



*Mayor*  
Patricia Smith

*Council President*  
Timothy Clark

*Councilors*  
Scott Harden

Bruce Nissen

Jimmy Frank

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**MEETING OF THE  
WOOD VILLAGE CITY COUNCIL  
March 22, 2016  
MINUTES**

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

**ABSENT:** Public Works Director Scott Sloan

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

**CITIZEN COMMENTS**

There were none.

**PRESENTATION: EAST METRO MEDIATION PROGRAM – TERA CLELAND**

Tera Cleland presented handouts about the program. Cleland stated that there is a semi-annual report for 2016 which covers the first six months of the fiscal year for the program. Cleland explained that the report covers the number of people served, education programs that were provided, new programs that were created, and the satisfaction results.

Cleland stated that mediation is the opportunity to have a different kind of conversation. Mediation works by having two neutral mediators facilitate a conversation. Cleland explained that the mediators do not offer advice or make decisions for the parties. Cleland stated that 88% of cases that meet in mediation resolve at least some of their issues.

Cleland stated that East Metro Mediation also offers free community training each quarter. The next training is on April 26<sup>th</sup>, and is in Wood Village. The trainings teach one skill set to community members, in a two-hour session.

Cleland stated that they have also partnered with the Gresham School District on a program called Second Home. This program works by matching up homeless students with home providers. Cleland explained that the program is for students at least 16 years or older with no criminal record or substance abuse issues. The program is about a year old, and there have been five home providers signed up for the program.

Cleland stated that another new program is working with Wilkes Elementary School to help get the students to school on time every day. Cleland explained that mediators meet with the parents and school officials to find solutions to ensure that the student gets to school every day.

Clark asked if there are any articles mentioned in the newsletter about the program. Cleland stated that she has an article submitted for each newsletter. Clark asked about participation from Wood Village. Cleland stated that Wood Village residents make up about 1% of the cases in the program.

The Council thanked Cleland for her work and presentation.

### **RESOLUTION 7-2016: 238<sup>TH</sup> PL. STREET LIGHT INSTALLATION**

Clark excused himself from the discussion, and declared a conflict of interest.

Peterson presented the resolution, and stated that this is the second hearing on the proposed street lights along 238<sup>th</sup> Pl. Peterson stated that there was a citizen request for street lights along this street. Peterson explained that there have been two other requests since the adoption of the street light policy. Peterson stated that there was a request along 230<sup>th</sup> and 231<sup>st</sup>, and the Urban Renewal Agency funded those projects. There was another request along Walnut, but that location already met the lighting standards so it was not approved.

Peterson stated that this was first in front of the Council this past September. Peterson explained that the Council had discussed some of the key points for installing the lights. Peterson stated that based on national statistics, there is a slight decline in property crime with additional lighting. Peterson stated that is based on national statistics, and street lights will not prevent crime or vehicle accidents.

Peterson stated that there was a motion to hold over the issue until March in order to allow the residents along 238<sup>th</sup> Pl. to have additional conversations. Peterson explained that the City did not do any additional outreach other than noticing this meeting.

Peterson stated that there were a few emails sent in that either opposed or supported of the project. Peterson handed out copies of the emails. Peterson stated that one of the emails asserts that this project came about because of Clark, and his position as a City Councilor. Peterson stated that Councilor Clark acted as a citizen in filing out the request, and has excused himself from all discussions. Peterson stated that this is not Councilor Clark's project, but a collective City project. This street was also used as an example of a current street without any street lights, and the need to have a policy in place for residents to request street lights.

Peterson stated that this roadway is nearly 200 feet long, and is adjacent to Glisan. There are no lights on 238<sup>th</sup> Pl. or at the intersection of Glisan. Peterson stated that the development was primarily built in the 1970's, and was called the Air View Estates. Peterson stated that PGE came out and did a light study for the optimal placement of the lights. The total project cost was estimated at \$7,000, and about \$985 was spent on the underground electrical work.

Peterson stated that the City's street lighting costs would go up about \$30 a month with the addition of these three lights. The lights would be a standard fiberglass pole with led fixture. Peterson explained that the lights would be installed in the public utility easement and right of way. Peterson stated that while it appears that the lights would be going in a private yard, there is a public right of way and easement that takes up part of that space.

