



*Mayor*

Patricia Smith

*Council President*

Mark Clark

*Councilors*

Stanley Dirks

Timothy Clark

Scott Harden

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**MEETING OF THE  
WOOD VILLAGE CITY COUNCIL  
December 9, 2014  
MINUTES**

**PRESENT:** Mayor Patricia Smith, Council President Mark Clark, Councilors Stanley Dirks, Tim Clark and Scott Harden, City Attorney Jeff 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.**

**CITIZEN COMMENTS**

There were none.

**RESOLUTION 41-2014: FRANCHISE AGREEMENT – WAVE BROADBAND**

Peterson presented the resolution and stated that if approved the resolution would authorize a franchise with Astound Broadband which is a subsidiary of Wave Broadband. Peterson stated that the documents associated with the application include the application fee have been received by staff. Peterson explained that the obligation is to compare the application with the municipal code to determine if the criteria has been met. Peterson stated that the proposal is for a data communication system. Peterson presented a map of the service area which includes Halsey, 223<sup>rd</sup>, and a section of Park Ave. Peterson stated that the main purpose is to link cell towers.

Peterson stated that the code provides for the duration of the franchise and the fees. Peterson explained that the City will not grant a franchise unless the firm meets the PUC guidelines, and all of those items are in order for this application. Peterson stated that the franchise rate is 7%, and that applies to all franchise holders. Changes to the rate would impact all other franchise agreements. Peterson explained that the code allows for a five year agreement, but the applicant has asked for a longer term. The longer term was requested because of the upfront capital costs to install the infrastructure. Peterson stated that the code permits up to two additional five year auto renewals. That would essentially allow a 15 year period before the franchise comes back to the Council.

Peterson presented the alternatives which include denying the application. Peterson explained that findings would have to be made that outline why the application does not meet the criteria in order to deny the application. Peterson stated that the Council could also elect to change the franchise code, or approve the application. Peterson explained that the staff recommendation is

to approve the franchise. Smith asked if the auto renewal option had to be done now or later. Peterson stated that it would have to be made as part of the motion.

Fred Miller from Astound Broadband stated that his company is pursuing this because of cell phones, and the bandwidth on cell towers. Miller explained that he has been contracted to provide a fiber optic network to cell towers. Miller stated that they provide dark fiber networks for customers, and they are bringing that service to this area. The franchise is needed as part of their project which extends from Canada to Eugene. Miller explained that that they are building their network which will eventually add services to the area.

Mark Clark stated that he did some brief research on the company, and it was all favorable. Mark Clark stated that it looks like there are not a lot of customers, but they are all happy. Mark Clark asked why this service area is so small. Miller stated that overtime the service area should grow, but right now they are just offering the dark fiber network for the cellular providers.

Tim Clark asked if the network will be expandable in the future. Miller stated that they will be installing 422 strands of fiber, and they only have leases for two strands. Tim Clark asked about how the fiber will be installed, and if the roads will be patched. Miller stated that some roads will have to be cut open, but they will follow all permit and rebuilding processes.

Peterson stated that revenue generation will only be a few thousand dollars a year because of the small customer load. Harden asked about the 7% fee, and the likelihood that it will increase in the future. Peterson stated that the while the fee was developed about eight years ago, there is a statutory limit at 7%. Peterson explained that if the auto renewal was elected, there could be a provision about the rate structure.

Upon motion by Mark Clark, seconded by Tim Clark and passing 5-0, Resolution 41-2014 granting a five-year franchise agreement with Wave Broadband with two five-year auto renewals was approved.

## **PUBLIC SAFETY REPORT**

Chief Deputy Jason Gates of the Multnomah County Sheriff's Office presented the report. Gates stated that the toy drive at Wal-Mart is going very well, and they have collected over 60 barrels of toys. Gates explained that Walmart provided the MCSO with a \$2,500 grant to purchase items, and they have been able to sponsor over 16 families. Gates stated that there was also a donation for 10 bicycles. Gates explained that a side benefit is that shoplifting is greatly reduced while they are holding the event.

