

Mayor
Patricia Smith

Council President
Mark Clark

Councilors
Stanley Dirks

Timothy Clark

Scott Harden

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

**April 9, 2013
MINUTES**

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

ABSENT: None.

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

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS

There were none.

PUBLIC SAFETY REPORT

Chief Deputy Jason Gates of the Multnomah County Sheriff's Office presented the report. Gates stated that for the month of March the MCSO provided 252 hours of dedicated service with 454 calls for service and 50 written reports. Gates explained that the MCSO also helped the City issue a citation to a business operating outside the City's codes. Smith asked what business was operating outside the codes. Peterson stated that it has to do with an illegal occupancy of a business. Peterson explained that the tenant was made aware of the issue over a year ago, and several attempts to get the owner into compliance have been made with no success. A citation was issued. Smith stated that Deputy Lazzini gave a great presentation to the TreeHill Day School regarding stranger danger. Gates stated that Lazzini is an outstanding Deputy. Gates stated that overall there is nothing out of the ordinary or concerning going on in the City.

The Council thanked Gates and the MCSO for their service.

CONSENT CALENDAR

- a. Review of bills paid in March, 2013
- b. Contracts \$2,500 - \$50,000
 - Pump Tech – Shea Lift Station Repair: \$5,974

c. Council Minutes:

- March 12, 2013
- March 26, 2013

d. Commission Appointments

- Charles Rhoads: Budget Committee – Term to Expire 12-31-16

Mark Clark asked what the payments to the City of Gresham were for. Minter stated that is the quarterly fire service payment. Mark Clark asked about the payment to the EBS trust. Minter stated that is for the City's health benefits. Mark Clark asked what the payment to the City of Portland was for. Peterson stated that was the BOEC payment.

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

RESOLUTION 14-2013: BUSINESS INCENTIVE PROGRAM

Peterson presented the resolution. Peterson stated that there was only one participant in the business incentive program this year. Peterson explained that the business incentive program was developed in 2010, and was modeled after Gresham's program. In 2010 Gresham and Troutdale had a business incentive program, and Fairview considered one but did not adopt it.

Peterson explained that the business incentive program was most active in the first six months after it was adopted. Peterson stated that the type of businesses that took advantage of the program probably would have located in the City even if there was not a program. Peterson explained that he is aware of only one business that located in the City because of the program. Peterson stated that since 2010, the program has filled 20,000 square feet of space, had about \$665,000 in improvements, and added an estimated 60 jobs.

Peterson stated that this program provides the sense that Wood Village is open for business. Business owners who took advantage of the program talk to other owners and businesses. Peterson explained that the owner of the Rock Pizza has spoken at several events regarding how well the City operates and works. Peterson stated that Gresham still operates their program, but Troutdale has significantly revised their program and reduced the incentives.

Peterson stated that the staff recommendation is to renew the program for another year. Mark Clark asked if the City has stopped promoting the program. Peterson stated that all the qualifying buildings have been posted with a flier regarding the program. What is not occurring is the permit technician automatically applying the program to qualifying buildings. The owner actually has to ask to receive the incentives.

Tim Clark asked what the full cost of the program was for this year. Peterson stated that the total cost this year was \$4,546.17. Of that, \$2,518.92 was in permit costs, and \$1,687.50 was in inspection costs.

Tim Clark asked why the General Fund has to reimburse the cost of the permit fees. Peterson stated that you cannot eliminate fees just for specific users. While the business owner may not have to pay the fees, the fees still have to be paid which is done by the City under this program. Condit stated that it is based on the law that permit fees have to be paid, and the proceeds have to be spent on the building program.

Harden asked how many buildings still qualify under the program. Peterson stated that there are four places in the Town Center, five along Halsey, and two at the Wal-Mart shopping center. Tim Clark stated that he was more in favor of the program before he heard that all the businesses except for one probably would have located in the City anyway. Mark Clark stated that the program goes beyond the initial cost savings, and helps a business reduce their upfront costs and potentially stay in business. Peterson stated that only one business that took advantage of the program has closed.

Upon motion by Dirks, seconded by Harden and passing 5-0, Resolution 14-2013 reauthorizing the business incentive program was approved.

