. Peterson explained that the resolution has a 100 foot notification requirement, and then a hearing if there were any objections.

Harden stated that that if there is a lighting analysis, then the lights should be placed based on the analysis and remove the hearing process. Clark asked if the analysis is conducted based on a citizen request. Peterson stated that the analysis would be conducted by PGE based on a request. Harden stated that he feels that neighborhood issues could be prevented if the lighting analysis indicates where the lights should be placed. Peterson stated that the resolution could be revised.

Peterson stated that with existing poles would just have the LED head installed at no cost to the City. Peterson explained that locations without poles or underground electricity would have to have those items installed at the City's expense. Clark stated that a lot of the City is dark, and asked if a long term project could be put together to add more lights. Peterson stated that some studies or other actions can be taken in specific areas.

Peterson stated that the resolution will be amended to remove the provision that could allow a property owner to stop the process, and instead a hearing will be in front of the City Council if there is an objection to a citizen request. Peterson explained that if there are objections, the lights would be installed up to the annually budgeted amount. Peterson stated that developers are also free to install upgraded lights at their own expense.

Upon motion by Clark, seconded by Nissen and passing 5-0, Resolution 22-2015 adopting a street light standard policy was approved.

ORDINANCE 3-2015 AMENDING THE MUNICIPAL CODE TO PERMIT ADDITIONAL PARK USES

Peterson presented the ordinance and stated that staff met with the Parks Commission to discuss the feasibility of a permit process to allow certain events and activities including camping to occur in the park. Peterson explained that the Parks Commission made a set of recommendations to revise the code to enable a permit process for large events. Peterson stated that the process includes insurance requirements, an application fee, site plans, safety and sanitation plans, as well as Council and Parks Commission approval.

Peterson stated that the Parks Commission was concerned about having the ability to deny an application. Peterson explained that the language is specific in that any event would have to promote the City, and be in the best interest of the community and residents. Peterson stated that the process is discretionary, and findings have to be made to approve or deny an application.

Frank asked if that could lead to a lawsuit. Condit explained that the decision to deny an application cannot be based on a protected class, but there is protection is the decisions was based on facts and findings.

Clark asked about how many campers could be at the park. Peterson stated that the group that was first interested

in using park had about 60 campers. Peterson explained that group has moved the event to another city, but could be back next year.

Frank asked about the cleanup, and what would happen if there was damage to the park. Peterson stated that a deposit is required, but the fee has not yet been established. Peterson explained that he was thinking a \$500 deposit would be good, but that may not cover all damages. Peterson stated that if a group damages the park, they can be denied future events in the park. Condit stated that he could also file suit depending on the amount of damage, and most responsible groups are good at taking care of the facilities because they will want to come back.

Peterson stated that the ordinance also includes code revisions to remove outdated language. Peterson explained that these items include a Park Superintendent, which the City does not have. Peterson stated that the code also requires all permits to be approved by the City Council, and that action has not occurred in over 20 years. Peterson presented the remaining items, and stated that they were all presented to the Parks Commission, and that board recommended that they be removed from the code.

Harden stated that he is concerned about removing the prohibition on hammock, and in wading in the creek. Harden stated that he is concerned about the potential liability, and the creek is a sensitive natural area that should be protected. Condit stated that the City is covered by recreational immunity which can be very broad. Peterson explained that the hammock provision was added somewhere in the 1970's because there were newly planted trees. Harden stated that these provisions were put in place for a reason, and it was probably because something bad or negative occurred.

Upon motion by Nissen, seconded by Clark and passing 5-0, Ordinance 3-2015 amending the Park Code was adopted.

ADJOURN

With no further business coming before the Council, and upon motion by Clark, seconded by Nissen and passing 5-0, the Council adjourned at 8:33pm.

Patricia Smith
Mayor

Date

ATTEST:

Greg Dirks