

*Mayor*  
Patricia Smith

*Council President*  
Mark Clark

*Councilors*  
Stanley Dirks

Timothy Clark

Scott Harden

---

**REGULAR MEETING OF THE  
WOOD VILLAGE CITY COUNCIL  
February 25, 2014  
MINUTES**

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

**ABSENT:** Council President Mark Clark.

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

**PLEDGE OF ALLEGIANCE**

**CITIZEN COMMENTS**

There were none.

**RESOLUTION 6-2014: PGE FRANCHISE EXTENSION**

Peterson presented the resolution and stated that the City's legal counsel for this issue is continuing to finalize one last issue. Peterson explained that the issue deals with the interest rate on payment errors. Peterson stated that it is not much of an issue for the City. Tim Clark asked how frequently repayment errors occur. Peterson stated that one occurred a few years ago when the City received revenue for areas that were not actually in the City. Peterson explained that since the City is working with Fairview on this agreement, he is going with what they want. The City could settle and just be done with the process. Tim Clark asked how many more times the franchise could be extended. Peterson stated that the franchise could be extended indefinitely, and PGE indicated that they were okay with another extension.

Tim Clark asked if the renewal is in the City's favor. Peterson explained that he does not see the new contract as a net loss or gain for either party. The new agreement cleans up a lot of issues, and provides for further clarification.

Upon motion by Tim Clark, seconded by Harden and passing 4-0, Resolution 6-2014 extending the PGE Franchise Agreement was approved.

### **RESOLUTION 7-2014: SEWER MASTER PLAN CONSULTANT SELECTION**

Gunter presented the resolution and stated that staff took out a request for proposal for a firm to update the City's Sewer Master Plan. Gunter explained that the City received several calls from interested firms, and ended up with three proposals. The proposals were from MSA, Wallis Engineering, and Curran McLeod Engineering. Gunter explained that a four person evaluation team was put together to assess the proposals. The team consisted of himself, Peterson, the City's Engineering Technician Scott Sloan, and the lead Utility Worker Loren Wilton. Gunter stated that after the first review, the team was split on which firm to recommend. An interview process was established, and the recommendation is to award the contract to MSA. Wallis Engineering was the second choice.

Smith asked what the difference was between the firms. Gunter stated that both firms are quality firms, and part of the issue was that Wallis Engineering recently completed Fairview's Sewer Master Plan. In that update, Wallis indicated in the plan that the newer lift station located at 207<sup>th</sup> was not needed, and should be decommissioned. Gunter explained that after some clarification, Wallis stated that the lift station is in the wrong location, but not unneeded.

Tim Clark stated that he could see that as a conflict, and how the firm may approach the update. Gunter stated that if Wallis had been selected, other information could have come out of their work regarding the lift station. Gunter explained that after the interview, MSA was the unanimous recommendation.

Upon motion by Dirks, seconded by Tim Clark and passing 4-0, Resolution 7-2014 authorizing the City Administrator to negotiate and sign a contract with Murray Smith & Associates for the development of a new Waste Water Master Plan, as well as a four year maser services contract for sewer engineering services was approved.

### **RESOLUTION 8-2014: CDBG PROJECT ENDORSEMENT**

Peterson presented the resolution and stated that the City has the opportunity to receive Community Development Block Grant funds. Peterson explained that the County is a direct recipient of the Federal funds. Those funds then go into different programs, and one of them is for Public Facility Improvements. Peterson stated that only the City and Fairview meet the requirements for the funds, so the Cities alternate years to apply for the funds.

Peterson explained that certain City wide projects can qualify for the funds. Those projects would include sidewalks, crosswalks, or other public safety improvements. Petersons stated that revenue generating items do not qualify, or items that have a fee associated with them. Peterson explained that projects in the park generally qualify as well.

Peterson stated that previous projects have included park trail surfacing, ADA surfaces for the playground, sewer later replacements, sewer laterals and lines in Treehill, and a pollution control vault. Peterson explained that the grant is due March 6<sup>th</sup>, and the committee selects the projects in April. The project has to be completed by June of 2015.

Peterson stated that potential projects for this round of funding include park trail expansions, park facility improvements, fire hydrant work in the manufactured home parks, storm water line work in the Original Village, enhancing the water line system in Treehill, or safe pedestrian crossings. Peterson explained that these projects were presented to the Parks Commission, and their recommendation was to apply for the park improvement projects. Peterson stated that while the other projects may serve low income families, the fire hydrant project in the manufactured home park would really just benefit the owner who is not low income. The safer pedestrian crossings on Halsey already have a funding source, and the storm and water line work involves too many parities and easement issues to sort out by the deadline.

Peterson stated that while some enhancements to the playground have been made, other items cannot be installed because of the lack of space. Federal requirements have a specific setback, and the playground area is out of room. Peterson explained that the playground can be expanded to the east by about 15 feet. The swing set would be pushed back allowing for additional items. Peterson stated that the other projects include enhancing the sport court, and improving the irrigation system. Peterson explained that the irrigation system was turned off in the late 1990's due to a lack of water. The water shortage is no longer an issue, and the system could be running again.