Gates stated that there is a public alert for a phone scam regarding warrants. Gates explained that the suspects are using his name, and now the FBI is investigating the scam which is being operation from the southern US.

Gates stated that there was a case of interest last month that occurred on Holiday. There was a hit and run involving a drunk driver who ran over several items in a yard. Deputies caught up with the suspect who sped away, and the pursuit was called off. Gates explained that Portland Police picked up the pursuit and was able to stop the suspect.

Smith stated that there was a hit and run incident at Treehill, and asked if there was any new information on that case. Gates stated that he would look to see if there were any updates, and get back to the Council.

Gates stated that it was an absolute pleasure working with Mark Clark and Dirks on the Council.

### **CONSENT CALENDAR**

- a. Review of bills paid in November 2014
- b. Contracts \$2,500 - \$50,000
  - There were none
- c. Liquor License Renewals
- d. Council Minutes:
  - November 12, 2014

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

### **RESOLUTION 39-2014: RTO GRANT ENDORSEMENT**

Peterson presented the resolution and stated that it is an endorsement for the West Columbia Gorge Chamber of Commerce's grant application. Peterson explained that the RTO Grant program is a federal pass-through program that Metro uses for specialty programs. Peterson stated that the goal of the RTO program is to help make sure that people have alternatives to vehicles. The funds are used to induce specific transportation options such as bicycles, pedestrian movement, and other forms of active transportation.

Peterson stated that the West Columbia Gorge Chamber received a grant some years ago to operate a van service in the Columbia Cascade industrial area. That program ended about six years ago, and the chamber has not received a grant since that time. Peterson explained that the chamber put together a grant program two years ago that would have attempted to bring the van program back, but the Gresham Chamber's grant application for a bike studio tour was selected instead. Peterson stated that there was supposed to be coordination between the two chambers for the studio tour, but the Gresham Chamber kept all the funds and none of the programs were beneficial to the West Columbia Gorge chamber.

Peterson stated that there is a new funding cycle, and applications are now being accepted. Peterson explained that the grants will be funded in July, and EMCTC plays a new role in directly awarding \$100,000 for two projects. Peterson stated that two projects will be funded at the EMCTC level, and the other applications will have to go into the general pool. Peterson stated that there is a lot of competition at the general level, and there is about \$7 million in projects, but only about \$1.9 million in funding. It is very competitive, and the grant will probably not be awarded if it has to go to that level.

Peterson stated that the grants that will go to EMCTC include one from the Gresham Chamber to fund the next two years of their bicycle program. Peterson explained that the County is looking at a safe routes to school program which is a good program, but it is unfortunate that it is competing for funding. The City of Gresham is proposing a way-finding program aimed at bike routes, and then there is the West Columbia Gorge application. Peterson stated that the projects will be ranked by specific criteria, and the concern is that staff members from Gresham who have active applications are involved in the ranking process. Peterson explained that while there is objective criteria, the people doing the ranking have a grant application in the running.

Tim Clark stated that even with the ranking, the projects still go to the voting members for EMCTC. Peterson stated that is why the West Columbia Gorge Chamber is looking for endorsements which should give the project a stronger presence at EMCTC. Peterson explained that the grant application is for \$50,000, and would help fund the Gorge Hub projects in Troutdale and Wood Village. Peterson stated that the grant will also help add some capacity at the Chamber to look at transit service options in the Columbia Cascade district.

Peterson stated that the alternatives include declining to take any action, and if that is the case the application will still go to EMCTC for the vote. The Council can request additional information, but a special session would have to be scheduled as the vote occurs in January. Peterson stated that the Council can also adopt the resolution which is the staff recommendation. Peterson explained that he does serve on the West Columbia Gorge Chamber, and does have a personal bias for this project. Peterson stated that he helped write the application, and it will not only help with transportation needs but financial stability for the chamber as well.

Mark Clark stated that he is happy with the resolution. Smith agreed. Dirks asked if other cities have endorsed the resolution. Peterson stated that Troutdale endorsed the grant via a proclamation, and it is on the Fairview agenda.