Peterson presented the standards listed in the policy, and stated that this street meets the standards for having street lights. Peterson explained that the policy does include neighborhood notification, and the first hearing was in September. That meeting was then held over until tonight.

Peterson stated that the City would pay for the installation of the standard poles, but not the decorative poles. Peterson explained that as long as there is the fiscal capacity, proposals for additional street lights will be entertained.

Peterson stated that concludes the staff report, and the roadway does meet the standard. There is a lighting plan from PGE, and while one light could be installed staff does not recommend that action. Peterson stated that there is not a staff recommendation on this item. Peterson explained that some staff thought that the street meets the policy so there should be light, others thought that if the neighbors really do not want the lights, then we should not move forward.

Smith opened the floor for public comments, and asked to keep it between 3-5 minutes per speaker.

Wayne Johnson of 705 238<sup>th</sup> Pl. stated that this project was not done correctly from the start. Johnson stated that he woke up one morning, and his yard was being dug up for a pole. Johnson stated that he is not necessarily against street lights, but this project was not done correctly. Johnson stated that they have had some crime, but nothing serious. If people want additional light, they can add lights to their house. Johnson stated that he had a neighborhood petition signed for those that did not want a street light. Johnson presented the petition to the Council.

Johnson asked if work could be done in his yard without his consent even if there is an easement. Condit stated that he cannot give out personal legal advice, but a public right of way and

easement permits the City to add features such as poles and transformers, and other facilities typically found near a roadway.

Don Kline of 709 238<sup>th</sup> Pl. stated that this project just started one day, and no one was informed beforehand. Kline stated that at first the pole was going to go right in the middle of his yard, but he was able to get the proposed location moved to the side area. Kline stated that a lot of work was done to run the electrical work, but then the project was put on hold. Kline stated that he had to fill in the hole that was left himself, and not input was received from the community on where to put the poles. Kline stated that the lights should have been placed at the end of the street, and not this proposed location. Kline stated that this has been a waste, and people could buy additional lights from their home if they want more light. Smith stated that she is sorry he had to fill in the hole, and that was not right.

Clark Santee of 408 238<sup>th</sup> Pl. stated that the decision was made in September to hold off on a decision because there was opposition. Santee stated that the City indicated that they would do additional outreach and pole the neighborhood, but that did not occur. Santee stated that this decision should be made on what will make Wood Village a better place to live. Santee stated that the neighborhood was designed for street lights, and it was a fluke that they were not installed in the first place. Santee stated that the Council knew there was a neighborhood conflict on this issue, but not additional outreach was conducted. Santee stated that he understands that this is a tough decision, and community feedback should carry some weight. The ultimate decision should come down to if this project would improve the City.

Johnson stated that if this is going to be installed, then it should be done on both sides of the street. Johnson stated that this plan was not done correctly.

Peterson stated that the design was done by a lighting engineer at PGE to meet nation ANSI standards. The design is the most efficient way to illuminate the area.

Smith closed the floor to public comments.

Harden stated that the lighting design was done by a professional lighting engineer to meet national lighting standards. The Council did not make up the standards or chose the locations.

Nissen stated that he believes it would better the serve the community to have street lights, but the overwhelming majority of people who responded do not want lights in this area. Harden stated that it is a lot of the same people as last time that are for and against the project, so it will be up to the Council to decide what to do. Harden stated that adding lighting can make the area safer, and lighting can be a positive thing.

Frank stated that he has heard a lot of opposition to this project and respects the position of the neighbors. Frank stated that while this can still be somewhat subjective, there are enough strong feelings from the neighborhood that he does not feel comfortable overriding those thoughts.

Harden stated that the City has a policy with specific standards. A street was turned down for additional street lights because of those standards, and this should not be any different. If a street meets the standards, then it meets the standards.

Harden motioned to approve Resolution 7-2016 to install three street lights on 238<sup>th</sup> Pl. per the PGE lighting plan. There was no second.

Peterson stated that ends this issue, and street lights will not be placed on 238<sup>th</sup> Pl.