Peterson stated that the Parks Commission recommended in priority order the sport court enhancements, the playground expansion and improvements, and the irrigation system project.

Tim Clark asked about an LED project. Peterson stated that the conversion of street lights to LED would not qualify for funding. Peterson explained that other options for LED conversions are being pursued. Peterson stated that another potential project that was not presented to the Parks Commission is the addition of security cameras.

Harden stated that he attended the Parks Commission meeting, and the proposed park projects were a high priority. Tim Clark stated that he is concerned about having all the improvements with nothing to secure them. Smith asked if the cameras could be included in next year's budget. Peterson stated that they could be. Dirks asked if there was any real value in having the cameras. Tim Clark stated that the cameras act as a deterrent. Peterson explained that the cameras do not add a lot of value for prosecution because the quality is low, but they do work as a deterrent. Harden asked if there were any other grants available for the cameras. Peterson stated that while there are public safety grants they are very competitive, and are typically for larger projects.

Upon motion by Harden, seconded by Tim Clark and passing 4-0, Resolution 8-2014 authorizing the City Administrator to file a Community Development Block Grant application for Park Improvements was approved.

### **REPORT: BACKFLOW PREVENTION PROGRAM BENCHMARKING**

Gunter presented the report and stated that each year the City looks at benchmarking a program for best practices. This year the City's backflow prevention program was selected. Gunter explained that the backflow program helps ensure the safety of the City's drinking water.

Gunter stated that staff first contacted the Department of Health, and asked which cities have the best programs. Gunter explained that Fairview has one of the best programs in the state. Other cities with good programs include Troutdale, Scappoose, and Sandy. Gunter stated that the City's program was compared against those programs, and overall the City has a good program. The utility workers are trained in backflow prevention, and the City has the same software as other high ranking cities.

Smith asked how many backflow devices are in the City. Gunter stated that it is around 275. Gunter explained that any location with an in ground sprinkler system, hot tub, or pool should have a backflow device. Restaurants will also have a backflow device. Peterson stated that the device works to counteract pressures that can build in the line, and flow back into the City's water system.

Gunter stated that the City sends out annual reminders for testing, and follows up with customers until there is compliance. Gunter explained that there had been cases where the process was not fully followed, and that has now been corrected. The City will terminate service for non-compliance. Tim Clark asked what the process is before the service is turned off. Gunter stated that the City will send two reminder letters, and then he will personally deliver the final notice if the customer is still not compliant. Gunter explained that corrective action usually happens very quickly after the final notice.

Peterson stated that the City does not have any record of a backflow occurring within the system. Tim Clark asked if the new meters could detect a backflow. Peterson stated that the new meters only run one direction, but there is no backflow indicator.

Harden asked if anything was learned or gained from the process. Peterson stated that the biggest gain was ensuring that the City will terminate service for noncompliance. Peterson explained that a former employee felt that the backflow program was insufficient and unsafe, but that has proven to not be the case. The City does not have a leading edge program, but it is still a very good program.

Harden asked if the City is ever asked by other cities to participate in best practice surveys. Peterson stated that the City is frequently contacted about various policies or programs. The Council thanked Gunter for the report.

**EXECUTIVE SESSION PER ORS 192.660(I) TO REVIEW AND EVALUATE THE EMPLOYMENT-RELATED PERFORMANCE OF THE CHIEF EXECUTIVE OFFICER OF ANY PUBLIC BODY**

Tim Clark asked that this item be tabled until the next meeting in order for the entire Council to be present.

Upon motion by Tim Clark, seconded by Harden and passing 4-0, the Executive Session per ORS 192.660(I) was tabled until the next Council meeting.

**PUBLIC WORK DIRECTOR'S REPORT**

Gunter presented the report and stated that hot spots throughout the City were cleaned, as well as the Shea lift station. Gunter stated that the Shea lift station is having some difficulties, and is essentially at the end of its useful life. Work is also occurring on the City's flodar which measures sewer flow. Gunter explained that the crew is having to replacing several of the newer water meters. Gunter stated that according to the manufacture this is an isolated incident, but the City has had to replace over 30 meters. Smith asked if there was a warranty. Gunter stated that the City receives a replacement meter, but we lose out on that consumption. Peterson stated that an estimated billing is done for the commercial users, and residents are charged just the base rate.

Smith asked if there was any indication on what is causing the failure. Gunter stated that the company representative indicated that it is an isolated incident. Peterson stated that other cities that have these meters have not experienced this problem. Gunter explained that the City's installation method was reviewed, and that is not causing the problem. Peterson stated that the City is also upgrading the replacement meters, and no issues have been found with those. Tim Clark asked what the upgrade includes. Gunter stated that it is primarily the touch read connection method. The City does have to pay the difference for the upgrade.