Tim Clark stated that he really likes the safe routes to school program, and while the grant may pay for administrative costs, it could still save lives. Peterson stated that nothing in the County's grant application will build facilities or add new areas. Peterson explained that grant will fund a

County staff person to coordinate activities between schools. Gunter stated that the grant is a funding source for the County to hire a new person.

Harden stated that the program is already implemented, and asked if this is about personnel management. Gunter explained that the safe routes to school is a national program, and people are trying to bring it to the area. The County wants to hire a staff person to help coordinate activities between the schools, and the federal program. Peterson stated that there have been two schools in the area that have tried to utilize the program.

Tim Clark asked how the Gorge Hub program would do in the grant selection process. Peterson stated that the grant would not do well in front of the regional committee because of the lack of citizens served compared to other projects. Tim Clark asked how it compares to the other regional applications. Peterson stated that it is better than way finding signs. This application and the Gresham application on are par with each other. Tim Clark asked how much will the Gresham Grant cost. Peterson stated that the Gresham Chamber grant is seeking \$125,000, and the Gorge Chamber grant is seeking \$50,000.

Harden asked about the Gorge Hub project, and how the Gorge Commission has impacted the project. HR/Records Manager Greg Dirks explained that the Gorge Commission was seeking input and additional information. The Gorge Commission seems to be on board with the project, and there is no indication that they will file to stop the project.

Tim Clark stated that he does not have a problem voting for this resolution, but explained that he does not know how well it will go over at the EMCTC level. Tim Clark stated that he will need some support to back up the program. Peterson stated that he can provide additional information at the EMCTC level.

Upon motion by Dirks, seconded by Mark Clark and passing 5-0, Resolution 39-2014 endorsing the West Columbia Gorge Chamber's RTO Grant Application was approved.

#### **RESOLUTION 40-2014: ENTERPRISE ZONE BENEFIT APPLICATION**

Peterson presented the resolution and stated that the Design Review Committee has approved the design of the new building, and prior to that Brasher's filed for and received Enterprise Zone benefits. Peterson explained that the Columbia Cascade Enterprise Zone is an overlapping zone between Troutdale, Wood Village, and Fairview. The state only allows for two managers, so the City contracts with Fairview for the management of the zone. Peterson stated that to qualify, the business must be industrial or manufacturing, and make a qualified investment.

Peterson stated that the Council adopted set standards in order to qualify for the benefits. If a business meets those standards, they can get the three year property tax abatement with no further authorization needed. Peterson explained that Brasher's put together an application for a \$1.2 million investment that will have about a \$700,000 assessed value. Peterson explained that

the Enterprise Zone manager for the City has approved their application, and this resolution acknowledges that occurrence.

Peterson stated that the full project will remove an older building, and build a new facility for mechanical and detailing operations. Peterson explained that there will be at least 17 new employees, and they will be paid at least 150% of minimum wage. Peterson presented site drawings of the new building, and stated that it is the same style as the other buildings on the site. Peterson stated that the Council does not have to approve the resolution, but the Enterprise Zone benefit will still occur.

Upon motion by Mark Clark, seconded by Harden and passing 5-0, Resolution 40-2014 acknowledging the Enterprise Zone application and investment by Brasher's was approved.

#### **RESOLUTION 42-2014: CANVAS OF VOTES CAST**

Greg Dirks presented the resolution and stated that this resolution acknowledges the results of the recent election. The election results were certified by the County, and confirmed that Bruce Nissen and Jimmy Frank were elected to serve on the City Council.

Upon motion by Dirks, seconded by Mark Clark and passing 5-0, Resolution 42-2014 acknowledging the canvass of votes cast at the November election was approved.

#### **DISCUSSION: GRAFFITI REMOVAL ASSISTANCE FUND**

Peterson presented the discussion and stated that this topic originated at a Council meeting where a Councilor brought up the topic at the close of a meeting. It was decided to bring the topic back at a future meeting. Peterson explained that the 2014-15 budget includes a \$1,500 allocation to assist with a school TAG project. Peterson stated that a Council representative took the lead on that project, but the school administration was not interested.