### **RESOLUTION 8-2016: 2016-17 ANNUAL PERFORMANCE PLAN ADOPTION**

Peterson presented the resolution and stated that this is the proposed Annual Performance Plan for the next fiscal period. Peterson stated that the projects follow the Council's goals, and the APP is a work program that holds the organization responsible to the Council. The APP drives the activities of the community, and pushes the organization further.

Peterson stated that lot of the items on the APP came out of the Council workshop. Peterson presented the proposed timeline for the projects. Peterson explained that there is staff capacity to complete all the projects, but we are planning on bringing in an intern to complete the nuisance and sign code project.

Peterson stated that the Park SDC is on the APP. Peterson explained that the majority of the developable properties are within the Urban Renewal Area. Even if the agency pays for all the SDC's as a development incentive, that is still a better financial vehicle compared to just relying on the Urban Renewal Agency to complete park projects. Peterson stated that only a small portion of Urban Renewal funds could be used on parks. Peterson explained that this will be completed to the extent it can be with staff.

Peterson stated that another item that needs to be added to the plan is recertifying the park for CDBG funding. Peterson explained that the park lost the eligibility for CDBG funding because of the way the census blocks were crated. Eligibility can be reestablished if we do a survey of the surrounding neighborhoods to prove that it qualifies for CDBG funding. Peterson stated that he is confident that the park will qualify, but we will have to do the work.

Smith asked how the recent events at the chamber will impact the Gorge Hub. Peterson stated that the RTO grant may be impacted, but the Gorge Hub project will continue to move forward.

Peterson stated that there are some items that may come up during the year ahead that could impact the APP. Peterson stated that we will probably be seeing our first subdivision in 20 years, and that will take a good amount of time to complete. The City Hall is also for sale which could complicate the timeline as well.

The Council stated that these are goals, and circumstances may arrive that changes the timeframe or projects.

Upon motion by Harden, seconded by Clark and passing 5-0, Resolution 8-2016 adopting the 2016-17 Annual Performance Plan was approved.

### **RESOLUTION 9-2016: IGA WITH THE MCSO FOR LAW ENFORCEMENT SERVICES**

Peterson presented the resolution and stated that this agreement is a great value. Peterson explained that personnel costs are moving around 5%, but this renewal is only for a 1.6% increase. The full contract amount will be \$405,051 for the same level of service. Peterson stated that the staff recommendation is to adopt the resolution.

Upon motion by Nissen, seconded by Clark and passing 5-0, Resolution 9-2016 approving the IGA with Multnomah County for Law Enforcement services was approved.

### **RESOLUTION 10-2016: PARK TRAIL EXPANSION CONTRACT AWARD**

HR/Records Manager presented the resolution, and stated that this project will rebuild the southern portion of the park trail system, and connect it with adjacent trail networks. Dirks stated that staff solicited proposals from several firms, and Henderson Land Services came up with the most comprehensive approach. Dirks explained that the project will improve the drainage to the trail network, add additional native plantings, and rebuilt the stair section leading to the lookout. Dirks stated that the budget for this project is \$75,000, and the bid is \$74,110. The project could start in April, and would last about six weeks.

Upon motion by Harden, seconded by Nissen and passing 5-0, Resolution 10-2016 awarding the Park Trail Expansion Project to Henderson Land Services was approved.

### **RESOLUTION 11-2016: CITY COUNCIL AGREEMENT**

Peterson presented the resolution and stated that the Council discussed this item at their recent retreat. Peterson explained that the current policies were initially adopted in 2008, and then revised in 2011.

Peterson stated that this policy revision would create a City Council Job Description, and remove about seven pages worth of code of conduct policies. Peterson explained that staff wrote the description based on the same format as other City job descriptions. Peterson stated that the description has a general purpose statement, and then moved into essential responsibilities.

These items were taken from the current policies that staff thought were desirable. Peterson explained that additional items were added to a section for things to keep in mind which includes items such as public records.

Peterson stated that a qualifications section was added, and those items came from the City Charter. Peterson explained that this revision takes seven pages of policies, and breaks it down to two pages. The Job Description would then fit back into the overall nine Council Policies.

Harden asked if all nine policies remain intact with this addition. Peterson stated that all the policies would remain, but policy two could be eliminated. Peterson stated that overall this is a nice system, and it is good at holding the organization accountable to the City Council.