Gunter stated that the County swept the roads, and that process went well. Tim Clark asked about the time it took to remove the gravel on the roadways, and if that could cause damage. Gunter explained that while the gravel was laid down a few weeks ago, it was removed relatively quickly. The County did a great job.

Smith asked if there was any new development news. Gunter stated that the new Salvadorian restaurant has opened, and an acupuncturist is looking to locate in that same building. There is no new news on Famous Dave's.

## **FINANCE DIRECTOR'S REPORT**

Minter gave the report and stated that the budget is looking good and on track. Minter stated that items are under budget, and several revenues are slightly higher than anticipated. Minter explained that the transition to Tyler is going well, and the system will be used to generate the new utility bills.

Minter stated that the budget calendar is in the packet, and it is structured very similar to the past several years. Two meetings are scheduled in May, and they occur on different weeks from the Council meetings. Minter asked what the Council would prefer for the meal options. The Council requested looking into Via Thai, or the new Salvadorian restaurant.

## **CITY ADMINISTRATOR'S REPORT**

Peterson stated that the Council Calendar is in the packet, as well as the Annual Performance Plan update. Peterson explained that the APP is on track, and staff has been doing a great job of completing items.

Peterson stated that at the retreat he provided the Council information that was not correct. Peterson explained that he had informed the Council that the Planning Commission could unilaterally change the Master Plan. That information was not correct, and any revision to the Master Plan requires Council action. Peterson stated that an application for a multi-family unit in the Town Center came in, and there are a full set of rules regarding live applications. A joint meeting with the Planning Commission cannot occur, but the issue will be before the Council for the final vote.

## **CITY ATTORNEY'S REPORT**

Condit stated that the model contracting rules were recently updated, and should be published this spring. Condit stated that the revisions were minor, and he will be reviewing the final rules when they come out. Condit explained that while the revisions were minor, the City will have to adopt the changes this summer.

## **COUNCILOR REPORTS**

Peterson stated that the recent court case regarding the urban reserves will have a big impact at MPAC. Condit stated that while the court may have thrown out the designation, the legislature may be able to settle the larger issues with some of the areas. While there still might be issues, those issues would be worse without the proposed legislative fix.

Smith stated that the Gresham Police Chief Presented at EMEA. The chief is tough, but he is doing the job that needs to be done. Smith explained that the chief indicated that more crime is moving to the suburban areas.

## **APPOINTMENT TO THE MT HOOD CABLE REGULATORY COMMISSION**

Harden stated that he has agreed to take the City's position on the MHCRC.

Upon motion by Tim Clark, seconded by Dirks and passing 4-0, Harden was appointed to the MHCRC.

## **COUNCIL REPORTS**

Smith asked if there was an update to the marijuana legislation, and the right for cities to ban dispensaries. Peterson stated that the City received notification on Senate Bill 1531B which would permit cities to ban dispensaries. Peterson explained that the League of Oregon Cities is asking for councilors to contact their legislators to support the bill. Peterson stated that an earlier bill was passed that would allow cities to regulate locations, but did not allow an outright ban.

Smith stated that she would like the ability to prohibit the dispensaries. Harden stated that it does not matter to him either way, but would at least like to have a say in the matter. Tim Clark asked if contacting the legislature would really matter. Peterson stated that he does not know how the City's legislator feels on the matter.

The Council requested that the legislator be contacted to at least allow cities to have the option of prohibiting dispensaries.

Tim Clark asked if there was any new information on the Google Fiber program, and if that would be expanded into the City. Peterson stated that he contacted the MHCRC which would oversee the program, and the geographical area has not yet been determined. Peterson explained that he also contacted Gresham which is working on the program, and there was interest in including the City.

Tim Clark stated that he has noticed some issues when agenda items run late, and asked if times could be added to the agenda. If items need to run over, the Council could decide whether to continue or table an item. Peterson stated that he can add times to the agenda.

Dirks stated that he has noticed an increase in graffiti, and while the City has been doing a good job of removing it there are still problem areas. Dirks explained that the fence along the west end of the Baptist Church property has been vandalized a lot, and asked if the City could help remove the graffiti. Dirks stated that the church supports the City a lot, and removing the graffiti would benefit the community. Peterson stated that there are options the City can take, and he will look into it.

Tim Clark asked about the street sign replacements, and if those were on a replacement schedule. Gunter stated that the City replaced some signs, and the County replaced some signs. Gunter

explained that the sign replacement is not on a schedule, and was primarily driven by changes to the uniform traffic code.

**ADJOURN**

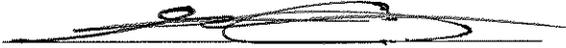
With no further business coming before the Council, and upon motion by Tim Clark, seconded by Harden and passing 4-0, the Council adjourned at 7:32pm.



Patricia Smith  
Mayor

3/11/2014  
Date

ATTEST:



Greg Dirks  
City Recorder