Peterson stated that Council Harden expressed interest in allocating those funds to another use. Peterson explained that these funds are in the Council's discretionary budget and can be used for a lot of items. Peterson stated that the Council has heard from Riverwood several times this year on the costs associated with removing and preventing graffiti on their fence that faces Arata and Wood Village Blvd. Peterson explained that the total costs were in excess of \$7,000 to remove graffiti, and plant additional vegetation. Peterson stated that the proposal by Harden was to use the \$1,500 as a one-time expenditure to the homeowner's association to help offset those costs, and acknowledge their efforts to keep the area clean.

Peterson stated that the Council does not have to take any action, and the funds do not have to be spent. Peterson explained that the Council may also consider a graffiti program at a larger level, or a fence replacement program. Petersons stated that a fence replacement program would have larger costs, and would most likely involve the Urban Renewal Agency.

Smith asked about a low or no cost plant program for people to help prevent graffiti. Peterson stated that he has talked with several firms to see what it would take to put together a program, and while there is interest there is not yet a formal program.

Dirks asked if Urban Renewal funds could be used in this proposal. Peterson stated that the funds cannot be used for a reimbursement, but there are some other options. Dirks stated that the Baptist Church has started an after school program where there is homework help, activities and snacks for kids. Dirks stated that he knows there are issues about the separation of church and state, but asked if these funds could be used to help that effort. Condit stated that there could be several roadblocks to make that happen, and a contract would be needed at minimum specifying what the funds would be used for.

Tim Clark stated that he would like to discuss the topic on a larger policy level, and come up with a real plan. Tim Clark stated that no one has asked for these funds, and he would rather see a formal policy developed.

Harden stated that he does not disagree, but that this step could be the impetus for a policy moving forward. Smith stated that some of the money they spent went towards an irrigation system. Tim Clark stated that the HOA made a business decision to help save money in the long term. Harden stated that it was also made to help improve the look of the community. Mark Clark stated that he feels this is about recognizing their efforts, and for following the rules on graffiti removal.

Tim Clark stated that there is no program for this item. Harden stated that these funds are the Council's discretionary funds, and there is no policy on how they should be spent. Tim Clark stated that he would not have a problem providing funds if there was a formal program. Harden stated that the amount does not have to be the full \$1,500. Tim Clark asked why it should be up to the City to help pay for their own graffiti removal. Harden stated that the graffiti occurred along the right of way, and they have had to pay a lot of money to keep the graffiti removed. Harden explained that he would just like to reimburse the HOA for some of that expense.

Dirks stated that he can see both viewpoints. Dirks explained that the last few discussions with the residents of Riverwood have been contentious, and this could help build some good will. Dirks stated that the Town Center will be developed, and multi-family developments will be a part of all that. Dirks stated that this could help with the process. Tim Clark stated that the HOA made a business decision, and they did not take into account any support from the City. Tim Clark explained that he is concerned that this could cause additional issues if the funds are provided.

Smith stated that she feels that this topic may take more discussion, and \$1,500 could be used on a lot of different projects or programs.

The City Council tabled the discussion until a future meeting.

### **CITY FLAG DESIGNS**

Greg Dirks stated that the Council requested a flag design program and contest. Greg Dirks explained that staff advertised the contest, and received two entries for students at Reynolds High School. Greg Dirks stated that the Council did not select those designs for a flag, and requested that staff create some simple design options.

Greg Dirks presented four flag design options for consideration. The Council selected design number four, and requested that the brown color be changed to a dark burgundy. The Council also requested that the word since be added about the incorporation date. Greg Dirks stated that he will have the design created into a flag.

### **PUBLIC WORKS DIRECTOR'S REPORT**

Gunter presented the report and stated that the County has filled out a request to reduce the speed on Arata Road from 35 mph to 25 mph. Gunter explained that the request has not been finalized, and the County wanted input from the Council. Smith stated that she feels the road would not function well at 25 mph. Gunter stated that the request will be evaluated by the state speed control board.