DISCUSSION: EASTER EGG HUNT RECAP

Records Manager/HR Specialist Greg Dirks presented the report. Greg Dirks stated that the 25th annual Wood Village Easter Egg Hunt took place on Saturday, March 30th. Approximately 3,000 participated in the event, and over 50 volunteers helped during the day. Greg Dirks explained that there were over 25,000 eggs, and 1,100 prizes. Event sponsors included Wal-Mart, Advanced Metal and Wire, 76 Station, Brasher's Auto Body, the Chapel, Gentle Dental, the Eagles, and the Reynolds High School National Honor Society. Greg Dirks stated that \$2,150 in cash and \$4,000 of in-kind donations was contributed for the event. The expenses totaled \$2,250 not including staff time. Greg Dirks explained that except for several lost children there were no major issues, and overall it was a great event. Greg Dirks asked if there were any questions, concerns or comments.

Mark Clark stated that he and Tim Clark were talking during the event and thought it would be a good idea to purchase two additional speakers for the PA system. Greg Dirks stated that there were some sound issues, and it was difficult to hear the announcements near the back of the fields. The Council thanked Greg Dirks for his work on the event.

BID AWARD: FINANCIAL SOFTWARE PROGRAM

Minter presented the report. Minter stated that the City considers updating the financial software every seven to twelve years. The last update was in 2000. Minter stated that about 17 months ago the current software provider notified the City that they would no longer offer support for the City's platform. Minter explained that caused the City to look at either updating the software, or changing providers. Minter stated that staff researched several programs to find the most cost effective program that would serve the needs of the City. Staff ended up reviewing three programs.

Minter stated that after conducting several webinars and field visits, the staff recommendation is for Tyler Tech. Minter explained that it is not the least expensive program, but feels that it is the most cost effective program. The initial cost of the program is \$55,000, and the annual support cost is \$8,700 which is \$1,500 more than what the City is currently paying.

Mark Clark stated that he looked up the Tyler program, and it looked like it would be a good program. Mark Clark explained that he used an older version of Tyler at a different city, and did not like how the modulus had to be purchased separately because it added to the cost. Tim Clark asked if the old system would be paralleled while the new system was being learned. Minter stated that may occur. The training is all done on site, and there are several webinars as well.

Upon motion by Dirks, seconded by Tim Clark and passing 5-0, the financial software program bid was awarded to Tyler Technologies Incode System.

RESOLUTION 11-2013: 2013-14 ANNUAL PERFORMANCE PLAN

Peterson presented the resolution and stated that the annual performance plan was presented in detail at the last Council meeting. The Council requested some revisions which have been made.

Dirks stated that this year's app is big, and asked about the priority of items. Dirks asked about the priority of the Halsey streetscape lighting project. Peterson stated that project is not a high priority, and will come up during the budget meetings. Peterson explained that it will help improve the look along Halsey at the park, but it could be an item that gets removed. Dirks asked about the ice cream social with the Council. Dirks stated that the City does not get a high turn out when these smaller events are put on. Dirks explained that he is worried the City would put in a lot of time and money in something that few people will attend. Tim Clark stated that he had heard of cities doing this type of thing and liked the idea, but is not necessarily in favor of doing it. Tim Clark stated that it might be good to do once and see what the turnout is. Dirks asked if something could be put in the newsletter to see what the response would be, because it would be a waste of a summer day to have an event that no one shows up to. The Council agreed to remove the ice cream social event from the app.

Dirks asked about the Town Center zone redefinition, and asked if that can still move forward without active partners. Peterson stated that the grant proposal is dead because there are no interested developers willing to partner with the City on the project. Peterson explained that it is up to the Council on how they want properties to develop in the City. The current plan for the Town Center is an urban plan in a suburban area. Peterson stated that plan is possible, but not in the short term. Dirks asked if it is worth the time to go through that process when there may not be any development soon. Peterson stated that is all up to the Council, and how quickly they want the Town Center to develop. The rezoning process would take hundreds of hours to complete.

Peterson explained that the revisions would go into the philosophy of the Town Center, big box stores, auto related uses, and other land use issues. Smith stated that the Town Center discussion could be a

separate work session with the Planning Commission. Peterson stated that if this item remains on the app, there will be several work sessions that would include the Council, Planning Commission, business owners and marketing professionals.