Clark stated that he wants to make sure that these policies are still good for the Council in the long term. Peterson stated that some items were left out in drafting this description. Peterson explained that all the items in the currently policy were added for a reason, and to handle some kind of issue. Clark stated that this is more about training and guidelines, and it is good to have guidelines.

Nissen stated as one of the newest Council members, having a two page document that is easy to read is beneficial. Frank agreed.

Upon motion by Harden, seconded by Clark and passing 5-0, Resolution 11-2016 creating a City Council Job Description and repealing the current Code of Conduct Policy contained in Resolution 7-2011 was approved.

#### **DISCUSSION: 17<sup>TH</sup> ANNUAL CITY NITE OUT**

Dirks presented the discussion and stated that the 17<sup>th</sup> annual City Nite Out is planned for Friday, July 15<sup>th</sup>. The event will feature a parade, music, children's activities, free food, and demonstrations. Dirks stated that feedback from the Council last year indicated an interest in an actual parade, but representatives from the County have indicated that a parade cannot occur on Halsey during that time of the day. Dirks explained that the route will be the same as the past few years, and staff will do more to promote the route. The Council requested that staff review plans for next year that could include an actual parade.

Dirks stated that every year we do a give-away item. Last year it was basketballs, but they went really fast. Dirks stated that this year he is proposing Frisbee's which are less expensive, and can be imprinted with the sponsor logo. The Council asked if a small disc golf course could be set up as part of the event. Dirks stated that he will do what he can to make that happen. Overall the site layout is the same as the last few years.

Dirks stated that the schedule is being finalized, but there are requests for two helicopters to land at the event this year. The budget is \$6,000, and staff will work with area sponsors for donations to reduce the City's out of pocket expenses.

Upon motion by Clark, seconded by Nissen and passing 5-0, the 17<sup>th</sup> annual Nite Out was approved as discussed.

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

Peterson presented the report and stated that the Halsey sewer line project is going very well. There was also a positive response from the owner of Wood Village Green regarding the placement of fire hydrants for this year's CDBG project. Peterson stated that there is a community meeting with Treehill this Thursday regarding the water pressure project.

Peterson stated that Walmart is about wrapped up with their remodel, and Fred Meyer is well under way with their remodel. Peterson explained that Kohl's also submitted plans for an interior remodel. Grove Tech received a temporary certificate of occupancy so they can get their operations under way.

Smith stated that it looked like there was a fire in the park. Dirks stated that there was a fire in the park the other day, and Gresham Fire did respond but we have not seen a report.

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

Minter stated that the finances are on track, and revenues are looking good. Smith stated that it looks like gas tax revenue went up even though prices went down. Petersons explained that the gas tax is based on total gallons sold, so we get more revenue as more gallons are sold. As prices went down, sales went up.

Minter stated that the investment portfolio is right around \$5.489 million, and the interest is up to .75%. The Budget Committee meeting is scheduled for Thursday, April 21<sup>st</sup>.

### **CITY MANAGER'S REPORT**

Peterson stated that the APP and City Calendar are in the packet, and he has nothing specific to report.

### **CITY COUNCIL REPORTS**

Clark stated that MPAC discussed the compliance report, and all the cities were meeting the standards except for Damascus. The report mainly focused on the Comprehensive Plan, and some additional mandated items. Clark stated that there was also an Urban Growth Management Update, and that decision will be brought back in about three years.

Clark stated that the next meeting will be a joint meeting with JPAC and MPAC. Peterson asked if there has been a vote on the safe route to schools funding item. Clark stated that nothing has been decided yet, and it looks like that group has its own ideas on how that funding should be used.

Smith stated that EMEA is still trying to increase membership, and the last meeting focused on project endorsement. Smith stated that their neighborhood watch meeting focused on emergency preparedness. Smith stated that the Parks Commission met and approved the plan for the landscaping islands along 238<sup>th</sup>. There was also a recommendation to look at having a tree protection program. Petersons stated that could be part of next year's APP.

Clark asked if the City Manager review could be placed on the next agenda, and asked if it could be an open or executive session. Peterson stated that it could be either one.

**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 8:36pm.



Patricia Smith  
Mayor

4-12-16

Date

ATTEST:



Greg Dirks  
Recorder