Tim Clark asked why this request occurred. Gunter stated that it originated before the Arata Road projects were underway, and there was a large concern for pedestrians along the road. Mark Clark stated that he does not like it, and stated that while he can understand the request, he feels it will turn the road into a speed trap. Harden stated that the hazards are being mitigated next year when the roadway is rebuilt. Tim Clark stated that he does not want the road to be a speed trap either.

The Council declined to endorse the speed reduction application for Arata Road.

Gunter stated that the Sewer Master Plan work is still underway, and staff should be able to review the initial documents within the next week or so. Gunter explained that the Shea liftstation replacement project is underway. The pumps have been ordered, and work on the electrical upgrades has begun.

Gunter stated that work on the reservoir painting project has hit another delay. The company suffered another setback with the recent wind storm which has delayed the work. The encapsulation around the reservoir was damaged, and needs replaced. Gunter stated that the new backhoe has arrived, and the Council can contact him if they would like to test it out. Gunter

explained that the leaf drop off is wrapping up, and two containers of leaves has been removed. Two more containers will be needed to remove the remaining leaves.

Harden asked if the County granted Fred Meyer's request for a wider driveway along Wood Village Blvd. Gunter stated that the request was granted, and some construction activities have begun on the fuel station.

The Council thanked Gunter for the report.

### **FINANCE DIRECTOR'S REPORT**

Minter presented the report and stated that the numbers in the packet are through October of this year. Minter explained that revenues and expenditures are on track, and the property taxes have been coming in strong. Minter stated that the City's investments at LGPI have dropped from .54% to .5%. Minter explained that the new finance employee is doing very well, and staff is ready to complete the audit work as soon as the final numbers come in.

The Council thanked Minter for her work and report.

### **CITY ADMINISTRATOR'S REPORT**

Peterson stated that the APP is in the packet, and there was a great review of the items accomplished at the appreciation dinner the other night. Harden asked about the MCSO office relocation, and where we stand in that process. Peterson stated that the consultant for the County did not rate this site well. Peterson stated that there are topography and soil issues with this site, but it was not removed from consideration.

### **COUNCIL REPORTS**

Mark Clark stated that he has a PDX Noise Advisory meeting this Thursday. Mark Clark explained that there is some concern about the replacement of a key port employee who is retiring soon. The Council requested quarterly updates on this item. Mark Clark stated that he would like to provide quarterly updates to the Council.

Tim Clark stated that there is not a lot of new information coming out of EMCTC. Tim Clark stated that the discussion on the RTO grant already occurred, and there is nothing new to report on the Climate Smart Communities initiative. Tim Clark explained that this is a big item with a price tag of over \$30 billion in projects with no funding sources. Peterson stated that while there were assurances that there will not be any mandates, this work will be included into the framework plan which has to be included in the transportation plan. Peterson explained that future projects will be geared towards active transportation. Peterson stated that congestion is expected to increase by 2.5 times under this plan, and according to Metro that was okay. Peterson explained that the idea will be to increase congestion in order to get people out of their cars.

Harden stated that he is in favor of cutting emissions, but this plan only covers a small portion of CO2 emissions. Harden explained that there are other better projects to take on than this. Coal plants could be replaced which would cut emission more than this plan. Tim Clark stated that the plan has a lot of momentum, and there is no stopping it. Peterson stated the framework plan can be amended in the future.

Smith stated that the EMEA meeting was postponed, and they had a good neighborhood watch meeting.

Dirks stated that he wanted to thank the Council for all their work over the past seven years. It has been fun, and he will miss them.

Mark Clark stated that it has been a real pleasure working with the Council. Mark Clark stated that a lot has changed since he was first on the Council. The Council now discusses items with each other and looks for feedback from residents. Mark Clark explained that he has met most of his goals that he set out for in running for Council. Mark Clark stated that he would like to see the I&I projects picked up again, and he will really miss the Council.

**ADJOURN**

With no further business coming before the Council, and upon motion by Dirks, seconded by Mark Clark and passing 5-0, the Council adjourned at 8:18pm.



Patricia Smith  
Mayor

1-6-15

Date

ATTEST:



Greg Dirks