Harden stated that he does not want to overwork the staff. Dirks agreed. Peterson stated that the management team met and felt like it can be done.

Upon motion by Tim Clark, seconded by Harden and passing 5-0, the 2013-14 Annual Performance Plan with the removal of the ice cream social was approved.

PLANNING GRANT ENDORSEMENT

Peterson stated that he had proposed to apply to Metro for a planning grant to rezone the Town Center. Peterson explained that part of the grant criteria was to have private developer partners. Peterson explained that at the time of the initial filing there was an interested developer and land owner, but that deal has since fallen apart because of land values. Peterson stated that vacant building at the former dog track is a huge liability with estimates of over \$1 million to remove that structure. Peterson explained that zoning amendments will have to occur to get development. Peterson stated that the staff recommendation is to not apply for the grant.

Harden asked if the Town Center designation would have to be kept if the area was rezoned. Peterson stated that the Town Center designation is a regional designation, and all the regional plans will still have to be met. That may be more difficult over time because of the climate smart communities plan.

Upon motion by Mark Clark, seconded by Dirks and passing 5-0, the Council approved not applying for a Planning Grant from Metro.

RESOLUTION 15-2013: TRANSPORTATION GRANT ENDORSEMENT

Peterson presented the resolution and stated that it is an endorsement for the City's transportation plan grant. Peterson explained that the City would be able to complete the transportation master plan update if the grant were awarded. Peterson stated that it is unlikely that the City will receive a grant during this round because the City's received a grant just two years ago. Tim Clark asked how long it will take to put together the grant materials. Peterson stated that it will take about six hours, but it would be worth doing. The City would be in line for the next set of funding rounds.

Upon motion by Harden, seconded by Tim Clark and passing 5-0, Resolution 15-2013 endorsing the City's application for a TGM grant was approved.

DISCUSSION: POTENTIAL LAND LEASE WITH TREEHILL CONDOMINIUMS

Peterson stated that the City has been approached by the Treehill Condominium Association about the potential lease of City property adjacent to their development. Peterson explained that since this is a property matter with Treehill, there is the potential for a conflict of interest. Peterson suggested that

Mayor Smith and Councilor Harden excuse themselves from the discussion, but stated that it is not required. Condit stated that an argument could be made either way. It would be safest if Smith and Harden excused themselves.

Harden stated that he would like to ask a few questions before he excuses himself. Harden asked how large the property in question is. Peterson stated that it is about an acre. Harden stated that part of the reason Treehill wants the land is so they can build a new maintenance shop because the current structure which is partially on City property has fallen into disrepair. Harden asked if the land that the current building is on can be leased instead. Peterson stated that would depend on the outcome of this discussion, and if the Council wants to move forward with the idea. Harden stated that the site that is currently being looked at has some drainage and soil issues. Peterson stated that would be up to Treehill to decide. Peterson explained that he has a lease request from Treehill, and he is bringing that request forward for a discussion. Peterson stated that he does not have the ability to judge the request or their proposed project.

Smith and Harden excused themselves from the discussion.

Peterson stated that the parcel in question is owned by the City, and is located adjacent to Treehill. The entire parcel is about five acres, and was originally acquired as a land park transfer from the County to be used as a public space. In 1992 the City purchased the land which removed the restriction. Peterson stated that the only public access to the parcel is off Hawthorne Ave. and there are no other easements or access.

Peterson stated that Treehill has requested about an acre of land for a number of uses. Peterson stated that he explained some initial terms with Treehill that included public access would have to remain in place, Treehill would have to carry insurance, and Treehill would be responsible for all the maintenance of the leased section. The lease would be for 25 years at \$10 a year. Peterson explained that Treehill requested that the City remove a tree on that section, which would cost about \$400 to remove.

Peterson stated that the Council can take action tonight to authorize the lease and construction of facilities, conduct additional hearings, appoint a Council committee to review the proposal in more detail, express general interest and convene the remaining discussion in executive session, or not take any action. Peterson stated that he needs to know how to move forward.

Dirks asked what would happen to the land if the City does not move forward with the lease. Peterson stated that the original intent behind the purchase of the land was to sell it, and use the proceeds to enhance the park. Dirks asked if the parcel is developable. Peterson stated that he does not know what the market is for that land, and access would be difficult.

Mark Clark asked if the building would be a permanent or temporary structure. Peterson stated that the conversations have not gotten into that level of detail, but assumed the building would be on a foundation. Mark Clark asked if the permit process would be followed. Peterson stated that any structures built would have to follow City codes. Peterson explained that Treehill has not finalized their plans, but he wanted to get direction from the Council before the lease conversation went any further.

Mark Clark asked what would happen to the building if the lease ended. Peterson stated that the draft lease states that any structures could be removed. Any structures not removed would become property of the City. Mark Clark stated that he does not like the idea of the City paying to remove a tree. Dirks agreed, and stated that it is not a bad thing if Treehill can utilize the property and enhance it.

Gunter stated that currently the City receives several complaints regarding this property. The location is away from the main park area and drainage issues make it more difficult to properly maintain. Peterson stated that it is not in their regular maintenance routine. Tim Clark stated that he does not like the idea of reducing the size of the park. Peterson stated that there is land adjacent to that parcel that can still be utilized. Mark Clark stated that he is in favor of creating good neighbors and working with Treehill on this matter. Dirks and Tim Clark agreed. Peterson stated that even if the Council agrees to move forward, the lease may or may not happen. It all depends on what Treehill ultimately decides to do.

Upon motion by Dirks, seconded by Tim Clark and passing 3-0, the Council authorized Peterson to continue land lease discussions with Treehill, except for the removal of the tree.

DISCUSSION: EARTHQUAKE VALVE EVALUATION

Gunter presented the discussion and stated that evaluating earthquake valves for the reservoirs is an app item. Gunter explained that he discussed the topic with area cities and engineering firms, and thought that the determination of when and if to install earthquake valves would be best decided during the water master plan update. Gunter stated that it is a complex issue, and adding it to the master plan update will help determine the priority of the project. Gunter explained that there could be an earthquake tomorrow and the valves would be a great benefit, or an earthquake could happen tomorrow which destroys the reservoirs making the valves useless.

Tim Clark asked what an earthquake valve does. Gunter stated that it is a valve that is attached to the mainline of a reservoir. The valve is sensitive to movement and will close if there is enough vibration. Gunter stated that the purpose is to secure the water stored in the reservoirs instead of it being lost down broken pipes. Tim Clark asked why this would have to be added to the master plan. Gunter stated that the valves are relatively expensive compared to other projects. Tim Clark stated that there is a lot of talk about disaster preparedness, and this project seems like it would be good to do sooner rather than later. Peterson stated that it all depends on the severity of the earthquake. The valves may be very useful in a smaller quake, but not in a larger one which could destroy the reservoirs.

Mark Clark stated that in an earthquake you can also lose your wells and pumping ability. The valves would be usefully because they would allow for a long term supply of water. Gunter stated that the priority of the valves would be discussed as part of the master plan update. With the update scheduled for next year, this seems like a good fit to add to that project. Peterson stated that there are engineers on both sides of the issue. It will be good to discuss in terms of the entire water system. Peterson explained that the valves can also pose maintenance issues that would need to be evaluated as well.

Upon motion by Mark Clark, seconded by Tim Clark and passing 5-0, the Council added the earthquake valve evaluation to the upcoming water master plan update.

COUNCIL COMMENTS

Dirks asked about the recent code enforcement email that was sent out, and if staff is conducting active patrols. Greg Dirks stated that staff goes out a few times a week to look for violations. Staff also follows up on calls from citizens.

Tim Clark asked about the status of the Brush Up Wood Village program. Greg Dirks explained that the City did not receive any applications. Staff is working to find potential applicants for the program, and a full report will be given to the Council at the next meeting.

ADJOURN

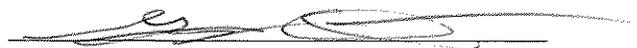
With no further business coming before the Council, and upon motion by Harden, seconded by Dirks and passing 5-0, the Council adjourned at 7:55pm.



Patricia Smith
Mayor

5-14-2013
Date

ATTEST:



Greg Dirks
City Recorder